# PARLIAMENTARY DEBATES

(HANSARD)

**SIXTH SERIES—VOLUME 326**

# HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

**SESSION 1998–99**

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*22 February 1999*

# THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

**SIXTH SERIES** **VOLUME 326**

**FOURTH VOLUME OF SESSION 1998–99**


## House of Commons

*Monday 22 February 1999*

*The House met at half-past Two o'clock*

PRAYERS

[MADAM SPEAKER *in the Chair*]

## Oral Answers to Questions

### DEFENCE

*The Secretary of State was asked—*

**Territorial Army (Doncaster)**

1. **Ms Rosie Winterton** (Doncaster, Central): What financial provision he has made for training Territorial Army cadets in Doncaster. [70491]

**The Minister for the Armed Forces (Mr. Doug Henderson):** As I have announced, we are fully committed to the cadet forces in this country and have made extra resources available to them.

The cadet detachments in Doncaster will continue to have six adult instructors and an officer devoted to their training. In addition, we plan to construct a new indoor rifle range for the cadets at Danum road.

**Ms Winterton:** My hon. Friend will be aware that the local Territorial Army squadron, the King's Own Yorkshire Yeomanry, has welcomed the announcements about the continuation at Danum road of the cadet force, and I am sure that it will welcome today's announcement. However, is he aware of the concern that the Danum road centre may be open for perhaps only two evenings a week and the occasional weekend? Is he considering making the centre available for other youth training activities, to maximise the investment in it?

**Mr. Henderson:** We intend to ask the local Territorial, Auxiliary and Volunteer Reserve Associations to make resources available to other youth organisations where appropriate and where that can help to add to the facilities provided for young people in Doncaster. We also welcome the support in Doncaster for the improvements to the cadet facilities.

**Sir Geoffrey Johnson Smith** (Wealden): Is the Minister aware of the increasing difficulty in providing the necessary facilities for cadets with so many TA camps and training grounds closing?

**Mr. Henderson:** The right hon. Gentleman will recognise that there must be changes. Most cadet units meet not in TA centres but in schools and other places, and that will continue unchanged. The vast majority of cadet units that meet in TA centres will continue to meet where they have met traditionally. Those forced into changes because of the general changes to the estate of the TA will receive facilities that are at least as good as those they have at present and, in some cases, the facilities will be improved.

**Deployment (South-east Europe)**

2. **Mr. David Heath** (Somerton and Frome): What is the current deployment of British armed forces personnel in south-east Europe. [70492]

**The Secretary of State for Defence (Mr. George Robertson):** There are currently some 5,675 British armed forces personnel deployed in Bosnia, Croatia, Kosovo, Macedonia and Greece. That number excludes defence attaché staff.

The House will wish to be aware that the Government decided on Friday to authorise the deployment of some 2,225 personnel to Greece and Macedonia as the advance element of the UK's contribution to any NATO-led peace implementation force in Kosovo. These are the personnel of the lead armoured battle group and 4 Armoured Brigade headquarters, whose heavy equipment and vehicles were deployed following the announcement that I made to the House on 11 February. This further advance deployment of equipment and personnel represents prudent military planning to ensure that the UK can continue to play its part in bringing about a peaceful settlement in Kosovo.

I hope that the peace talks jointly chaired by my right hon. Friend the Foreign Secretary will lead to a successful outcome, including the need for a NATO-led military force to underpin the agreement. However, we cannot be certain that that will happen. If agreement is not reached, the UK will be prepared to act with our allies to take whatever measures are necessary to avoid a humanitarian catastrophe.

**Mr. Heath:** I share the Secretary of State's view, and we all hope for a successful outcome from Rambouillet. Does he agree that, if President Milosevic accepts the political, but not the military, outcome of those talks, bombing alone will not secure peace in Kosovo? Has he had any discussions with his counterparts in Russia on the concept of including within the NATO-led peace implementation force a component from Russia, particularly given the skilful and distinguished role that those troops played in Bosnia?

**Mr. Robertson:** The only thing that will guarantee peace in Kosovo for the future is a political agreement to which both sides subscribe. That is what my right hon. Friend the Foreign Secretary has been working towards with his colleagues at Rambouillet during the past two weeks. My right hon. Friend deserves the commendation of the House for the effort and energy that he has put into the talks. The talks are continuing, and it is not for me to predict how they will go up to the deadline that was fixed for tomorrow afternoon. We would like to avoid all violence, and the troops deployed to Greece and Macedonia are there as a precaution—a prudent military contingency for what we hope will be an implementation force designed to supervise a peace agreement, if that happens.

On Russia, we would all like to see a Russian contingent as part of any multinational force. The Russians are part of the stabilisation force in Bosnia and part of the Contact Group involved in the negotiations, and they have been unanimously behind the position taken up in the negotiations so far.

**Mr. Tam Dalyell** (Linlithgow): Did my right hon. Friend see the moving obituary on Saturday by the hon. Member for Boston and Skegness (Sir R. Body) of the wartime Bomber Command hero, Group Captain Peter Johnson, which described how Hitler gave a fortnight's leave to any German soldier on the Russian front or in north Africa whose home had been destroyed? Is it not true that people whose families are bombed react with far more vigour and determination? What does he think the effect on the Serbs will be of heavy bombing, some of which will undoubtedly hit civilian targets, however careful the bombers may be?

**Mr. Robertson:** No, I did not see the obituary, but if that hero were here today, he too would say that we must be robust in our approach to those who bully and intimidate, are responsible for disproportionate violence and take it out on civilians. We have always made it clear, up to and including the agreement reached with Ambassador Holbrooke last year, that Serbia must face the prospect of military action unless it is willing to abandon its uncivilised attacks on people in its own country. Both sides are around the table in Rambouillet. I hope, as we all must, that the sensible discussions will result in a political outcome that will avoid any further violence.

**Mr. John Maples** (Stratford-on-Avon): There are British participants in the peace monitoring force in Kosovo; there is an increasing number of British troops in Macedonia; and there is the possibility that, within the next week or two, they may be deployed in Kosovo itself. Might bombing operations against Serbia begin while those monitors from the Organisation for Security and Co-operation in Europe are still in Kosovo, and how does the Secretary of State plan to ensure that they do not become hostages? Can he give the House a categorical assurance that there are no circumstances under which British troops going to Macedonia might be deployed in Kosovo other than as part of a peacekeeping force and pursuant to an agreement with Serbia?

**Mr. Robertson:** I am sure that the hon. Gentleman would agree that it would not be prudent for me to speculate on what military action might follow if the Serbs were responsible for a breakdown in the negotiations at Rambouillet. Both sides should listen well to the messages that they are getting. The Kosovo Albanians should be aware that, if they do not engage in the serious business of the negotiations, they, too, are likely to pay a penalty. We are well aware of the role and effectiveness of the Kosovo verification mission, and its members' welfare is high on our safety agenda; but I shall say no more about that at present. Of course British troops will not be deployed in Kosovo unless there is an agreement for them to supervise.

**Mr. Maples:** I am grateful to the Secretary of State for that assurance. May I take him a little further down this path? Paragraph 89 of the strategic defence review says that we can respond to a major international crisis of the nature of the Gulf war or to two crises: one on a Bosnia scale and another more limited, non-war-fighting deployment, for up to six months. Does that mean that, after any deployment into Kosovo, we will not be able to respond to a major international crisis like the Gulf war without withdrawing troops from the Balkans and that, within the force structure planned in the SDR, any Kosovo deployment could be maintained for only six months?

**Mr. Robertson:** The answer to the first part of that question is no: it does not mean that at all. The strategic defence review planning assumptions were planning tools, intended to guide the development of our long-term force structure, not to provide a template for specific

operational commitments. As we explained throughout the review, we may, in particular circumstances, decide to do less than the assumptions provided for, and we may be able to do more. The defence review planning was based on being able to mount two concurrent operations at full brigade level. Maintaining deployments in Bosnia and Kosovo will be very demanding, but the overall forces involved are not of the same order.

**Mr. Eric Martlew** (Carlisle): May I ask my right hon. Friend about the deployment of ground troops in Kosovo? As he will be aware, my local regiment, the King's Own Royal Border Regiment, has been serving in Macedonia since December. The Christmas before that, the regiment served with distinction in Bosnia and, yesterday, there was press speculation that it was likely to spend next Christmas in Kosovo. Does my right hon. Friend agree that that is not ideal, and will he do everything possible to ensure that the regiment spends next Christmas in the United Kingdom?

**Mr. Robertson:** My hon. Friend is right to draw attention to his local regiment, and I pay tribute to it for giving up both those Christmases in the interests of international law and order. It serves in Macedonia at present as part of the extraction force, who are colloquially known in NATO as the "dentists". The circumstances are inhospitable, but the work is very necessary. If the negotiations at Rambouillet are as successful as we all hope, we will be able to consider force configuration later in the year. I am conscious of the obligations that our troops have taken on, and I do not lightly agree to the deployment of troops unless I have clear military advice that such deployment is necessary and that they can cope with it. I much admire and deeply respect the commitment of our armed forces, who are willing to take on commitments to stop massacres and violence such as happened towards the end of last year in Kosovo, and which would almost certainly return if the pressure were taken off.

**Sir Peter Emery** (East Devon): May I return the right hon. Gentleman to the subject of the safety of the OSCE monitors in Kosovo? There are now more than 2,000 there, of whom 350 are British. If bombing happens, would it not be much more likely that they would be attacked by Serb forces? What are the right hon. Gentleman's thoughts in his work with the OSCE management about the safety of those men? They are unarmed and they do a magnificent job, which I am sure that the whole House would wish to support.

**Mr. Robertson:** I know that the whole House supports what they are doing and recognises the commitment and bravery involved. Major-General John Drewienkiewicz, who is in charge of the monitors, is a man of substantial quality, whose advice we take on an almost daily basis. We are conscious of the role that the monitors perform in Kosovo and the need for them to be the eyes and ears of the outside world in a situation that can change from moment to moment. I assure the right hon. Gentleman that the monitors' safety is of paramount importance and high on our agenda in any planning that we undertake.

## Sierra Leone

3. **Mr. Andrew Mackinlay** (Thurrock): If he will make a statement on recent involvement by United Kingdom military forces in Sierra Leone. [70493]

**The Secretary of State for Defence (Mr. George Robertson):** The presence of HMS Westminster and the Royal Fleet Auxiliary Goldrover off the coast of Sierra Leone demonstrates the United Kingdom's continuing commitment to the Government of Sierra Leone and ECOMOG, and to promoting peace and stability in the region. Those ships, and the troops embarked, have provided much needed humanitarian assistance.

**Mr. Mackinlay:** Since the restoration of President Kabbah, what troops or units have embarked for Sierra Leone, what was their role, have they been involved in any firing on receipt of firing, and what were the rules of engagement?

**Mr. Robertson:** My hon. Friend probably knows the answers to his questions.

**Mr. Mackinlay:** I have not had the brief today.

**Mr. Robertson:** If my hon. Friend has sat through all the sessions of the Foreign Affairs Committee and does not know that HMS Norfolk preceded HMS Westminster, he is not living up to the high standards that I have always expected of him. I am sure that he does not need a specific briefing. Both those Royal Navy ships and the Royal Fleet Auxiliary vessels with them have given outstanding help, and the trouble and time that they have taken have been deeply appreciated by the Government of Sierra Leone. The rules of engagement are the normal rules that apply in such circumstances, and allow them to return fire only if they are under attack and lives are at risk.

**Mr. Julian Brazier** (Canterbury): Our armed forces are severely overstretched, the Government are planning a possible large-scale intervention in Kosovo and there is bombing in the Gulf: does not Sierra Leone add just one more overseas operation to the list and expose us to even greater overstretch? At what point will the Government decide either that our armed forces are too small for the jobs that they are expected to do, or that the Government's eyes are too large for their stomach?

**Mr. Robertson:** We do what we can, as a country and as regards our armed forces. The Government must deal with what we inherited after the previous Government's pretty savage cuts to the Ministry of Defence budget and to the numbers employed in the armed forces.

However, the hon. Gentleman makes the perfectly reasonable point that from time to time a judgment has to be made about what can be done and what can be expected from the people under one's command. That is why we have been able to provide, by means of two Royal Navy warships, considerable help to the authorities in Sierra Leone. They have been outstanding in the humanitarian assistance that they have given. In the past few months, the Government have also been able to give sizeable economic assistance and non-lethal equipment to those serving in Sierra Leone, but there is no intention of becoming militarily involved in that part of the world.

## Land Mines

4. **Ms Dari Taylor** (Stockton, South): When he expects to complete Britain's land mine destruction programme. [70494]

5. **Mr. Peter L. Pike** (Burnley): When he expects to complete Britain's land mine destruction programme. [70495]

**The Secretary of State for Defence (Mr. George Robertson):** I am pleased to announce that we have now destroyed the last of the Army's operational stocks of anti-personnel mines. That is a significant milestone and yet another vivid demonstration of our commitment to the obligations that we accepted when ratifying the Ottawa convention.

**Ms Taylor:** I thank my right hon. Friend for that welcome reply. Will he join me in welcoming the action of the Churches, which will ring their bells on 1 March, the start of Land Mines Awareness Week, to celebrate the signing of the Ottawa convention and, in muffled form, to remind us of the horrors that still happen as a result of land mines? Will other stocks of land mines, such as those held by the Royal Air Force, also now be destroyed?

**Mr. Robertson:** I join my hon. Friend in commending all those bodies—the Churches, the non-governmental organisations and the rest—that have brought the matter of land mines to public attention. They caught the imagination of people across the world and they must share in the credit for the fact that the Ottawa convention will enter into force on 1 March.

At a small ceremony at lunchtime today, I was able to present the last of the British Army's operational land mines—suitably defused—to representatives of the British Red Cross, Care International, the Mines Advisory Group and the Halo Trust, as a testimony to the work done by those bodies. We all remembered with great regard the contribution made by the late Princess of Wales to that work. The last of the defused land mines was given to the imperial war museum, and I hope that, certainly for the British Army, land mines are a matter of history and not of the future.

As for the remaining anti-personnel land mines, which are a sub-munition of the JP233 airfield denial weapon, I expect that they will all be destroyed by the end of this year.

**Mr. Pike:** I congratulate my right hon. Friend on the content of those answers. However, in many parts of the world, land mines are not yet history, but are still laid in the countryside. What assistance can the United Kingdom give in getting rid of land mines that remain a threat in those places?

**Mr. Robertson:** My hon. Friend is absolutely right. This is not the end, but the beginning of the end, of the land mine campaign. Internationally, we must still deal with those countries that have not yet subscribed to the Ottawa convention, and everyone in the House must use whatever influence he or she has in persuading those countries to sign up to the obligations that the House unanimously took up on ratification.

We must also do more about humanitarian demining and clearing away the legacy of previous wars. I am proud of the contributions made by the UK and by my Ministry in setting up the mine information and technology centre at Minley and in delegating an Army colonel to the Geneva-based humanitarian demining centre and through the other elements in the 10-point programme that I announced last year. We are contributing to solving a global problem on which our minds must be constantly focused if we are to make the world safe for children to walk in all its fields.

**Mr. Jonathan Sayeed** (Mid-Bedfordshire): The Secretary of State's statement that this is the beginning of the end seems over-optimistic. Will he remind the House just how many countries with which we are rarely in agreement, and which have large stocks of land mines, have not even started their land mine destruction programmes?

**Mr. Robertson:** I believe in leading by example. Today's announcement comes four years ahead of the date on which the Ottawa convention makes destruction of our stocks mandatory. We have no land mines left, and I can say with conviction, and with pride, that no British soldier will ever again lay an anti-personnel land mine. I hope that countries that are still manufacturing, exporting, transferring and—in some appalling cases—using land mines will pay heed to that example.

**Mr. David Prior** (North Norfolk): Is the Secretary of State aware of any evidence that there is any decline yet in the production of land mines?

**Mr. Robertson:** International pressure is on the countries that manufacture land mines. The significant number of nations that have signed the Ottawa convention, and that have allowed it to come into operation from next week, will make that pressure unsustainable. Producing countries will have to recognise that the world community as a whole regards land mines as an unacceptable form of warfare. Those countries still involved in production will soon realise that they are isolated from a world community that has turned its back on a weapon that is both morally indefensible and militarily unacceptable.

## Army (Retention)

6. **Mr. Nicholas Soames** (Mid-Sussex): What steps he is taking to improve retention in the Army. [70496]

**The Minister for the Armed Forces (Mr. Doug Henderson):** The Government and the Army are committed to achieving full staffing by around 2004. We are, therefore, properly focusing our efforts on both recruitment and retention. The Army's human resources strategy, which puts people first, provides the foundation on which the Army will obtain, retain and sustain its most important assets. An action plan has been produced to support that human resources strategy. It will take forward both the strategic defence review's policy for people initiatives and other innovative measures that the Army has identified to enhance retention.

**Mr. Soames:** Does the Minister agree that retention is proving extremely difficult? I have every sympathy with

him on that, as I tried to wrestle with the problem myself for three years. Does he agree that all previous prescriptions have proved not to be as successful as they should have been? What new ground is he considering in the attempt to improve retention, which is probably the single most important personnel challenge facing him?

**Mr. Henderson:** I am grateful to the hon. Gentleman for raising an important issue facing the Army, and I am pleased that he recognises that there is no quick, easy solution to the problem of raising staffing numbers. I believe that we recruit a soldier but retain a family. It is important to address both ends of that spectrum. First, we have to extend recruitment and try to recruit more women and more people from the black and Asian communities into the Army. I am pleased to be able to tell the House that the number of soldiers is now 18 per cent. higher than it was last year.

As the hon. Gentleman says, it is equally important to retain those who are in the Army. That is why we set up the service families task force, which examines issues such as how to ensure a better education for the children of those who serve in the Army—for example, how they can gain access to schools when they move from one location to another, and how their children can claim grants on their return to the United Kingdom after postings overseas. By examining those practical issues, addressing them and working through the agenda, we shall make remaining in the Army more attractive.

**Mr. Harry Cohen** (Leyton and Wanstead): Is not the retention of black and ethnic minority citizens also important? Is it not true that, when the hon. Member for Mid–Sussex (Mr. Soames) was Minister of State for the Armed Forces, there was so much racism and bullying in the armed forces that the Commission for Racial Equality nearly took the Ministry of Defence to court? The Labour Government have made much progress on stopping such racism; will my hon. Friend the Minister keep up the pressure? I hope that members of the black and ethnic minority communities will become senior officers in the Army and serve as role models, so encouraging others to join.

**Mr. Henderson:** It is crucial that all sections of the British community be approached by the Army, emphasising that it is a first-choice career for young people who might consider serving with us. However, it is important that we make an extra effort in the black and Asian communities, who comprise approximately 6 per cent. of the British population, but comprised less than 1 per cent. of the Army population until 12 months ago. The figures are improving because of recruitment targeting over the past 12 months. I hope that my hon. Friend accepts that we are doing all we can, but that it is not easy to persuade people in those communities, which are often underprivileged, that their sons and daughters can have a good career in the Army.

**Mr. Keith Simpson** (Mid-Norfolk): From the questions asked by my hon. Friends the Members for Mid–Sussex (Mr. Soames) and for Canterbury (Mr. Brazier), the Minister will be aware that Conservative Members too are concerned about retention, especially in the light of the poll carried out by the MOD before the strategic defence review took place: that poll highlighted the fact that one of the main problems affecting retention was overstretch and the gaps between overseas exercises and overseas deployments. The Minister will be aware that, in a lecture last Thursday, the Chief of the General Staff made the point that the Army is more heavily committed than at any other time in peacetime and that, if the forces that are predicted for Kosovo are included, the proportion committed rises to 41 per cent. I have to say that many people are not taken—*[Interruption.]*

**Madam Speaker:** Order. Please ask a question.

**Mr. Simpson:** Many people are not taken by the Minister's statement. Will he tell the House whether he is prepared to go back to the Treasury and come up with more resources to meet that major shortfall?

**Mr. Henderson:** The hon. Gentleman can either address the issue or try to make party political capital out of it. I was pleased that the hon. Member for Mid-Sussex (Mr. Soames) addressed the real difficulties we face in attracting more people into the armed forces, because that is what we have to do if we are to reduce the overstretch. I hope that the hon. Member for Mid-Norfolk (Mr. Simpson) recognises that. He should bear in mind the fact that the strategic defence review committed us to an increase of 3,500 people in our Army.

## Shipbuilding Industry

7. **Mr. Ben Chapman** (Wirral, South): If he will make a statement on the role of the British shipbuilding industry as a supplier for his Department. [70497]

**The Parliamentary Under–Secretary of State for Defence (Mr. John Spellar):** British shipbuilding yards play an important role in supplying warships and major support vessels to the Royal Navy and Royal Fleet Auxiliary. The strategic defence review announced a large investment in the UK shipbuilding industry over the next 15 to 20 years through major warship programmes, including the future aircraft carrier, common new generation frigate and the future surface combatant. Those programmes will provide a secure long-term platform for the UK shipbuilding industry to continue to win work and increase its efficiency and competitiveness.

**Mr. Chapman:** Is my hon. Friend aware of the importance, both current and historical, of shipbuilding to the people of the Wirral? Will he join me in congratulating McTay Marine, a company in my constituency that recently obtained an order for three passenger transfer vessels for use in naval base areas; and will he join me in acknowledging the high quality of the vessels that the company has supplied to the MOD in the past? Does he accept that the people of the Wirral yearn for shipbuilding to be restored to the GEC Marine site at Cammell Laird? That is not in my constituency, but in the constituency of my right hon. Friend the Member for Birkenhead (Mr. Field); however, such a development would provide jobs and employment for and utilise the existing and growing skills of my constituents.

**Mr. Spellar:** Like my hon. Friend, I greatly welcome the regeneration of shipbuilding in the Wirral area.

We are also very much aware of the vital contribution that that industry has made in the past. I am sure that my hon. Friend will be pleased to know that arrangements have been made for an MOD team to visit Cammell Laird on 19 March to brief it about the aircraft carrier programme, with a view to assisting that fine company in becoming a potential participant in such programmes.

**Mr. Michael Colvin** (Romsey): In his first reply, the Minister did not mention ro-ro transport. I thought that the Ministry of Defence had plans to lease ro-ros. In confirming what those plans are and when they will come into force, will the Minister refer also to another heavy-lift leasing arrangement for C17 transport? Will those leases, which are for seven years, be converted into purchases at the end of the day and what will happen to the future large aircraft in the meantime?

**Mr. Spellar:** The hon. Gentleman should have probably asked the second part of his question later.

**Madam Speaker:** Thank you, Minister. That question was totally out of order. I shall proceed and call a Government Member who has a question about shipbuilding.

**Dr. Norman A. Godman** (Greenock and Inverclyde): Thank you, Madam Speaker. I remind my hon. Friend—if he needs any reminder—that there are three first-class yards on the Clyde: Ferguson's, Yarrow and Kvaerner. My constituents who are employed at Kvaerner sincerely hope that the company will secure the orders for the ro-ro vessels. Given that such vessels will be used by the MOD, will the Minister confirm that he will accept tenders only from United Kingdom yards—preferably from Kvaerner?

**Mr. Spellar:** We are keenly aware of the interest expressed by Kvaerner as part of a consortium. We have told any potential private finance initiative tenderers seeking to provide vessels that they will have to demonstrate to the MOD that UK build is being considered in any alternative proposals. We hope that British yards will submit competitive bids. My hon. Friend also mentioned Yarrow, which is an extremely successful warship yard that has constructed about 70 per cent. of ships since 1990. The future of British naval shipbuilding has good prospects, and we are working with the industry on that front.

**Mrs. Margaret Ewing** (Moray): When the Minister or MOD representatives meet the all-party delegation tomorrow to discuss the Kvaerner consortium bid, are we likely to receive a clear answer? A big problem facing people in the local area is continuing uncertainty.

**Mr. Spellar:** All bids are being considered and evaluated at this stage, so it would be premature to give any indication of the outcome. As I have said, we are very pleased with the interest that Kvaerner has shown. It is a very viable bid, but it would be premature to state whether one bid or another will be successful.

## Gulf War Syndrome

8. **Dr. David Clark** (South Shields): If he will make a statement on the progress of his investigations into Gulf war syndrome. [70498]

**The Minister for the Armed Forces (Mr. Doug Henderson):** A number of recently published research papers have presented strong scientific evidence that Gulf veterans report more illness than other comparable groups. That demonstrates the importance of the programme of work that the Ministry of Defence is already undertaking to address Gulf veterans' health concerns, which includes a portfolio of Ministry of Defence-funded scientific research. We are determined to do all that we can to understand why some veterans of the Gulf conflict are now ill.

**Dr. Clark:** I thank my hon. Friend for that answer and for the positive way in which the Government are addressing the incredibly complicated issue of Gulf war veterans who are clearly suffering from illnesses. The Minister will know that, according to convention, after six or seven years the onus of proof switches against the claimant—that is, the veterans. Will he assure the House today that that will not occur in the case of the Gulf war veterans?

**Mr. Henderson:** I recognise my right hon. Friend's interest and expertise in this subject. I am pleased to confirm that his interpretation is correct on this question.

**Mr. Menzies Campbell** (North-East Fife): Is it not time that we cut through all these legal and scientific obstacles and paid proper compensation to these men and women? They may not be able to satisfy the difficult tests of legal and scientific causation, but it is perfectly clear to anyone who has listened to or met them that many of the people who went to the Gulf perfectly healthy have returned extremely unfit. Is it not time that the Government made an exception, as we did for the haemophiliacs who contracted the HIV virus through no fault of their own but as a result of being given contaminated blood? Surely Gulf war veterans deserve that kind of exception. Should we not pay them compensation without their having to establish fault or negligence on the part of the Ministry of Defence?

**Mr. Henderson:** The Government have made it clear that if there is an obligation to pay compensation, the Government will ensure that compensation is paid. Already, as the right hon. and learned Gentleman knows, war pensions are applicable where certain persons who served in the Gulf seek to obtain them. It would be wrong if there was not equity of treatment, and the Government have a responsibility to make sure that people who have suffered in the service of the nation, wherever they served, are given that fair treatment. That must be the case, and it is right that it should be so. The Government's priority is not only to make sure that if compensation should be paid, it is paid, but to get to the bottom of what is wrong with people who served in the Gulf, why they are ill, what is the cause of their illness or illnesses, and what can be done to prevent this happening again.

**Mr. Gerry Sutcliffe** (Bradford, South): Even before we get to the issue of compensation, should we not be examining the availability and consistency of treatment for people suspected of suffering from Gulf war syndrome? There is much variation in the expertise of those identifying Gulf war syndrome across the country.

Will my hon. Friend consider with the war veteran organisations what can be done in the interests of consistency?

**Mr. Henderson:** As my hon. Friend knows, there is a medical assessment programme under which doctors will examine any illness being suffered by veterans and then make recommendations, often referring those veterans, with advice, to local doctors or other health care providers. I cannot go further than that, as I am sure my hon. Friend will understand. There is always a little difference in the treatment that doctors give, based on their own assessment of the difficulties being experienced by a particular individual. We have recently notified family doctors across the country of the potential illnesses with which people who served in the Gulf might approach them, and have made some suggestions on what treatment might be appropriate.

**Mr. Michael Fabricant** (Lichfield): The hon. Member for Bradford, South (Mr. Sutcliffe) spoke about variations in the treatment available in the United Kingdom. What contact is being made with the United States Department of Defense, which has also undertaken considerable research into Gulf war syndrome? Is the Minister aware that the depleted uranium used in armour-piercing warheads is not now considered to be the cause of Gulf war syndrome, and that the cause is more likely to be the cocktail of vaccinations given to troops prior to their entering the Gulf? What contact is being made with the United States, and is there a lesson to be learned?

**Mr. Henderson:** The hon. Gentleman has raised a valid point. People from the United States and from Britain who served in the Gulf are suffering from an illness or illnesses. There is continual dialogue between my Department and the appropriate Department in the United States. I have read as widely as I can about what various medical and scientific sources believe to be the cause of the illnesses being suffered. I shall be visiting Washington on Friday to have talks with the United States Government on the progress that they are making. I am a believer in joint projects, where appropriate, with the United States to try to get to the bottom of these problems.

**Mr. Llew Smith** (Blaenau Gwent): Can the Minister inform the House about the research being conducted by or for his Department into the possible contributory effect of depleted uranium contamination to Gulf war illnesses?

**Mr. Henderson:** The Department is supporting and in many cases financing wide-ranging research into the possible causes of the illness suffered by some veterans who served in the Gulf. As I stated in a written answer, I hope to publish a paper shortly on the testing system that would be applicable in this country if any Gulf veterans believe that they have suffered from the pollution of depleted uranium.

### Defence Industry Consolidation

9. **Mr. Gerald Howarth** (Aldershot): If he will make a statement on his policy concerning defence industry consolidation in Europe. [70499]

**The Secretary of State for Defence (Mr. George Robertson):** The Government are committed to encouraging and facilitating the restructuring of the European defence industry so that it is globally competitive and can help to strengthen European defence. It is not for Government to prescribe the course that that restructuring will take or the structures to emerge. Those are primarily for industry to decide, based on its own commercial judgment.

**Mr. Howarth:** Given that the enlarged British Aerospace-GEC Marconi will constitute the third largest defence company in the world, and also given that any trans-border mergers between British companies and continental companies will inevitably limit our freedom of movement, I am sure that the House will welcome the Secretary of State's assertion today that that is primarily a matter for the companies themselves. As the Government are clearly standing back from the issue, can the right hon. Gentleman tell the House what the Government's reaction would be were the enlarged British Aerospace to seek to merge with DASA or with Thomson?

**Mr. Robertson:** First, I shall make clear the legal position. The proposed merger of British Aerospace and Marconi will be subject to regulatory approval, and it is therefore not appropriate for me to comment on that at this stage. The views of the Ministry of Defence on the military aspects of the merger will be given in confidence to the regulatory authorities at the appropriate time.

The hon. Gentleman spoke about subsequent moves that might take place in European defence. As I said, that is a matter for the industry at a European level to decide. The Governments of the seven countries involved in the initiative have made it clear that we will do what we can as Governments to make sure that such rationalisation throughout the industry can take place. The European problem is that our industries lack the scale to be globally competitive. Rationalisation is therefore not a luxury, but a necessity: either we rationalise, or we will have no jobs left in this valuable and important industry.

**Dr. Doug Naysmith** (Bristol, North-West): Will recent consolidation have any effect on the Department's future large aircraft project—a subject of great interest to my constituents in Bristol at both British Aerospace and Rolls-Royce?

**Mr. Robertson:** The ability of the European industry to undertake such projects effectively and on the basis of value for money depends largely on their remaining competitive and staying ahead of the game. The Government are still committed to the future large aircraft project. We look forward to receiving the details that will inform the decisions that will be taken. The size and nature of the overall industry and our ability to stay alive in the global marketplace will depend on a rationalisation which I believe to be important and, in many respects, urgent.

**Mr. Michael Colvin** (Romsey): Thank you, Madam Speaker, for a second chance to ask a question.

The Secretary of State will no doubt welcome the establishment of the organisation for joint armament co-operation—known as OCCAR—involving Britain,

Germany, France and Italy. However, bearing in mind that we must not create a fortress Europe in the defence industries, what will happen if OCCAR, being a programme-based organisation, happens to have in its programme a project in which the Americans have an interest? Will the Americans be able to join OCCAR?

**Mr. Robertson:** I have received no indication of the Americans wanting to join OCCAR, whose purpose was co-operation among the European signatories. I was one of those signatories, and I believe that the organisation has great potential for the future. There is no intention to create a fortress Europe in the rationalisation or in the creation of OCCAR. However, we must recognise that a great European defence industry that employs so many people in so many countries, which in many instances is at the leading edge of technology and has made such a huge contribution to all our economies, will not be able to compete with the American giants in its present form. There will be choice in the international marketplace and there will be jobs in an industry that makes such a huge contribution, but things will have to change.

## CHURCH COMMISSIONERS

*The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—*

### Property Portfolios

35. **Sir Sydney Chapman** (Chipping Barnet): What proportion of the commissioners' assets are currently allocated to property portfolios. [70526]

**Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners):** The annual valuations as at 31 December 1998 are still being confirmed. At the end of 1997, the commissioners held 26.5 per cent. of their assets in property.

Asset allocation is reviewed annually by the assets committee and the review for the current year is under preparation.

**Sir Sydney Chapman:** Will the Second Church Estates Commissioner tell the House how the figure of 26.5 per cent. compares with, for example, the figure 10 years ago, just before the property industry went into recession? Does the hon. Gentleman agree that the real lesson to be learned is that the commissioners, within their self-imposed ethical restraints, should spread their investments across the spectrum rather than relying too deeply on one or two sectors?

**Mr. Bell:** I am grateful for the hon. Gentleman's supplementary question. He might wish to know that at the end of 1997, 13 per cent. of the commissioners' assets were in commercial property, with 7.5 per cent. in agricultural property and minerals and 6 per cent. in residential property. As for the heart of the hon. Gentleman's question, about 10 years ago and into the early 1990s, 60 per cent. of the commissioners' portfolio was in property and about 30 per cent. in the stock exchange. The hon. Gentleman makes a valid point that the commissioners, in looking after £3.5 billion-worth of assets, must get the balance right between property, stocks and shares and holding cash in reserve to take any opportunity that may be available for good investments.

**Mr. Peter L. Pike** (Burnley): I recognise that valuations are changing all the time in the sectors to which my hon. Friend has referred, but can he give any indication of the guideline percentage that the commissioners believe is right to have invested in property?

**Mr. Bell:** We constantly review our investment policy and strategy so as to get the balance right. Given the movement in the world's stock markets, which has generally been upwards—certainly in our own stock market—we are satisfied that the present balance between property rights, investments in stocks and shares and the holding of cash for future investment is proper.

### Church Vandalism

37. **Mr. Ben Chapman** (Wirral, South): If he will make a statement on plans to reduce crimes or acts of vandalism against churches. [70528]

**Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners):** I am well aware of the nature of the problem of vandalism against churches. On average in a given year one church in three will make an insurance claim relating to a malicious attack on a building. Responsibility for the care of church buildings lies locally with the parochial church council but the Church both at the centre and in the diocese is well placed to give support to parishes in tackling this issue.

**Mr. Chapman:** Is my hon. Friend aware that in my constituency, be it in Heswall, Bromborough, Bebington or Eastham, churches are often vandalised? This might take the form of graffiti on the wall, interior desecration or gravestones knocked down, for example. Is my hon. Friend aware also that this serious and deep-felt problem is growing and needs to be contained? Will he consider an extension of the church-watch scheme or encouraging parishes to promote youth projects, or other solutions to that serious issue?

**Mr. Bell:** I am grateful to my hon. Friend for drawing attention to what is a sad and serious problem. The Church must balance the fact that we need access to our churches for prayer, contemplation and meditation with the need at the same time to keep churches locked for security purposes. My hon. Friend makes a valid point in drawing attention to certain schemes that are extant, and I draw his attention to a further scheme which is the first Church risk management group, which has been established for the diocese of Leicester. This group will visit parishes and assess and advise on potential risks. It will work closely with the diocesan advisory committee and appropriate outside agencies to improve fire safety, crime reduction levels and risk management in all church property. The scheme has already attracted much interest

and it is possible that it may be promoted nationally. I will add my hon. Friend's suggestions to the list that has already been made and ensure that they reach the appropriate authorities.

**Mr. John Bercow** (Buckingham): In the light of the recent Second Reading of the Employment Relations Bill, what discussions has the hon. Gentleman had with the Church Commissioners regarding fair treatment of members of the clergy?

**Mr. Bell:** I would hope that the Church will be extremely fair to all its clergy and will take that legislation into account. There are discussions on that issue in the General Synod, as well as among the Church Commissioners, and we take the question of charity at home very seriously.

### Commissioners' Responsibilities

40. **Mrs. Gwyneth Dunwoody** (Crewe and Nantwich): For what areas of work the commissioners have responsibility following their reconstitution on 1 January. [70531]

**Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners):** The commissioners continue to manage our assets to meet our pension and other legal commitments and to provide a sustainable level of support for the parochial ministry over the long term, especially in areas of need and opportunity. We are also responsible for the support of bishops and for the administration of the legal framework for pastoral reorganisation and setting the future of redundant churches.

**Mrs. Dunwoody:** It is clear that the Church Commissioners will have greatly expanded responsibilities in the run-up to the millennium because many areas of the Church will not only require positive monetary support but the benefit of those commissioners' great imagination as they look towards their future duties. What suggestions has my hon. Friend about the way in which their responsibilities can be expanded?

**Mr. Bell:** The Archbishops Council has been created to provide a focus for leadership within the Church, and it will certainly include the qualities of dynamism and imagination. In line with its strategic role, the council is now responsible for distributing the income made available from the commissioners' assets for the support of the parochial ministry. It has also taken on the responsibilities formerly held by the commissioners for recommending clergy stipend levels and setting parochial fees.

You will be glad to know, Madam Speaker, that the commissioners are still responsible and accountable to this House through the Second Church Estates Commissioner. The commissioners will continue to answer questions in the House of Commons and to lay our annual report and accounts before Parliament.

## DEFENCE

*The Secretary of State was asked—*

### Scotland

10. **Mr. Malcolm Savidge** (Aberdeen, North): How many *(a)* service and *(b)* civilian personnel are currently (i) deployed and (ii) based in Scotland. [70500]

**The Secretary of State for Defence (Mr. George Robertson):** As at 1 July 1998 there were 14,208 service and 9,194 civilian Ministry of Defence personnel based in Scotland.

**Mr. Savidge:** Whether or not Napoleon was really a Scot, with his hand stuck in his wallet pocket, will the Secretary of State reassure the House that he does not view the thousands of Scots who serve in our British forces as quasi-mercenaries

"tainted by their association with England",

to quote the notorious words of the defence spokesman of the Scottish National party, whose members are absent?

**Mr. Robertson:** My hon. Friend is absolutely right. The nationalists' policies on defence are ill-considered, ill-judged and militarily unbelievable. To attack the Scots Guards, which is a proud and brave Scottish regiment, in the terms that the SNP deputy spokesman on defence did, highlights that party's fantastic view of such a major component of Britain's make-up. If the SNP took control and pulled Scotland out of NATO and into isolation—when every other country in Europe, it would appear, wants to join that organisation—Scotland the brave would be transformed into Scotland the isolated.

**Mr. Robert Key** (Salisbury): The Government have announced that service and civilian personnel deployed and based in Scotland and the north of England are to have a joint headquarters in Edinburgh. Was that decision based on military and operational cost-effectiveness and nothing else? Were there no other political or financial considerations behind that decision?

**Mr. Robertson:** No, there were not. We considered the military and cost-effectiveness arguments for where the headquarters should be located, and we looked into the other arrangements that would apply to York. We came to a considered judgment that Edinburgh was the right place for the divisional headquarters in the United Kingdom.

We are all part of the United Kingdom, and some of us have every intention of ensuring that we remain so. The decision had no other implications, but it is a good signal that the British Army is still the British Army and plays a proud part in our affairs. Like many people I know, it would reject the idea of Scotland being torn out of the Union and the British armed forces being ripped up in some political squandering by a separatist party.

**Mr. Mike Hancock** (Portsmouth, South): I should be grateful if the Secretary of State could confirm whether

any of the 200 Fijians he hopes to recruit from Fiji will be stationed in Scotland? Will he confirm whether that is a realistic proposal, as reported in *Jane's Defence Weekly*? From what other countries is he attempting to recruit soldiers into the British Army?

**Mr. Robertson:** I saw the Fijian soldiers on parade at the Edinburgh tattoo. They gave a fine display, and I understand that they beat practically every military and civilian rugby team that they were up against. Members of the Commonwealth serve in the British armed forces, but I am glad to say that, with an 18 per cent. increase in recruitment figures compared with this time last year, we shall depend on them much less than we would have done had the situation that we inherited continued.

## Stephen Lawrence Report (Injunction)

3.31 pm

**The Secretary of State for the Home Department (Mr. Jack Straw):** Madam Speaker, with permission, I should like to make a statement about the injunction in respect of prior publication of the Stephen Lawrence report.

In July 1997, I announced to the House that I was establishing a full judicial inquiry under Police Act powers into matters relating to the death of Stephen Lawrence. It was the first such inquiry since Lord Scarman's inquiry into the Brixton riots in 1981. I also announced that the former High Court judge, Sir William Macpherson of Cluny, was to chair this inquiry.

The House knows that the inquiry has raised matters of profound importance not only to the Lawrence family but to society as a whole. The report was delivered to me last Monday. Given the intense public and media interest in the inquiry's report, I took active steps to ensure the security of the report while it was being printed, and to ensure that it was first published to Parliament and to no one else. I believed that that was essential to avoid any distress to the Lawrence family or unfairness to police officers named in the report, and out of respect for the House and its procedures. Madam Speaker, I think that you will confirm that I wrote to you last week seeking your agreement to the arrangements which I had put in hand.

At about 5.15 pm last Saturday evening, the Home Office duty press officer received a call from the BBC. The person claimed that *The Sunday Telegraph* had obtained a leaked copy of the report of the inquiry which it intended to publish in full, or to publish substantial parts of it. As soon as I was informed, at about 6.30 pm, I said that *The Sunday Telegraph* should be asked not to print a leaked copy of the report. *The Sunday Telegraph* was not, however, prepared to indicate exactly what material it had in its possession, nor to desist from publication.

The Treasury solicitors, briefed by Home Office lawyers, then also approached *The Sunday Telegraph*. The paper indicated that it was not in possession of a copy of the report itself, but that a journalist had had access to it. It informed us that its deadline for printing and publication was 8.30 pm.

I took the view that prior publication of parts of this report was not remotely in the public interest. I considered that it was likely to cause distress to the Lawrence family, and to place the police officers concerned in near impossible circumstances in which they would be expected to respond to partial claims of what the report contained without having access to the report itself. I have also always believed, as you do Madam Speaker, that such reports must first be published to Parliament. Moreover, these were wholly exceptional circumstances. This was not a policy White Paper, and the Government could not be embarrassed in any way by the contents of the report being revealed. Above all, this was a report of a full judicial inquiry. It would, I suggest to the House, be no more acceptable to have revealed a premature and incomplete account of the findings of such a full judicial inquiry than it would be for the judgment of a court of law to be disclosed in that way.

I remind the House that one of the other purposes of that important convention is to secure protection for those conducting such inquiries. Statute law provides absolute privilege for such documents as the inquiry report only when they are presented to Parliament. In all the circumstances, I therefore decided that every possible effort should be made to preserve the confidentiality of the report, including, if necessary, the seeking of an injunction.

By about 7.45 pm on Saturday, an approach had been made to the duty judge, Mr. Justice Rix, by the Treasury Solicitor. After legal representatives of *The Sunday Telegraph* had been given an opportunity to make representations to the judge, the judge decided to issue an injunction at about 8.35 pm. The terms of the injunction were to prevent the publication of any part of, or extract from, the report, or the publication of any article based on the report or part of it, or extracts from the report.

It later became clear, however, that *The Sunday Telegraph* had in fact printed and distributed large numbers of copies of the paper earlier in the evening. In practice, therefore, the contents of The *Sunday Telegraph* report came into the public domain, notwithstanding the terms of the injunction that had been obtained.

At about midday yesterday, Sunday, *The Sunday Telegraph* approached the Treasury Solicitor to give notice that it would take the injunction back to the judge. *The Sunday Telegraph* made it clear to the Home Office that it accepted that it—*The Sunday Telegraph*—should continue to be restrained by injunction from publishing any part of the inquiry report that had not found its way into the public domain. It also proposed that the order should not apply to those parts that were in any event already public. By that stage, that was the only practical course available.

I greatly regret that our injunction came too late to maintain the confidentiality of the full report until it was published to Parliament, but the injunction remains in force until Wednesday in respect of those parts that have not found their way into the public domain.

The House will wish to know that the solicitors acting for the Lawrence family confirmed to my office today that Mr. and Mrs. Lawrence fully appreciate and understand my concern for their feelings about publication of the leaked extracts. As the family have known for some time, it was always my intention to ensure that they would—subject to your agreement, Madam Speaker—have an opportunity to see the report before it entered the public domain, and shortly before publication to Parliament. In view of what has appeared in the press, I have made it clear to them that they may see the report as soon as they wish to do so. Arrangements have therefore been made for them to receive it today. I have also—with your agreement, Madam Speaker—made arrangements for the Commissioner of Police to see the report.

The job that we ask our police service to do on our behalf is difficult at the best of times. We saw one illustration of that only last week in the policing of the demonstration outside the Greek embassy, and the skilful ending by the police of the occupation of the building. As a result of the premature publication of parts of the Stephen Lawrence report, the police service and the Commissioner have now been subjected to a wholly unfair process of speculation to which they could not and cannot properly respond. The fact that prejudicial

*[Mr. Jack Straw]*

comments have been made against the Commissioner before he has even had a chance to see the report is one of many reasons why it was right to seek to stop this from happening.

I condemn the breach of trust that was involved in making the material involved available to *The Sunday Telegraph* in this way, and Sir William Macpherson shares that view. The permanent secretary at the Home Office will be inquiring into the matter. The claims that the freedom of the press has been challenged by the injunction are absurd. The whole report will be published in full to Parliament on Wednesday, as planned; but it was and remains plainly contrary to the public interest for there to be selective and premature disclosure of a judicial inquiry.

**Sir Norman Fowler** (Sutton Coldfield): I do not accept what the Home Secretary has said. Is not the real position that the Home Secretary embarked on an entirely unjustified and autocratic action and has now been forced into a humiliating climbdown? Will he confirm that no issue of national security was raised at all and that *The Sunday Telegraph* was carrying out its legitimate and proper role as a newspaper—to report and to reveal?

In that respect, let me declare an interest. I have been a member of the National Union of Journalists for the past 35 years. [HON. MEMBERS: "Oh!"] I know that it is unfashionable among Labour Members, but that is what I have been. I am also non-executive chairman of a regional newspaper company. In my experience, both political and journalistic, I have never seen the sort of action that was attempted by the Home Secretary. The injunction was to prevent publication of some extracts of a report that was to be published in a few days in any event. That may be irritating for the Government, but such reports have happened time and again, Government after Government, without Ministers resorting to injunctions. It is ludicrous to think that the Home Secretary can quell speculation about what will be in the report.

On the interests of the Lawrence family, I, like all hon. Members, have the strongest sympathy for the family, but there was nothing in *The Sunday Telegraph* report that damaged their interests, and there was certainly nothing to justify the heavyhanded action by the Home Secretary.

Even less will the House be persuaded that the Government were trying to protect Parliament. It is an explanation that defies belief. It is the Government who are the chief leakers of their own announcements. Time and again, the Government have leaked their announcements in advance.

Is the Home Secretary aware that next to no one believes that the so-called spin doctors who are employed by the Government are there to defend parliamentary democracy? They do not think twice about leaking if it is to their advantage. The Government have devalued Parliament; they have not protected it.

I remind the Home Secretary that he made a statement only last Monday on severely disturbed people in the community. As the right hon. Member for Chesterfield (Mr. Benn) complained at the time, the details of that statement were all in the weekend's press. The pitch had been rolled in advance, and rolled by the Home Secretary's Department.

On the source of the story, is the Home Secretary convinced that it did not come from any Minister or any official in his Department? Will he now say who had access to the report? Is it possible that the paragraphs were provided deliberately to convey a message that was antagonistic to the interests of those who were being reported—the police?

In his statement last night, the Home Secretary said that the so-called principle of what he had done remained unchallenged. Let him therefore be specific. Is he saying that his action was not only justified, but that the Government would consider doing the same with other newspaper reports? Is he saying that, in similar circumstances, the injunction would be used again? Is that the Home Secretary's concept of freedom of the press?

No issue of national security was at stake. What the Home Secretary should do is apologise to the House and the public for his action, and give an assurance that neither he nor any other Minister will repeat that action. As it stands, his action in pressing for an injunction will go down as a massive error of judgment on his part and on the part of the Government. It is a shabby episode that shows the Government at their worst.

**Mr. Straw:** If apologies are due, they are due from the shadow Home Secretary for speaking to the House as chairman of a newspaper company, not as a Member of Parliament.

**Hon. Members:** Withdraw.

**Sir Norman Fowler:** On a point of order, Madam Speaker—

**Madam Speaker:** Order. I was being distracted. Will the Home Secretary repeat what he said, so that I know whether it should be withdrawn? I am very concerned about it, but I do not know what he said.

**Mr. Straw:** I said that, if apologies were due, they were due from the right hon. Member for Sutton Coldfield (Sir N. Fowler) for speaking to the House—as indeed he himself declared—as a non-executive chairman of a newspaper company, rather than as a Member of the House.

**Hon. Members:** Disgraceful!

**Madam Speaker:** Order—all of you. It is time tempers on both sides of the House cooled down. I hope that the Secretary of State will apologise and rephrase what he has to say. We should get on with our business now.

**Mr. Straw:** I withdraw the remark and apologise to the shadow Home Secretary.

The right hon. Member for Sutton Coldfield suggested that it was a very unusual course of action to take. He was right about that—it was indeed a very unusual course of action to take. It was an unusual course to take because it deals with the very unusual circumstances of the report of a judicial inquiry.

The right hon. Gentleman asked when the most recent occasion on which such a report had been considered by the House was. The most recent occasion I can recall on

which such an inquiry report was made available to the House, under the terms of the Police Act, was Lord Scarman's report into the Brixton riots, in 1981.

As I made clear repeatedly over the weekend, there was no suggestion that the Government, outside the sphere of national security, should use the injunctive powers available to them when they are seeking to avoid embarrassment to themselves as a Government or to prevent prior disclosure of a document, such as a White Paper or other policy document. Such use in those circumstances plainly would be disproportionate.

However, my judgment—which I believe is also the judgment of the whole House—was that it was entirely appropriate to seek that injunction: to protect the interests of the Lawrence family, of the police service and, above all, of the House.

The right hon. Gentleman also asked me questions about the inquiry that my permanent secretary will be undertaking and about who will have access to that report. The answer is that the right hon. Gentleman will have to wait until that inquiry is made public.

I should tell the right hon. Gentleman that I was very surprised indeed by the tone of his remarks. I am astonished that he should not recognise that there is a profound difference between a run-of-the-mill Government publication and the report of a judicial inquiry; and that, in these circumstances, it was entirely appropriate for me to seek that injunction, which stands.

**Mr. Gerald Kaufman** (Manchester, Gorton): As a member of the National Union of Journalists—which the right hon. Member for Sutton Coldfield (Sir N. Fowler) is—and as a former shadow Home Secretary—which the right hon. Gentleman soon will be—may I draw the attention of my right hon. Friend to the fact that we are witnessing an instructive example of two legitimate positions in a democracy: a newspaper that has got hold of a document of public interest, which it has decided it wishes to publish; and a Home Secretary who wishes to protect the date of publication of a report of which he is custodian? Does my right hon. Friend agree that the position of the Conservatives is not legitimate? They pursued Sarah Tisdall into gaol for a minor leak. They tried to put Clive Ponting into gaol. They pursued the "Spycatcher" issue to Australia in an effort, not to postpone publication but to suppress the book, resulting in the invention of the phrase "economical with the truth"—a phrase that applies to the Tory party.

**Mr. Straw:** Yes. The Conservatives are the last people from whom we should take lectures, given their record.

**Mr. Robert Maclennan** (Caithness, Sutherland and Easter Ross): I wholly agree with the Home Secretary that the public interest in freedom of expression is not well served by advance headlining of selective findings from a judicial inquiry to be published in its entirety within a few days. We should recognise that the press has spotlit the Lawrence case in the past and sustained public concern, but I hope that the premature pickings will in no way blunt the edge of the full Macpherson report when it is published.

The culture that we are living in stems from the previous Conservative Government, of which the right hon. Member for Sutton Coldfield (Sir N. Fowler) was a member. We well remember the efforts that were made to manipulate the Scott inquiry. Does the Home Secretary accept that relentless Government spin and off-the-record briefings have made the publication of such judicial inquiries a matter of great difficulty, and that it might be better to require the findings of such an inquiry to be handled in the same way as the judgments of a court, leaving publication to the judge?

**Mr. Straw:** I am grateful to the right hon. Gentleman for his remarks and his support for my position. I entirely accept that reports of such judicial inquiries must be handled carefully. In my opening remarks I drew a parallel between such a report and the judgment of a court of law. Given that I established the inquiry, it could be published only to Parliament. I had laid careful plans to ensure that there was no briefing before the publication of the report and that it was made available to Parliament alone first.

**Mrs. Gwyneth Dunwoody** (Crewe and Nantwich): Is my right hon. Friend aware that some of us believe that the principle of reporting to Parliament is so fundamental that we deprecate any attempt by anyone to get round the rules just to protect a paper's circulation? It should be generally understood that the principle of free speech commands the support of the public, but it also gives everyone the responsibility of playing according to the rules. Those who cheat do nothing to support the idea of a responsible and sensible press.

**Mr. Straw:** I share my hon. Friend's view. It is essential that all Members of Parliament show respect for this House above all and ensure that all important statements, including the reports of inquiries, are made available to the House first.

**Sir Brian Mawhinney** (North-West Cambridgeshire): Does the Home Secretary not understand that his behaviour over the weekend and his statement to the House have been greeted with such a lack of respect because he is a senior member of a Government who have institutionalised leaking? Given the complaints that have been made here and elsewhere over the past 20 months, to try to tell the House that the Government believe in the primacy of Parliament brings the right hon. Gentleman into contempt. Will he ask his permanent secretary and Sir Richard Wilson to place in the Library of the House a list of all conversations involving Ministers, special advisers and members of press offices—in the Cabinet Office, No. 10 and the Home Office—over the past four days that relate to the issue in any way? That may allow us better to test some of the Home Secretary's statements.

**Mr. Straw:** I reject the right hon. Gentleman's central allegation. The right hon. Member for Sutton Coldfield referred to the statement on severe personality disorders that I made in the House last Monday and, to pick up on that point, it is simply untrue and incorrect—as I made clear yesterday—that there was any prior briefing of newspapers by my Department or by special advisers. I make that absolutely clear.

The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) asked me to place in the Library certain records relating to contacts between members of the Government and journalists regarding the

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report. I have discussed the contents of the Lawrence inquiry report with no journalist at any time. The other matters to which the right hon. Gentleman referred will be dealt with by the inquiry by my permanent secretary and the Home Office.

**Mr. David Winnick** (Walsall, North): Will my right hon. Friend accept that there would have been a different row today had he not taken action regarding the court case, with Opposition Members demanding to know why there had been no statement from him on the Lawrence affair in view of the leak in the press? In all the years since Stephen Lawrence was put to death—during which no one has been convicted of that racist murder—I have never seen the sort of fury that we have had from the Tories today. They are furious about the court injunction—they have never seemed furious about the lack of justice in terms of bringing racist thugs to court.

**Mr. Straw:** There has been widespread concern about the circumstances of the death of Stephen Lawrence, which I hope is widely shared across the House. My hon. Friend is entirely right that had I not sought the injunction in those particular circumstances, there would have been exactly the opposite complaint from the Opposition, who would have complained that I had not sought an injunction to preserve the integrity of Parliament.

**Mr. Peter Bottomley** (Worthing, West): The words of the hon. Member for Walsall, North (Mr. Winnick) will be on the record, and will be judged by those who care to look back. The Home Secretary was right to set up the inquiry, and much good will come from the bad things that have been reported to it. Many will look with interest at the inquiry's conclusions and recommendations. Today's statement was not about that—it was about the injunction.

Who is the Minister responsible for the freedoms—not the controls—of the press? If it is not the Home Secretary, was that Minister consulted before the injunction was applied for? Most importantly, given that the presses have been stopped once because of Government action, could there be consultation between the Lord Chancellor, Alastair Campbell and the Prime Minister so that a cast-iron guarantee can be given that the Government never again will do what they did on Saturday night?

**Mr. Straw:** My right hon. Friend the Secretary of State for Culture, Media and Sport is responsible for policy relating to the press. I did not consult him on Saturday. This was a decision that I made, and for which I am personally responsible. The hon. Gentleman asked for an undertaking that we never again seek an injunction in circumstances such as those which faced me on Saturday night. I am afraid that I cannot give him that undertaking. I do not believe that circumstances will often arise—they have not done so often in the past—where what a Secretary of State is seeking to protect is not a policy White Paper or a document for which it would be self-serving to seek to obtain an injunction because the document was an embarrassment to the Government: something that the Tory Government often did.

This document was not remotely embarrassing to the Government, and contained the contents of a judicial inquiry. I remain astonished that not a single Tory Member seems to believe that a report of a full judicial inquiry should have been made public in full to Parliament first, and that it was right for me to seek to protect the position of Parliament.

**Ms Diane Abbott** (Hackney, North and Stoke Newington): Does my right hon. Friend accept that whoever leaked the findings of the Macpherson report to *The Sunday Telegraph* did not have at heart the best interests of the Lawrence family and natural justice? The Lawrences have had to listen to Uncle Tom Cobbleigh and all commenting on partial disclosure of a report that they have not seen. They must be concerned that the impact of an important and serious report has been blunted by that disclosure.

As for the synthetic indignation of Tory spokesmen, Londoners and Britain's black and Asian community will judge the way in which they have made such a song and dance of what is essentially a side issue, when it is clear that they will fall curiously silent when it comes to a serious debate about the serious issues concerning institutional racism with which the Macpherson report deals.

**Mr. Straw:** I endorse what my hon. Friend says. I find it extraordinary, given the huge distress that the Lawrence family have suffered in the nearly six years since their son was murdered, that Conservative Members seem to brush aside the concern that was uppermost in my mind when I sought the injunction, which was to prevent the family from suffering further distress in the three days leading up to the publication of the inquiry's report. Far from suppressing publication of the report, I was seeking to ensure that it was published in full, but in an orderly manner, to the House and to the public.

**Mr. Roger Gale** (North Thanet): I happen to believe that the right to a fair hearing extends not only to the family of Stephen Lawrence but to the Commissioner of Police of the Metropolis. I agree that the report should have been made available to Parliament first. As my right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney) said, the Government have institutionalised leaks: material is released before it is announced to Parliament, on the "Today" programme on Radio 4, virtually every morning of any week.

The Home Secretary said that the report was different from what he described as the ordinary, run-of-the-mill Government document. I hope, Madam Speaker, that you would agree that he should give the House an assurance that, from now on, every Government document of any kind will be made available to Parliament before it is made available to the press.

**Mr. Straw:** Of course there is a distinction between an ordinary White Paper, for which it would be entirely disproportionate, even if it were leaked, for Ministers to seek an injunction to prevent its prior publication, and a report of the result of a full judicial inquiry. I am astonished that the hon. Gentleman fails to note that distinction. He is entirely right that not only the Lawrence family but the Commissioner are entitled to a fair hearing and the respect of Parliament. I believe that he has been placed in a nigh impossible position as a result of the prior publication of the report.

**Mr. Clive Soley** (Ealing, Acton and Shepherd's Bush): Am I right in thinking that, had the report been published

in full on Wednesday, as planned, the people and organisations involved would have been able to read it and be ready to respond to questions from the media? That right has been taken away from them by the leak. Are not freedom and responsibility of the press two sides of the same coin?

**Mr. Straw:** That is entirely right. We understand that, if the press get hold of such a document, they will consider it their duty to publish it, and I make no particular complaint about that; but we have other responsibilities. My anger is directed at the individual or individuals who may have leaked the report to the journalists, and I direct that anger on behalf of the Lawrence family, on behalf of the police, who have been placed in an extremely difficult position as a result of the prior publication, and—I say it with respect, Madam Speaker—on behalf of the House.

**Mr. Crispin Blunt** (Reigate): Does the Home Secretary really think that it is defensible, when considering respect for Parliament, to make a distinction between what he describes as ordinary, run-of-the-mill statements, and reports of judicial inquiries under the Police Act? Are we really to expect the Government to come to Parliament first only once in every 18 years?

**Mr. Straw:** The hon. Gentleman is deliberately misinterpreting what I said, and he knows it. Parliamentary documents should, of course, be made available first to Parliament: I seek to do that and have always done so. If that is his proposition, I agree with him. However, I disagree with the proposition that there is no distinction between a White Paper and the report of a full judicial inquiry. The hon. Gentleman is wrong on that point. I repeat that it would be disproportionate and out of the question for Ministers to seek to use injunctive powers to prevent the prior publication of a White Paper, and it would be unlikely that any judge would grant such an application. The judge must consider whether publication is contrary to the public interest and, in this case, it was the judge—not me—who made that judgment, given all the circumstances surrounding the publication of this report by a judicial inquiry.

**Mr. Keith Vaz** (Leicester, East): My right hon. Friend was right to act in the way he did at the weekend, and he was right to want to come to Parliament first. I thank him for allowing the Lawrence family to see the report today, which was the correct and compassionate thing to do. Does he share my disgust at the attitude of the right hon. Member for Sutton Coldfield (Sir N. Fowler) in seeking to play politics with the issues of race and racism, when he and the Conservative party did nothing to deal with those issues when they were in government?

**Mr. Straw:** I am grateful to my hon. Friend for his support for the action that I took. I would take such action again, if faced with similar circumstances. However, I do not share my hon. Friend's view of the right hon. Member for Sutton Coldfield, because his record in Parliament is one of opposition to racism. It remains the fact that it was left to me to set up the inquiry into the circumstances of the death of Stephen Lawrence, because the request was refused by my predecessor. However, that was not the responsibility of the right hon. Member for Sutton Coldfield.

**Mr. Edward Garnier** (Harborough): Whether the Home Secretary likes it or not, I fear that he has been guilty of political ineptitude this weekend. Does he agree that he made a false point in defending his application for the injunction? He said that one of the reasons he applied for it was to protect Sir William Macpherson of Cluny because he might be liable for any unauthorised publication. However, that retired judge would not be liable for any unauthorised publication of the report because he was not responsible for the leaking of the document. The leaking of the document emanated from the Government.

**Mr. Straw:** The hon. and learned Gentleman makes a false assumption at the end of his question.

**Mr. Martin Linton** (Battersea): Does my right hon. Friend accept that no journalist can seriously maintain that any issue of freedom of the press was involved in enjoining newspapers not to publish the contents of the report until Wednesday—despite the false indignation of many leader writers—because newspapers are happy to withhold the entire contents of Government reports for two or three days when offered to them under embargo? Does my right hon. Friend agree that the only issue involved here is that of courtesy—to the Lawrence family, to the Metropolitan police Commissioner and to the House?

**Mr. Straw:** My hon. Friend speaks from great experience as a journalist—

**Sir Norman Fowler:** Ex-journalist.

**Mr. Straw:** The right hon. Gentleman says ex-journalist, but I do not think that he is correct. Many of the complaints in the press today are both predictable and synthetic, because my actions were not remotely an attack on the freedom of the press, given that the report will be published in full on Wednesday. That point was made eloquently by Mr. Roy Greenslade, the former editor of *The Mirror*, in *The Guardian* today.

**Mr. Alan Clark** (Kensington and Chelsea): The House would have listened to the Home Secretary with more sympathy if his statement had not come against a background of two and a half years of consistent, widespread, tendentious and selective briefing by almost every Department in Whitehall. Is he serious about trying to trace this leak? He has not answered the questions put to him by my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), including how many copies of the document there were, to whom they were circulated and whether they were numbered.

**Mr. Straw:** To answer the right hon. Gentleman's point, I can tell him that we are very serious about tracing the leak, and that is why an inquiry by the permanent secretary at the Home Office has been established.

**Mr. Stuart Bell** (Middlesbrough): The House has heard on two occasions allegations about institutionalised

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leaking by the Government. The last time that a judicial inquiry was held—the full judicial review by Lady Butler-Sloss of the Cleveland child abuse crisis—was under the previous Government, when the then Department of Health and Social Security leaked the entire summary of conclusions to the Press Association. Will my right hon. Friend confirm again that Parliament must assert its rights in the interests of the people to whom we are accountable, who include the Lawrence family and the Commissioner of Police of the Metropolis?

Will my right hon. Friend also confirm that the injunction was not lifted, but that it was merely varied, on the grounds that the information published in the Scottish edition of *The Sunday Telegraph* was already in the public domain? Is not that judgment in accordance with a decision by the European Court of Human Rights?

**Mr. Straw:** I share my hon. Friend's view of the importance of showing proper respect to Parliament, and his implication that the last people able to lecture us about that are members of the previous Government.

With regard to the injunction, anyone reading this morning's newspapers would think that it had been lifted. In fact, *The Sunday Telegraph* consented—indeed, it proposed—that the injunction should remain in force in respect of that part of the report that was not yet in the public domain. The injunction was lifted only in respect of that part of the report that had entered the public domain, even though the injunction had been granted on Saturday night.

**Mr. Gerald Howarth** (Aldershot): Does the Home Secretary agree that his protestations on behalf of Parliament, welcome as they are, would ring a lot truer had he not been a member of an Opposition who sought every opportunity to exploit leaked documents—given to them by civil servants and others—to discredit the previous Government?

The Home Secretary did not answer the question about the number of documents that were in circulation posed by my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark). He owes it to the House to give those figures. Were the documents numbered? Were any civil servants—in the Home Office or in other Whitehall Departments—authorised to give selective briefings to journalists? Were any briefings given, authorised or otherwise?

**Mr. Straw:** I am not disclosing the security arrangements that we made in respect of the document, precisely because an inquiry into how the leak happened has been established and because any such disclosure would be prejudicial to that inquiry, for reasons that ought to be obvious to the hon. Gentleman.

Will the hon. Gentleman remind me of his other question?

**Mr. Howarth:** I asked whether any of the Home Secretary's officials were authorised to give briefings of any description.

**Mr. Straw:** The answer is no.

**Mr. John Austin** (Erith and Thamesmead): Does my right hon. Friend share my regret that those who leaked part of the report—and Conservative Members, judging by their subsequent actions—appear to show no concern for the feelings of the Lawrence family? Does he also share my unease that the vitriolic attacks made on him over the weekend, particularly by the right hon. Member for Sutton Coldfield (Sir N. Fowler) and by the hon. Member for Worthing, West (Mr. Bottomley), seemed to divert attention from the substance of that very important report?

I congratulate my right hon. Friend on having the courage to take the very difficult decision to set up the judicial inquiry. The hon. Member for Worthing, West used to represent Eltham, and immediately after the last general election, my hon. Friend the Member for Eltham (Mr. Efford) approached his predecessor to ask him to put his name to an all-party early-day motion calling for an inquiry into the circumstances of Stephen Lawrence's death. Is my right hon. Friend aware that the hon. Member for Worthing, West declined, and would my right hon. Friend care to comment?

**Mr. Straw:** It is not for me to offer an explanation of the view taken by the hon. Member for Worthing, West (Mr. Bottomley), who must explain himself. However, I have to say that, in my experience, the hon. Gentleman has shown considerable support for the Lawrence family.

I am grateful for the support expressed by my hon. Friend for my establishment of the inquiry, and for the fact that I have sought to protect the family, the police and the House from the premature publication of the report.

**Mr. Nicholas Soames** (Mid-Sussex): Does the Home Secretary accept that there is nothing synthetic about the charge that the handling of a very important document has been unfortunate and unhappy? In relation to the rumours currently circulating about briefing against the Commissioner of Police of the Metropolis—of which, I am sure, he knows nothing, and which I am sure he would not want—can the Home Secretary assure the House that there is no such briefing?

**Mr. Straw:** The hon. Gentleman is entirely right to say that an unfortunate and unhappy set of events led to the leaking of part of the report. The whole House—whatever view Members may take of the injunction—will wholly condemn that leak.

Let me make it absolutely clear that I have no truck whatever with any briefing against the Commissioner of Police of the Metropolis. Indeed, my view is quite the reverse. I have today recorded my acknowledgement of the fine work done by the Commissioner and the Metropolitan police over many years. There are many examples, of which the best is the most recent—namely, the expertise and skill employed in policing the occupation of the Greek embassy, which ensured a peaceful end in circumstances that might have turned out otherwise.

**Mr. Michael Jabez Foster** (Hastings and Rye): May I congratulate my right hon. Friend on his efforts to protect the interests of Back-Bench Members who often do not get to hear things first? I also congratulate him on the sensitivity with which he considered the interests of the Lawrence family, which are more important than even our interests.

Will my right hon. Friend comment on two allegations made on "Today" this morning? First, *The Sunday Telegraph* alleged that the Lawrence family had agreed to publication, or was not opposed to it. Secondly, and more importantly, the Police Federation spokesman claimed that the Home Office had been leaking for 10 weeks, which appears unlikely given the timetable under which the report reached the Home Secretary's attention.

**Mr. Straw:** On suggestions that the Lawrence family have not been opposed to publication, I cannot offer any insight into conversations that may or may not have taken place between *The Sunday Telegraph* and the representatives—or alleged representatives—of the family. However, as I have said to the House, solicitors acting for the family have made clear their understanding of the course of action that I took on the family's behalf. The suggestion that the Home Office had been leaking the report for 10 weeks—or even for 10 minutes—is wholly untrue.

**Dr. Julian Lewis** (New Forest, East): Is not it true that the real harm done to the Lawrence family occurred when Stephen was killed and when the investigation was botched? How can the Home Secretary think that the leaking of the report a couple of days early will have terrible effects on the Lawrence family after all else that they have been through? Is he aware of a report in today's *Evening Standard*, not—so far—injuncted? It states:

"Such leaks come week in and week out, many of them from members of the Cabinet."

The report also notes

"well-sourced suspicions that the culprit is a junior Home Office Minister."

If the culprit is a junior Minister, and if one Labour Minister has had to seek an injunction as a result of the actions of another, will that junior Minister be sacked if he is found out?

**Mr. Straw:** The hon. Gentleman asked about distress caused to the Lawrence family, suggesting that any distress subsequent to the murder itself pales into insignificance. I do not accept that view. My hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) has spoken eloquently for both the Lawrence family and for a great many people—especially among the black community—on the profound sense of hurt felt about both the murder and all that has followed since.

**Dr. George Turner** (North-West Norfolk): Does my right hon. Friend share my sadness at the reaction of our press? Does he believe that the currency of the freedom of the press, which the House unanimously believes is important, has been devalued by today's press? The newspapers appear to be interested in protecting not the interests of the British public, but their own circulation and pecuniary interests. Does my right hon. Friend recognise that many of us are extremely angry that, right at the end of a series of injustices, there has been yet another injustice whereby someone, for some reason unknown to us, has leaked the results of the inquiry in an unfair and unreasonable manner? Will he ensure that appropriate and firm punishment is meted out to anyone who is found to have leaked the document?

**Mr. Straw:** I share my hon. Friend's views. As for the outcome of any leak inquiry, we must wait to see what conclusion it comes to.

**Mr. Richard Allan** (Sheffield, Hallam): My right hon. Friend the Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) has already expressed our view that the public interest and the fight against racism are better served by full, rather than partial, publication of the report. Will the Home Secretary clarify the expected timetable for the full publication on Wednesday; and, in particular, tell the House whether any public line will be expressed by the Government before the hour at which he comes to the House to make his statement?

**Mr. Straw:** As you know, Madam Speaker, the current arrangements are that I should make the report available at 3.30 pm on Wednesday, with copies available in the Vote Office, and make an oral statement to the House. That will be the first public statement that I shall make.

## Points of Order

4.21 pm

**Mr. Roger Gale** (North Thanet): On a point of order, Madam Speaker. You heard the Home Secretary say that he believed that there was a fundamental difference between Government White Papers and other documents. Will you rule from the Chair, so that the House and Ministers are absolutely clear, that all Government papers should be made available to Members of Parliament before being given to the press?

**Madam Speaker:** The House and all Ministers are well aware of my strong views on that matter. All Government documents and all documents handled by the Government should be made available to the House before going into public circulation.

**Mr. Nick Hawkins** (Surrey Heath): On a point of order, Madam Speaker. You were recently kind enough to allow me to raise a point of order on an issue of great concern to my constituents—the future of the buildings of the staff college in Camberley. As you know, I tabled a question on the subject which was, unfortunately, not reached during Defence questions this afternoon. You will be concerned to learn of the information that has subsequently reached me: that, during the few days before the local press, quoting extensively an MOD spokeswoman, reported on the proposal to convert the staff college into luxury flats, there was a briefing by MOD employees of senior local government officers; and that, during that briefing, an MOD official spoke to officers of the local council and indicated that among those who must not, in any circumstances, be told of the proposal were elected councillors of Surrey Heath council and the local Member of Parliament. Have you received any indication from MOD Ministers about whether they propose to make any further statements about the matter? Will you express your concern that, once again—

**Madam Speaker:** Order. I have heard the hon. Gentleman's previous point of order on the subject and I regret that his very direct question was not reached this afternoon—to be frank, I had hoped that we would make better progress on Defence questions. It is not for me to comment on the issue he raises; it is a matter for exchange of views across the Floor of the House. May I suggest that the hon. Gentleman apply for an Adjournment debate, in which he will be able to debate the issue fully, rather than confine himself to tabling parliamentary questions?

**Mr. Tam Dalyell** (Linlithgow): On a point of order, Madam Speaker. You may recollect that, back in 1986, when American bombers left this country to raid Tripoli and Benghazi, there were many eloquent points of order raised by then Opposition Front Benchers about the precise nature of the arrangement between Her Majesty's Government at that time and the American Administration. Have you received any requests for a statement, or for a question to be answered, in respect of the exact terms of reference of the B52s that apparently might operate from British soil? Given that those huge bombers wreak absolute devastation wherever they go, is not the whole relationship between ourselves and the Americans on the matter of prime importance?

**Madam Speaker:** I am afraid that my memory does not extend to that particular situation in 1986. However, Question 2 on the Order Paper referred to the deployment of personnel in south-east Europe, and I listened very carefully to the Secretary of State for Defence, who widened the scope of the question. The hon. Member for Linlithgow (Mr. Dalyell) was fortunate enough to catch my eye on that question and he put his point to the Secretary of State. I have not heard from the Government that Ministers are seeking to make a statement on that issue at this time.

**Mr. John Bercow** (Buckingham): On a point of order, Madam Speaker. I seek your guidance in light of inquiries that have already been made. In view of the importance that you attach to statements being made to the House before their contents are conveyed to the public, do you agree that it is of the utmost importance that the outcome of the leak investigation, which the Home Secretary announced this afternoon, should be reported first to Parliament before it is revealed to the public? Pursuant to that point, Madam Speaker, have you had any indication that that is the intention of Ministers?

**Madam Speaker:** I have had no indication of that sort and it is for the Home Secretary to determine the matter.

# Orders of the Day

## Immigration and Asylum Bill

*Order for Second Reading read.*

4.26 pm

**Madam Speaker:** I should inform the House that I have selected the amendment in the name of the Leader of the Opposition. I have had to limit Back-Bench speeches to 15 minutes.

**The Secretary of State for the Home Department (Mr. Jack Straw):** I beg to move, That the Bill be now read a Second time.

The Bill represents the most fundamental reform of immigration and asylum law for decades. The size of the Bill—nearly 140 clauses with 14 schedules—and the range of its provisions reflect the Government's commitment to delivering the comprehensive and integrated strategy set out in our White Paper last July. Within a modern framework of law, the aim—to quote the title of the White Paper—is to make the system fairer, faster and firmer. We want a fairer system that reflects our commitment to race equality and human rights; we want a faster system that is able to deal quickly with all applicants, whether visiting this country or seeking to remain here longer; and we want a firmer system, with strong controls at ports and effective enforcement against those not entitled to stay. This Bill is vital in helping to deliver those objectives.

The Bill is also essential in helping to deal with the increasing number of asylum seekers. We are not alone in facing such pressures: other European countries have faced similar increases. Indeed, when relative population is taken into account, 10 other European countries receive more applicants than we do. We will continue to protect genuine refugees, but we will deal firmly with those who seek to exploit the system.

Part 1 contains important provisions to make the operation of immigration controls more flexible and effective. For example, the Bill will enable a visa itself to confer leave to enter so as to streamline procedures at ports. The Secretary of State, as well as immigration officers, will be able to grant or refuse leave to enter and so minimise duplication of effort in handling certain types of casework. The current power to charge for settlement applications is widened to other after-entry applications and the powers of the immigration service to require passenger information are strengthened to enable better targeting of resources and improved inter-agency co-operation. However, those provisions will not change the fundamental basis on which our immigration control operates. All arriving passengers will continue to be seen by immigration staff and may be refused entry if they do not qualify.

Enforcement must be backed by the criminal law, so this part of the Bill extends the scope of the existing offences of obtaining leave to enter or remain by deception and increases the maximum term of imprisonment from six months to two years. However, as the House knows, the Government are as committed to stamping out racial discrimination as we are to ensuring a firm immigration control. Clause 13 re-emphasizes to employers their duty to avoid racial discrimination in their recruitment practices when seeking to secure the statutory defence under section 8 of the Asylum and Immigration Act 1996. It places on me a statutory duty to issue a code of practice aimed at ensuring that employers do not breach the provisions of the Race Relations Act 1976.

In recent years, extensive efforts have been made to reduce the opportunity for illegal immigration for those coming in by air, train or ferry. The previous Government introduced the Immigration (Carriers' Liability) Act 1987. I extended its application to Eurostar trains from Belgium, and the French authorities have considerably tightened their embarkation controls on passengers leaving the Gare du Nord in Paris for the United Kingdom. I have introduced visa regimes for Ecuador, Colombia and Slovakia, and direct airside transit visas for other countries. As these controls have worked, not perfectly but effectively, traffickers in illegal migrants have sought other routes.

Hon. Members will be well aware that over recent months many clandestine entrants have emerged from the backs of lorries and other vehicles, some at seaports and some on the verges of motorways, many miles from a port. About 8,000 clandestine entrants were detected in 1998 compared with fewer than 500 in 1992. Illegal immigration on this scale represents a serious threat to the integrity of the control and costs the taxpayer many millions of pounds. It is unfair to those who enter lawfully and we are determined to tackle it.

Part II provides for a new civil penalty to apply for each clandestine entrant brought to the United Kingdom concealed in any vehicle, ship or aircraft. There will be joint liability between the owner, hirer and driver of a vehicle, but only one penalty—probably of £2,000—will be charged for each entrant. The Bill includes a power to impound and, if necessary, to sell, a vehicle or small ship or aircraft if there is a significant risk that the penalty will not otherwise be paid.

The new penalty is a key part of a wider strategy, including strengthening international co-operation, to tackle illegal immigration; but the Government are in no doubt that the responsibility for what vehicles carry into the United Kingdom must ultimately rest with the owner, the hirer and the driver. The Bill provides for certain defences for those who can demonstrate—the onus is on them—that they have an effective system in place which has been properly operated. There is also a power for the Secretary of State to issue a code of practice setting out the procedures that should be followed by road hauliers and others who operate a system to prevent clandestine entrants from using their vehicles. We will continue to discuss the detailed operation of the new regime with the industry and unions.

**Mr. Mike Hancock** (Portsmouth, South): I represent Portsmouth which, being a seaport, is plagued with this problem. Some drivers are seeking assistance from the Home Office to put facilities in place at continental ports to enable vehicles to be properly checked, so that they can then return to the UK without clandestine immigrants. Is the Home Secretary considering ways to support such proposals financially?

**Mr. Straw:** We are certainly looking at ways to assist drivers. I cannot promise financial support, but we are seeking to assist the road haulage industry to secure

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improvements in the checking carried out on the other side of the channel. Indeed, that has already happened at, I understand, Zeebrugge. Next month, I shall almost certainly go to see Jean-Pierre Chevènement, the French Minister of the Interior, to see whether controls and checks can be strengthened in the Pas de Calais, where many of the problems arise. I accept the hon. Gentleman's point.

**Dr. Stephen Ladyman** (South Thanet): I, too, have had representations from road hauliers who are particularly concerned that if they carry out the inspections proposed in the Bill and declare in France that they have someone on board who should not be there, their vehicles could be impounded and they themselves could have to answer to the local magistrate, thus delaying their journey by 24 hours. There is therefore an incentive for them not to declare, while they are in France, that they have picked someone up. Will my right hon. Friend take that on board when he discusses the matter with his colleagues in France?

**Mr. Straw:** We want to secure effective arrangements in co-operation with the road haulage industry, so I accept the need for those discussions to take place. I do not accept my hon. Friend's assumption that there is any incentive for a driver or road haulier who knows, while he is on the other side of the channel, that there is an illegal migrant in the back of his lorry, then to bring that person into this country. If people act in that irresponsible way, the penalty will be imposed on them. On the other hand, if they follow the procedures, exercise reasonable care and follow the code of practice, and it then turns out that they have an illegal migrant on board, they will have a defence against the charge.

Clauses 25 to 27 replace, with amendments, the Immigration (Carriers' Liability) Act 1987, which is to be repealed. Carriers' liability legislation is an important tool in reducing the number of people arriving in the United Kingdom without the proper documentation. The Bill strengthens the existing law in a number of ways. In particular, part II extends carriers' liability to buses and coaches. That will plug an important loophole and create a level playing field with other carriers. It also provides a power to detain, and if necessary to sell, a vehicle, ship or aircraft in order to secure payment of carriers' liability charges.

I come now to the provisions of the Bill that deal with the arrangements for immigration detainees. I make no apology for the use of detention. It is necessary in a small number of cases, but there must be proper safeguards. Part III fulfils the commitment in the White Paper to introduce a more extensive judicial element in the detention process. That will be achieved by introducing routine bail hearings for those detained under immigration legislation.

At present, there is little in statute that governs the operation and management of immigration detention centres. That is accepted in all parts of the House as unsatisfactory. Part VIII provides a proper statutory framework for all aspects of the management and administration of detention centres and for the escort of detainees. Those provisions, together with those for routine bail hearings, will provide additional safeguards for detainees, improve the management of detention centres and establish clearly the powers of detainee custody officers.

**Mr. Neil Gerrard** (Walthamstow): With regard to bail, can my right hon. Friend clarify what the presumptions will be? Will the presumption of the Bail Act 1976 apply, so that it will be presumed that bail will be granted unless there is good reason not to grant it? Furthermore, will it be possible in a judicial hearing to raise the question not only whether someone should be released, but whether that person should legally have been detained in the first place?

**Mr. Straw:** It will not be possible in the bail proceedings to raise the issue of the lawfulness or otherwise of the detention. That is a matter that must be dealt with under process for habeas corpus. We do not intend to change that, for good reasons.

I am sorry that I cannot give my hon. Friend comfort on his first point, either. Because of the special circumstances of immigration detention, which is used in only a relatively small number of cases and as a last resort, I did not judge it appropriate that there should be the same assumptions about the availability of bail as there are in the Bail Act 1976. However, what we are doing is consistent with the discussions that my hon. Friend and I and many other colleagues had in opposition. We are laying down, for the first time, that all detainees will have a right to apply for bail.

**Mr. John Bercow** (Buckingham): Can the right hon. Gentleman confirm that the asylum to be granted to people who applied for asylum in this country before the Asylum and Immigration Appeals Act 1993 came into force will not extend to those who have since committed a serious criminal offence in this country? That is not a matter to which the Bill addresses itself.

**Mr. Straw:** Yes. For practical reasons, the emphasis must be on the word "serious". Where such people have committed serious criminal offences, we do not intend to make the arrangements for dealing with that backlog in the manner otherwise described in the White Paper.

Part IV deals with immigration and asylum appeals. Reform of the appeals system is fundamental to the Government's long-term strategy for a fair, fast and firm immigration and asylum system. The current system is complex, and the existing multiple rights of appeal delay the final resolution of cases. They enable those who have no legitimate basis to remain in the United Kingdom to manipulate the system and prolong their stay here. I am sure that hon. Members on both sides of the House have had long experience of the way in which people with no basis to remain in this country have been able to string out their stay, sometimes for years, by multiple and successive appeals.

The existing structure of successive rights of appeal will therefore be replaced by a one-stop comprehensive appeal that will cover all appealable aspects of a case at one go. When an application is refused, the applicant will be invited to set out all the grounds on which he wishes to remain in the United Kingdom, including asylum, the European convention on human rights or compassionate grounds.

The subsequent appeal will then consider all the factors in the case on which an appeal may be brought. Unless a ground for staying in the United Kingdom has been set out at this stage, it cannot form the basis for an appeal by the applicant unless he had reasonable excuse for not mentioning it when invited to do so; or, in asylum and ECHR cases, provided the claim is not being made to frustrate removal.

**Mr. Simon Hughes** (Southwark, North and Bermondsey): I welcome a much more streamlined appeal system but I ask the Home Secretary whether he can do something else to reduce the pressure on the system, namely, to allow those who are applying to come to this country as visitors or students, and who have no previous record or family record of ever having breached any rules, to come here on the presumption that they will behave themselves, rather than the presumption that they will not. I have many constituents who are absolutely law abiding who have families wishing to come to this country for weddings, funerals or to study. They are applying to come here and being turned down. They are then applying again, being turned down and appealing. The system is clogged up hugely by them when there is no reason why they should be treated so badly by our people at their points of application.

**Mr. Straw:** They are very lucky if they are family visitors and they appeal, because the right of appeal was abolished by the Asylum and Immigration Appeals Act 1993. Our complaint, which I shall come to, has been the absence of a right of appeal for family visitors, and that we intend to put right.

In future, in-country rights of appeal will be restricted to persons who are lawfully present at the time when they apply for further permission to remain and where an adverse decision would be required for their departure. Those here unlawfully, such as overstayers, will be subject to removal under clause 6 of part I rather than deportation, just as illegal entrants are now. However, in accordance with our international obligations, applicants claiming asylum or ECHR rights will have a right of appeal, even if they are not lawfully present when they make their claim. Someone who is refused asylum, but granted limited leave, will have a right of appeal against his asylum refusal.

We also think that modernisation of the immigration appellate authorities is needed. We want the immigration adjudicators to be able to deal with cases quickly and fairly, and we want the Immigration Appeal Tribunal to continue to develop as the central authoritative guide to immigration and asylum law. I pay tribute to all that Judge Pearl, formerly the chief adjudicator and now the president of the tribunal, and Judge Dunn QC, his successor as chief adjudicator, and their colleagues have done to improve decision making and reduce waiting times.

At adjudicator level, waiting times are now down to about 16 weeks, from delays of more than a year, which we inherited in May 1997. There are still delays at tribunal level, which are not the fault of the tribunal itself. However, the Lord Chancellor is in the process of appointing new members and these delays should reduce sharply when the appointments are made.

**Mr. Richard Allan** (Sheffield, Hallam): Will the Home Secretary give the logic behind the recently reported decision to withdraw support from asylum seekers who take out judicial review of their appeal? Surely it would be better to continue to support an asylum seeker where a court has decided that he or she should have leave for judicial review. There must be merit in the case if the court made that decision.

**Mr. Straw:** Perhaps the hon. Gentleman will bear with me until I deal with support arrangements. If I do not satisfy him then, I shall take an intervention from him.

Part of the purpose of our streamlining the appeal system and making the appellate tribunal more authoritative is to reduce the grounds for judicial review, which I happen to think is very important. There has been—this view is held by immigration officers and, for example, by judges of the High Court who have to operate the Crown Office list—something of an abuse of the option of applying for judicial review, simply as another means of spinning out someone's stay when it is not otherwise justified.

**Fiona Mactaggart** (Slough): I am grateful to my right hon. Friend for saying that at an appeal, where the opportunity for one exists, there will be an opportunity to argue compassionate circumstances. Will my right hon. Friend clarify that in every appeal that is envisaged within the Government's proposals for people who are in the United Kingdom, the compassionate circumstances of their case as are currently set out in the immigration rules that relate to deportation appeals will be able to be considered?

**Mr. Straw:** I am sorry to tell my hon. Friend that I cannot give the guarantee that she seeks. I understand her point, which we have discussed outside the House. I suggest that she has raised one of those important but detailed issues which should sensibly be pursued in the Special Standing Committee, if the House decides to establish it at the end of today's debate.

The Bill will give adjudicators clear and effective powers to deal summarily with appeals that are not being seriously pursued, so that they can concentrate on the cases of substance. The Bill will make the tribunal more of an effective and professionally expert appellate body. The reforms that the Government are proposing to the legal aid system should help to put an end to the waste of public money on poor legal advice to asylum seekers and to the pursuit of unmeritorious cases at public expense.

**Ms Diane Abbott** (Hackney, North and Stoke Newington): The Home Secretary will find that I am a critic of some parts of the Bill, but I see hundreds of applications for judicial review every month and most of them—*[Interruption.]* Yes, I see hundreds every month. Most of the applications that I see are wholly spurious and I have begun to go back to some solicitors to ask them why they are giving such poor advice to my constituents.

**Mr. Straw:** I am grateful to my hon. Friend for putting that on the record—it is absolutely true. What she describes brings the law into disrepute, is a waste of public money and, above all, harms those of our constituents with genuine and justifiable cases for going for judicial review, but they are few and far between. As my hon. Friend will know, the Lord Chancellor is making extensive reforms to the legal aid system, better to ensure

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that solicitors are not able unjustifiably to milk the system to make a bit of money for themselves and string out the prospect of their client remaining in this country.

**Dr. Lynne Jones** (Birmingham, Selly Oak): Will my right hon. Friend give way?

**Mr. Straw:** If my hon. Friend will allow me to make some progress, I will then give way.

Overall, the aim of these measures is to meet the target set out in the White Paper of two months for an initial decision and four months thereafter for any appeal to have to be dealt with. Those are challenging targets. They depend not only on this legislation, but on the additional investment that we are making to speed up the system.

Much of what I have spoken about today is to do with tightening controls on illegal immigration and against the abuse of the asylum process, but immigration control must also act fairly in respect of all those lawfully resident in this country who, for example, wish to receive visits from family members abroad. One of the provisions of the 1993 Act for which I always thought that there was the least justification was the removal of any right of appeal for such visitors.

Those of us with Afro-Caribbean or south Asian constituents, for example, know at first hand of the strong sense of injustice that the abolition of the right of appeal has engendered among many of our constituents. That is no criticism whatever of the work of entry clearance officers at British posts abroad; it is a criticism of the principle that such decisions should not be subject to any further independent adjudication.

Part IV therefore fulfils our manifesto commitment to reinstate a right of appeal to those who are refused a visa for the purpose of a family visit. Provision may be made by regulations that those who wish to appeal will have to meet the costs of doing so, but fees would be refunded to those whose appeals were allowed.

A related issue is that of a bond scheme. I am sure that many hon. Members on both sides of the House have been asked, as I often have in my constituency surgeries, why their constituents cannot give some form of financial guarantee that a relative wishing to visit them will leave at the end of the visit. Part I therefore makes provision for a financial security, or bond, to be required or accepted where visitors apply for an entry clearance. The bond would be forfeit if the visitor did not leave the United Kingdom and we will run a pilot to test the merits of such a scheme before deciding on its wider use.

Part V fulfils a further manifesto—

**Mr. Gerald Kaufman** (Manchester, Gorton): Will my right hon. Friend give way on the question of visitors' appeals?

**Mr. Straw:** Yes, and then I shall give way to my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones).

**Mr. Kaufman:** I, on behalf of my constituents, appreciate very much the fulfilment of the manifesto commitment on this matter. From his constituency experience, my right hon. Friend will know that, although some family visits have no fixed point and can take place at any time, specific visits relating to weddings and funerals have a fixed point. In view of the fact that an appeal would be pointless if it went beyond the date of a wedding or a funeral, will he consider the possibility of a fast-track system for appeals on those matters only?

**Mr. Straw:** The answer to my right hon. Friend is yes. That issue has caused great frustration, to my constituents as well as to his, and we will certainly look at it very carefully.

**Dr. Lynne Jones:** My right hon. Friend referred to the fact that the Bill will be referred to a Special Standing Committee, which is a welcome procedure. However, he is aware that much of the detail of the proposals is not in the Bill, but will be enshrined in regulations and statutory instruments. Will the Special Standing Committee have an opportunity to consider the drafts of the regulations as well as the Bill?

**Mr. Straw:** We are endeavouring to ensure that the Special Standing Committee has as much information as possible. I cannot promise that drafts of all the regulations will be made available at this relatively early stage in the process. However, I can promise that the process manual and the information manual relating to the support scheme will be made available to the Committee. We will get as much information to the Committee as we can.

Part V of the Bill deals with immigration advisers and immigration service providers, and fulfils a further manifesto commitment to regulate immigration advisers. It was my hon. Friend the Member for Tottenham (Mr. Grant) who first exposed the scandalous behaviour of some of these people, and I pay tribute to him for his work. Like my hon. Friend and me, many colleagues in the House have received endless complaints from their constituents about the activities of unscrupulous immigration advisers. They cheat their clients and manipulate the system for their own profit. We intend to put them out of business.

The Bill will create a statutory scheme for regulating both unqualified and—to a degree—legally qualified advisers. It will be a criminal offence—punishable on indictment by up to two years' imprisonment or a fine, or both—to provide advice in breach of the scheme.

Part V also makes provision for the appointment of an immigration services commissioner, who will be responsible for administering the regulation of advisers. Only those who are registered with the commissioner, who are members of designated professional bodies, or who are otherwise exempt, will be permitted to give immigration advice and services.

The commissioner will investigate complaints against registered immigration advisers, in the light of which he may withdraw registration or, in certain cases, lay a disciplinary charge. There will be an immigration services tribunal to hear any disciplinary charges laid by the commissioner, and to which any person aggrieved at a decision by the commissioner may appeal.

**Dr. Brian Iddon** (Bolton, South-East): Does my right hon. Friend agree that we should give greater publicity to advisory services, such as the Manchester Immigration

and Advisory Service, which offer a free service to clients, thus preventing them from being ripped off by the very advisers to which my right hon. Friend refers?

**Mr. Straw:** I agree entirely with my hon. Friend. My constituents have received good advice from the Manchester Immigration and Advisory Service. I am constantly surprised by how many of the constituents I see each Friday have had large sums of money taken from them either by unscrupulous and unqualified advisers or by less than skilful lawyers, when they could have got far better advice for nothing from bodies such as the IAS.

**Mr. Hancock** *rose—*

**Mr. Straw:** Many hon. Members want to speak, so I must make some progress.

I shall now turn to part VI, which is one of the most important parts of the Bill. It contains provisions for a new, national system of support for asylum seekers in genuine need. The current arrangements are a shambles. Cash benefits are available to those who seek asylum at ports of entry until their claims are decided. Beyond that point, they are at risk of destitution. Those who apply in-country are also denied benefits, and under the provisions of the immigration and asylum legislation are immediately at risk of destitution. This impossible result of the 1996 Act led to intervention by the courts, which has meant that, in such cases, the burden of supporting asylum seekers has instead fallen on local authorities. That burden has been particularly acute in London and the south-east.

We are past the point at which we can tinker with the system: radical reform is needed. We must be able to provide support to those in genuine need, but we must do so in a way that minimises the incentive to economic migrants who undermine public support for genuine refugees.

Under the provisions in part VI, support will be provided separately from the main benefit system. The only exception will be unaccompanied children, for whom existing arrangements under the Children Acts will continue.

**Several hon. Members** *rose—*

**Mr. Straw:** If I may, I shall make progress, then I shall accept a couple of interventions.

The new scheme will be administered by the Home Office. Accommodation will be offered on a no-choice basis, just as it may be in respect of United Kingdom residents who present themselves as homeless, usually where accommodation is more readily available outside London and the south-east. That does not mean that asylum seekers will be placed in isolated or derelict accommodation. Accommodation is likely to be in clusters, taking account as far as possible of support available from existing communities. Other support will be mainly in kind or in vouchers, with cash payments kept to a minimum. Support will be given only to those who are destitute or who are likely to become destitute. If an asylum seeker has accommodation—for example, because he or she can stay with family or friends—he or she may be given living expenses only. In the case of families with children, support will continue until removal from the country. Otherwise, support will be given until the determination of any appeal to the appropriate appellate authority against a decision to refuse asylum.

**Mr. Iain Coleman** (Hammersmith and Fulham): What hard evidence has my right hon. Friend or the Home Office to prove that cash benefits act as an incentive for unfounded asylum seeking?

**Mr. Straw:** The evidence is in the figures, which show that, although the cost per head of benefits in kind is slightly higher than that of cash benefits, the take up of cash benefits is very much greater. There is also considerable evidence to suggest that cash benefits act as a "pull factor" in the case of economic migrants from eastern European countries who have no basis whatever for asylum claims. We shall be able to go into that in the Special Standing Committee.

**Mr. Nigel Waterson** (Eastbourne): What interim proposals has the Home Secretary to deal with the present unacceptable situation in which certain London boroughs are, in effect, making commercial arrangements to dump asylum seekers in places such as Eastbourne, but are unwilling to observe best practice by liaising with my local council to establish the numbers involved, their needs and the back-up required from social services departments and other agencies?

**Mr. Straw:** We have provided liaison arrangements, which I helped to broker, between London and other authorities through the Local Government Association, to ensure a relatively smooth transition. If those arrangements are not working, I greatly regret that, and—if the hon. Gentleman writes to me—I will do what I can to bring about better liaison between his local authority and the London boroughs concerned.

**Mr. Jeremy Corbyn** (Islington, North): Is my right hon. Friend aware that many of us are very disturbed about part VI? We feel that the Tory removal of benefits for asylum seekers three years ago was an act of spite and vengeance against refugees, and look to the present Government to restore those benefits. Cash is the cheapest, most efficient and most humane way of delivering benefits. Giving benefits in kind causes asylum seekers a great deal of humiliation; it is inefficient, expensive and, in many cases, completely ineffective, because the families involved will have no cash to pay for any small things that they may need. The system also adds to their sense of difference from the rest of the community. Will not my right hon. Friend look at what was done in 1996, and reverse it?

**Mr. Straw:** It is precisely because we looked at what happened in 1996 that we introduced these arrangements. In 1996, the then Government proposed to end any right to any support for anyone who applied for asylum in-country. Because that meant that people would be destitute on the streets, the courts intervened and interpreted the National Assistance Act 1948 as requiring not the Government, but local authorities, to have a duty to provide support in kind in the interim.

That is wholly unsatisfactory. We have decided, for what I believe to be good reasons, to take away asylum seekers' right to cash benefits, and to take them out of

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the social security system generally. These are not British residents, although they can become British residents if their case for asylum is accepted; these are people who are seeking asylum in this country. I consider it perfectly reasonable for anyone who has a well-founded case for fleeing state persecution in another country to accept that he or she will be given accommodation and support in kind here, on a temporary basis.

We have sought to secure a proper balance between ensuring that individual asylum seekers are not left destitute, and cutting off the economic incentive for people to come to this country not because they have any serious claim for asylum, but because of the availability of cash benefits. I recognise the anxiety that that causes a number of hon. Members on both sides of the House. I hope that we shall be able to allay those anxieties through further discussions, particularly in the Special Standing Committee, but, having gone into the matter in huge detail, I believe that the principle that we have established is the best possible.

**Ms Abbott:** Will my right hon. Friend give way?

**Mr. Straw:** I will allow one more intervention, but then I must proceed with my speech.

**Ms Abbott:** My right hon. Friend will know of the great concern about the support arrangements in this part of the Bill. One of the many problems is that small groups of asylum seekers far from London and from other minority communities could well turn out to be sitting targets for racist attacks. Has my right hon. Friend sought the comments of the United Nations High Commissioner for Refugees? It is not clear to me that, in principle, the support arrangements meet our international obligations.

**Mr. Straw:** We certainly discussed the proposals with UNHCR. I cannot say whether it has endorsed them. If it has not endorsed them, that is not a reason against them. It is entitled to take a different view from us. We have come to a settled view. I certainly judged that, with all the problems that have been caused in several other European countries, it was not appropriate to set up hostels, but it is appropriate to go down the path that is set out in the Bill. We also intend that, by 2001, the initial decision should be made within two months, and that the appeal should be four months thereafter. That is a big difference from the current position.

**Mr. Coleman:** Will my right hon. Friend give way?

**Mr. Straw:** If I may, I must get on.

We propose to arrange with local authorities, housing associations, private sector landlords and the voluntary sector for the provision of subsistence and accommodation for asylum seekers. That will be on a normal contractual basis, but the Bill includes a reserve power to direct local authorities to co-operate by providing specified accommodation within a designated reception zone.

That power would be used as a last resort. We intend that local authorities should be properly reimbursed for any accommodation so provided. We are discussing the detail of such safeguards with the local authority associations and will introduce amendments for that purpose during the passage of the Bill.

When the new asylum support system comes into force, there will be asylum seekers in receipt of income support and housing benefit, or who are supported by local authority social service departments. We will consider in further detail when and how those people can be transferred to the new support arrangements, but I need to make it clear that asylum seekers who have already arrived in this country before the new support arrangements take effect cannot expect their income support and housing benefit cash payments to continue for the duration of the asylum application. Once the new support arrangements come into force, eligibility for cash payments will end. We shall give further consideration to the timing of the transfer to the new support system, but no asylum seeker can have an expectation that, by arriving in this country before the new support arrangements take effect, they will have indefinite access to the social security system.

Part VII of what is a large Bill concerns immigration officers' power to arrest and to search. Effective enforcement is an essential part of fair and firm immigration control. Under current legislation, immigration officers too often have to rely on a police presence to perform basic, low-key enforcement tasks. Therefore, the part extends immigration officers' existing powers of arrest and, in respect of immigration offences, provides them with powers of search, entry and seizure that are equivalent to those that the police already have.

With clause 15 in part I, part IX provides marriage registrars with new powers to tackle abuse of marriage for immigration purposes. We have to take firm action to tackle that growing problem. Clause 15 imposes a new statutory duty on marriage registrars throughout the United Kingdom to report suspected sham marriages for immigration purposes to the Home Office. That builds on existing informal arrangements, but if that new duty is to be effective, registrars need greater powers to establish the identity of the parties to the marriage. Therefore, part IX provides powers to request evidence of name, age, marital status and nationality.

In addition, couples will usually have to give 15 days' notice of their marriage and will have to attend personally to give such notice. If the registrar is not satisfied that the parties are legally free to marry, he may refuse to proceed. There will be a right of appeal to the registrar general.

The changes in marriage law in Part IX are aimed at the abuse of civil marriage for immigration purposes. They will not in any way affect those who marry in the Church of England or Church in Wales after banns. They will affect civil preliminaries for other religious marriages, but are unlikely to cause any difficulties in practice for genuine couples.

By any standards, the Bill represents a comprehensive reform of immigration and asylum law. We are continuing to consider the need for additional changes and will introduce amendments as necessary during the Bill's passage. I should inform the House that, in particular, we intend to table amendments to extend fingerprinting—currently applied to asylum seekers—to additional categories of persons, including inadequately documented passengers and all illegal entrants; and to clarify existing powers to charge for additional immigration services at

ports of entry, and to require certain port facilities, which are needed to operate immigration control properly, to be provided free of charge.

**Mr. Keith Vaz** (Leicester, East): Will my right hon. Friend give way?

**Mr. Straw:** I will give way for the last time.

**Mr. Vaz:** My right hon. Friend has not mentioned the situation at the immigration and nationality directorate. He visited it last week and has no doubt seen the article in *The Times* today. Many of his proposals will add an extra burden to the IND. Will he give an assurance that the situation at the IND, which has been described as a shambles, will be cleared up as soon as possible?

**Mr. Straw:** Yes, I give my hon. Friend that undertaking. One of the reasons why, on Thursday last, I went to visit IND in Croydon, was to ensure that I could give such an undertaking.

**Fiona Mactaggart:** What about the Siemens contract?

**Mr. Straw:** In April 1996, the previous Government entered into the Siemens contract—not the seamen's contract—which was due by now to deliver a fully computerised caseworking system, but it has failed to do so. There is no way out for the previous Government or for the right hon. Member for Sutton Coldfield (Sir N. Fowler)—

**Mr. James Clappison** (Hertsmere): Nonsense.

**Mr. Straw:** We tell the right hon. Member for Sutton Coldfield that the previous Administration were and remain responsible for the current shambles of the immigration service—*[Interruption.]* That is the truth. They failed properly to modernise the system and to establish proper specifications for it. If the hon. Member for Hertsmere (Mr. Clappison) wishes to gainsay that, let him do so in his reply to the debate. The previous Government failed also to invest in other means of modernising the system; it has fallen to the current Government to do so.

The Bill is essential to deliver the fairer, faster and firmer system to which the Government are committed. It is a large and complex Bill, and it is important that we get it right. Its introduction follows a wide consultation process. In 1995, when we were in opposition, my right hon. Friend the Prime Minister—who was then Leader of the Opposition—moved that the Asylum and Immigration Act 1996 should be referred to a Special Standing Committee. I suggest that, had that Bill been so referred, some of the shambles that has followed in its wake might have been avoided.

The Government are proposing that this Bill should be considered by a Special Standing Committee. The process should enable Parliament to tap the experience of hon. Members on both sides of the House and also of a wide range of outside interest groups, and enable any interested parties to submit written evidence about the Bill's provisions. The Special Standing Committee also will take oral evidence from a range of individuals and organisations. The process will expose the Bill to thorough scrutiny and assist the Special Standing Committee in its detailed work. I hope and believe that the process will produce a better Bill.

When in office, the official Opposition made two attempts—in 1993 and again in 1996—at piecemeal reform, but neither worked as intended. The previous Government's failure properly to plan or to manage the system has left the system with a dreadful inheritance.

I have read the official Opposition's reasoned amendment to the motion on Second Reading. After all the months that have passed since publication of the White Paper, the right hon. Member for Sutton Coldfield cannot offer a single idea of his own on changing the system, a single comment on how we should modernise the system, or a single criticism on whether we have gone too far or not far enough.

After all those months of careful consideration about the problems of the immigration system, all that the right hon. Member for Sutton Coldfield is able now to propose is that there should be an independent inquiry into the immigration service. All that would accomplish is to delay that which he says is needed—changes to the system to modernise the way in which we deal with immigration and asylum control in the United Kingdom. The proposal is bizarre and eccentric, and I think that he will have some difficulty in convincing the House of its merits.

The Bill will provide the United Kingdom with a modern, flexible and streamlined system capable of dealing with the ever-growing pressures and demands placed upon it. That system will better serve the interests of all our people—of those entitled to visit or settle here, and the interests of genuine refugees. It will also give immigration staff the powers that they need to operate a modern and efficient system of immigration control. I commend the Bill to the House.

5.9 pm

**Sir Norman Fowler** (Sutton Coldfield): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"this House, whilst underlining Britain's commitment to genuine refugees but recognising the need to prevent fraudulent claims for political asylum and the widespread public concern on this issue, declines to give the Immigration and Asylum Bill a Second Reading because, before introducing it, the Government failed to establish an independent inquiry to consider what measures should be taken to combat such illegal immigration and because the Bill fails to create a situation whereby only genuine asylum applicants will be given permission to settle in this country."

There were two major points in the Home Secretary's speech with which I agree. First, I agree that we must continue to meet our obligations to genuine political refugees. The United Kingdom has had a proud tradition in that respect, and we should not, and must not turn our back on that policy. It has been followed by successive Governments. I shall say more about that in a moment.

Secondly, the Conservatives will support any measures that will help us to deal with potential asylum applicants more effectively. That is why we shall not divide on the main Question, which is more than the Labour party did in opposition. We recognise that the numbers have increased vastly over the past 15 years. The majority of applicants these days are not political refugees and they put a social and financial burden on the country.

*[Sir Norman Fowler]*

I cannot remotely agree, however, with the assertion that the Home Secretary made at the end of his speech that all the problems that we face are the responsibility of the previous Government and that had we only listened to the then Labour Opposition those problems could have been avoided. One of the fundamental problems is that when the Conservative Government sought to tackle the issue, we were fought all the way by the Labour Opposition.

**Mr. Corbyn:** Will the right hon. Gentleman give way?

**Sir Norman Fowler:** I shall give way in a moment, but not yet.

**Mr. Corbyn:** I am trying to help the right hon. Gentleman.

**Sir Norman Fowler:** I imagine that I need the hon. Gentleman's help about as much as the Home Secretary does.

The Conservatives' attempts to deal with the problems were opposed by the then Leader of the Opposition and those on their Home Affairs Front Bench. The idea that the Labour Opposition were accusing us of not getting tough enough on social security for political asylum applicants is ludicrous. Their case was that we were exaggerating the problem and our measures were too tough. In November 1992, when the current Prime Minister was shadow Home Secretary, he said that the problem of bogus asylum seekers had been exaggerated. He took comfort in the fact that

"The number of asylum applications has halved this year compared with last year".—[*Official Report*, 2 November 1992; Vol. 213, c. 36-7.]

I hope that his economic forecasting is better than his forecasting of the number of applications.

**Mr. Corbyn:** I understand that we have to concentrate our minds on the process of the Tory party reinventing itself. Will the right hon. Gentleman explain why the aim of the Asylum and Immigration Act 1996, which he supported, was to leave appellate asylum seekers in destitution? Many of them were supported by churches and voluntary organisations. Only the intervention of the High Court ensured that the National Assistance Act 1948 meant that asylum seekers were at least fed. The Conservatives wanted to leave them starving on the streets.

**Sir Norman Fowler:** My point is the opposite. The hon. Gentleman is probably more opposed to the Government's policy than to ours. It is pretty close either way. The Under-Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), never lets an opportunity go by without saying that the Conservative Government were not sufficiently tough on the issue. It is ridiculous to say that the Labour party said that in opposition.

The hon. Member for Nottingham, North (Mr. Allen)—the No. 2 in the Opposition home affairs team in 1992—was even more explicit when he summed up the debate. He said that our justification for introducing the Bill was to reduce the number of applications and the backlog, but continued:

"The Government's latest figures"—

the Conservative Government—

"blow away both arguments for initiating the Bill. The number of applications is not increasing but declining dramatically. The backlog of applications, far from increasing, has been halted and is now declining steadily as a result of employing an adequate number of staff".

Of the debate, he said:

"I hope that my colleagues will take *Hansard* and spread it far and wide, particularly among the black and ethnic communities in Britain, to show where the support for their views and for asylum seekers rests. The debate has shown the concern of the parties. This is probably the fullest that the Conservative Benches have been tonight, whereas it is probably the barest that the Opposition Benches have been."—[*Official Report*, 2 November 1992; Vol. 213, c. 103.]

Conceivably, we were right to be there, and, conceivably, we were right to argue that case.

In 1995, the same story was being peddled, and the then shadow, and now present, Home Secretary led his party against the action being taken. Let us be frank; what we are being presented with today is a fundamental shift from what the Labour party was arguing only a few years ago. I do not dispute or mind that, although I will express my reservations later. However, this is not so much a genetically modified policy as a different plant altogether. If Labour had supported our general contention, it might have been easier to tackle this problem in the first place.

I am sure that the Under-Secretary will refer in his winding-up speech to any previous period of Conservative Government. However, let us consider the position at the end of 1998 and the beginning of 1999. We are approaching the end of the second year of this Labour Government and, by any definition, the matter is now the responsibility of the present Government. In the 12 months of 1998, there were more than 46,000 applications for political refugee status. That represents not a reduction on previous years, but an all-time record. To that 46,000 should be added a further 12,000 dependants.

Four weeks ago, I went to Dover to look at the work of the immigration service. I was told that in the last quarter of 1998, 2,400 people had arrived as passengers, claiming political asylum—an increase of more than 250 per cent. on the last quarter of 1997. The national figures were not as dramatic, but they also showed a big increase; 14,400 applicants in the last quarter of 1998, compared with 8,460 in the last quarter of 1997. The message is that there is no sign of the pressure reducing.

The Government's latest estimate is that they have spent more than £500 million in the last 12 months on support, accommodation and processing applications. Even if their predictions are correct—which I wonder—they plan to spend another £900 million in the next three years. By any standards, the cost is vast.

**Mr. Allan:** Does the right hon. Gentleman accept that the increase in numbers simply reflects the fact that there are far more world trouble spots than ever before, and that the vast majority of applicants come from places such as the former Yugoslavia, where trouble has been spreading incrementally over the past few years?

**Sir Norman Fowler:** I do not accept that point in the way that the hon. Gentleman puts it. We must accept

the fact—as stated in the White Paper—that the majority of those seeking political asylum are not entitled to it. There is no doubt about that.

**Mr. Coleman:** The right hon. Gentleman has said that the vast majority of asylum seekers are bogus. What percentage of asylum seekers have received refugee status or indefinite leave to remain, or have appealed successfully to remain, in the past 12 months?

**Sir Norman Fowler:** I will come to those figures, which are a crucial part of my argument.

**Mr. Bercow:** Does my right hon. Friend agree that the point made by the hon. Member for Sheffield, Hallam (Mr. Allan) does not explain the fact that this country received more asylum seekers in 1998 than any other European Union state except Germany?

**Sir Norman Fowler:** I hope to answer all three interventions, from the three different parties, by continuing with what I was saying.

We should understand why the position is so serious. We have clear obligations under the 1951 United Nations convention relating to the status of refugees that we should and must recognise, but it is also clear that the vast majority of people making applications in the 1990s have not been genuine political refugees. Many have economic motives, but the majority are not in need of protection from persecution. That is undoubtedly clear from the White Paper and all the work done by the Government and the previous Government.

Most applicants are young men and women. Many apply from within the country rather than on entry. They are not like the Jews fleeing the Nazis. They are using the asylum system. In 1997, 36,000 initial decisions were made on asylum applications. Of the applicants, 4,000 were recognised as refugees and 3,000 were granted leave to remain because of genuine humanitarian factors; that is 7,000 out of 36,000. Of those who go to appeal, if experience is anything to go by, only a small percentage will be successful.

The whole House must recognise the problem. We need to recognise that the political asylum system, as well as providing for genuine asylum seekers, is being abused. Too often, it is a means of illegal immigration. If we do not recognise that, we fail to understand the nature of the problem that we have to tackle.

Criminal organisations are prepared to exploit political asylum for profit. Such organisations may deal in drugs or in people. They do not mind, provided that the people whom they transport and advise can pay. Let us be clear: they are helping not the poor and the destitute but people who will pay. They are what we are up against and what we have always been up against.

**Dr. Ladyman:** If we accept the right hon. Gentleman's arguments, can he understand how frustrating my constituents will find it that, according to the reasoned amendment, Conservative Members are not prepared to support the Government's initiative to try to address the problem that he identifies, not on a point of principle, but because they have some spurious belief that there should be a public inquiry? My constituents will find that hard to understand.

**Sir Norman Fowler:** I hope that I will be able to explain to the hon. Gentleman's constituents. I made it clear at the beginning of my comments that we will not vote against the Bill. We will vote for the reasoned amendment, which is our right, but not against the main Question. Perhaps the hon. Gentleman can also explain to his constituents that the previous Labour Opposition not only voted for reasoned amendments tabled by the Liberals but opposed Second Reading of previous immigration Bills.

**Mr. Kaufman:** The right hon. Gentleman said that his party will not vote against the Bill but that it will vote for the reasoned amendment. However, the reasoned amendment declines to give a Second Reading to the Bill because it

"fails to create a situation whereby only genuine asylum applicants will be given permission to settle in this country."

The right hon. Gentleman has given a horrendous description of the huge asylum problem that the country faces today, but his Government put through three restrictive, racist Acts to deal with it. It has got worse and worse and now the right hon. Gentleman attacks a package Bill that seeks to deal with asylum and provides privileges and benefits for the ethnic minorities in this country.

**Sir Norman Fowler:** The reasoned amendment sets out what we want, because that is what reasoned amendments should do. I do not believe that I have overstated the issues or used emotive language. If right hon. and hon. Members are not prepared to face the facts of the situation—as set out in the White Paper, not only by me—we have come to a peculiar pass.

**Mr. Straw:** I wish to press the right hon. Gentleman on the point raised by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman). The right hon. Gentleman said that he would give the Bill a Second Reading, but the reasoned amendment, which bears his name, declines to give the Bill a Second Reading. In the unlikely event that the reasoned amendment were carried, the Bill would not receive a Second Reading.

**Sir Norman Fowler:** That has been the position on every such occasion. The Home Secretary knows what reasoned amendments are, and he knows what opportunities and weapons are available to the Opposition. We face not only bogus asylum seekers, but bogus arguments.

**Mr. Roger Gale** (North Thanet): Is it not a fact, as reflected in the reasoned amendment, that the Bill will give asylum to some 30,000 or 40,000 people already in this country, many of whom do not qualify?

**Sir Norman Fowler:** That is one of the points that I seek to make. I will come to the exact numbers, about which there is some confusion.

**Mr. Peter Snape** (West Bromwich, East) *rose*—

**Sir Norman Fowler:** The hon. Gentleman used to be my pair, when we had such things, in the old days, so I shall give way to him.

**Mr. Snape:** I would be glad if the right hon. Gentleman did not spread that information around. There is more than

*[Mr. Snape]*

a procedural nicety at stake. Will not the right hon. Gentleman accept that if the situation is as bad as he says, it is the Conservatives who are culpable, because it is their legislation we are trying to get rid of today?

**Sir Norman Fowler:** I understand the point, and it is one that the Under-Secretary makes ad infinitum. At the most recent Question Time, he said that we created the problem. However, Labour Members cannot have it both ways. They say we created the problem and then, when they consider the numbers involved, they say that every country in Europe faces pressures from asylum seekers. We need to use common sense. Every country in Europe is under great pressure on this issue. Doubtless, the crisis in Kosovo will create more genuine refugees, but it will create also a new wave of fraudulent applicants. We know that what happens is that people arrive without documents—perhaps from Albania, but they claim that they come from Kosovo. It is increasingly common for asylum applicants to arrive without documents.

We want to examine many elements of the Bill. We will want to know more about the new welfare system to be introduced, in which Liberal Democrat Members have also shown an interest. Far from reintroducing child benefit, the Government are setting up a new and different system. However, the details are sketchy, to put it mildly. Last week, I asked the Under-Secretary about what progress had been made, but about the only definite information that I got was that the new system would come into being on 1 April 2000. He said:

"The Home Office is currently considering the number of staff required in the Asylum Support Directorate, which will be the new body set up to administer the new asylum support arrangements.

Information on the source of those staff, likely costs and the budget is not known at this stage because it is to some extent dependent on Parliamentary progress."—[*Official Report*, 16 February 1999; Vol. 325, c. 649.]

We will need to know a little more about what will be a fundamental change in welfare and social security payments.

We want to know more about the measures aimed at transport operators. When I asked the Home Secretary recently about the proposals of the Freight Transport Association, he said that the association was merely a client organisation of the Conservative party. Yet everyone who knows anything about transport understands—and the hon. Member for West Bromwich, East (Mr. Snape) certainly understands it—that the FTA is probably the most respected independent trade organisation in the country. It has been consulted by Governments of different complexions over the years, and it is nonsense to reject its advice in that way.

The Under-Secretary is especially aggressive in that regard, evidently believing that international transport is still conducted in the old three-tonne Bedford trucks that were so easy to check. The FTA and the Road Haulage Association have said that they want to tackle the issue of fraudulent entry, and the Government would be wise to heed their advice.

As has been pointed out by the Immigration Advisory Service, the Bill provides for no fewer than 50 order-making powers. We can imagine how the Labour party in opposition would have reacted to that.

**Mr. Straw:** Will the right hon. Gentleman give way?

**Sir Norman Fowler:** Is the Home Secretary intervening on my present point, or the previous one?

**Mr. Straw:** The previous one. I accept that, as far as possible, we should try to reach an understanding with the Road Haulage Association and the Freight Transport Association, and we have sought to do so. However, is the right hon. Gentleman saying that hauliers should not face the proposed penalties?

**Sir Norman Fowler:** No, I am saying that the Government would be well advised to try to reach agreement with the Road Haulage Association and the Freight Transport Association, especially as both have stated specifically that they want to prevent the illegal use of transport by asylum seekers. I believe that the Government and the hauliers can reach agreement on the matter, and that there is no need for great dispute. However, if the Home Secretary and the Under-Secretary simply shout at the RHA and the FTA they will find that those organisations will shout back.

I mentioned the Bill's 50 order-making powers. The Home Secretary criticised the 1996 legislation for being a "blank cheque Bill", and he said that it gave the Secretary of State wide and ill-defined powers to use in regulations. The same criticism can be made of this Bill.

A crucial point about the Bill was made by my hon. Friend the Member for North Thanet (Mr. Gale), who spoke about the need to combat fraudulent asylum seekers. The Bill's main aim is to improve the system of control. The Government want to speed up the flow of cases and to get quicker results: in theory, that will reduce the numbers staying here.

We hope that the measures are successful. If they are not, the words being used by the Government will be hollow and meaningless. We hope that results will come earlier than suggested by the bleak message of years, not months implied by the Home Secretary.

Immigration control is not just about how fast applicants can be processed. It is also about deterring false applicants from coming here in the first place. It is about reducing the flow of people making applications. Under the Government, that flow has reached a record level, and everyone realises that the flow of applicants to the United Kingdom depends heavily on the message that the country is sending out.

The Government are, with two groups, currently sending out a message that could easily be interpreted as meaning that if an applicant manages to stay here for a number of years, he will be able to stay for good. The first group of applicants are the 10,000 from before July 1993 whose cases are currently being processed. The Government say that there is no question of an amnesty for those applicants, but their policy towards those people is as near an amnesty as it is possible to imagine.

Unless those applicants have committed criminal offences with sentences of more than 12 months, or some other offences, they will be allowed indefinite leave to remain. There will be no check on whether they are genuine refugees; time waiting is the only criterion. We may expect that the majority of those 10,000 applicants will remain, irrespective of whether or not they are genuine. There is, I think, no dispute about that.

There is a further group of 20,000 applicants—although the number may be exaggerated—who arrived between July 1993 and the beginning of 1996. The criteria are also being changed and the test reduced, as outlined in the White Paper. The Minister of State says—what else?—that indefinite leave to remain is a policy pursued not only by the Government. He says that the Conservative Government followed it too, and did so in secret. Our policy was a secret only if one believes that what is said on Second Reading of a Bill is secret. My right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) said on the Floor of the House:

"Let me explain carefully this absolutely critical point. Although in recent years we have granted full asylum in only a relatively small number of cases, we have felt obliged, because of the delays, to grant exceptional leave to remain in others. The practice has been to grant such leave in cases where the applicants do not qualify for asylum but where it has been judged that, in all the circumstances—including their circumstances through the years while they have waited for a decision—it would be unreasonable or impracticable to seek to enforce their return to their country of origin. In recent years, as many as 60 per cent. of those who applied for asylum have had that application refused, but have then been granted exceptional leave to remain instead."

My right hon. and learned Friend was absolutely open about the position. Crucially, he went on:

"That is not acceptable and it encourages people to make groundless claims because that will delay the process for so long—or the decisions will be delayed by the inadequacies of the system—to such an extent that they will not eventually be required to leave. I want to reduce that number significantly."—[*Official Report*, 2 November 1992; Vol. 213, c. 27.]

**Mr. Gerrard:** Will the right hon. Gentleman give way?

**Sir Norman Fowler:** I will not give way again.

There was, therefore, a basic reason why we acted as we did, but there is a danger of the Government's policy being interpreted as returning to that kind of policy. The message that we are sending out is that delay can help. The message we should send—not only to the 10,000, but, more crucially, to future applicants—is that such virtual amnesties will not be given on the ground of waiting time. Our responsibility is to genuine refugees.

Even more fundamentally, we must consider other issues affecting illegal immigration and political asylum. The White Paper that goes along with the Bill offers a departmental review. It concentrates on the system, and it is confined by Government policy. That is why I have suggested that we should have an independent review that would not be bound by the confines of Home Office policy and that could go into the many areas not covered by the Bill. A review could give the public an independent assessment of the scale of the problem and the necessary action.

The Government argue that such a review is unnecessary and such information irrelevant—indeed, the Home Secretary has just argued that point—yet in a debate on 11 December 1995, no less a person than the right hon. Member for Blackburn (Mr. Straw) made precisely the opposite argument. He said:

"We need much better evidence about the scale of the problem, and why enforcement is so poor in so many areas. We need to know whether the proposed offences aimed at racketeering will be effective. We also need an examination of other measures that might be taken".—[*Official Report*, 11 December 1995; Vol. 268, c. 716.]

The right hon. Gentleman advocated the setting up of a Special Standing Committee. I understand the case for such a Committee and I am sure that it would be useful, but let us be frank: a Special Standing Committee is not an inquiry. The Special Standing Committee that is to be set up will have four sittings; it will take evidence from various groups and individuals, but it will have neither the time nor the backing to dig into the subject as it should.

The sort of inquiry I have in mind is not a 12-man team or anything of that sort, but one of the type that was once set up by a Labour Government—albeit by Roy Jenkins, whose name might not help my case with Labour Members. That was the Mountbatten inquiry into prison security, which worked with two assessors and produced its report quickly. It did not delay action, but produced a report that did much to settle the prison security issue for decades to follow. If there was a case to go outside the Home Office on that issue, it is doubly strong on the issue of illegal immigration and the abuse of political asylum.

I should like to suggest four areas in which an independent inquiry would substantially have helped policy and might help in future. First, an inquiry should look at the strength and the management of the immigration service. The number of people its staff deal with has increased and increased again. The more effective the service is in dealing with illegal immigration, the more we save on the welfare bill. It is a crucial subject that would benefit from an independent, rather than a departmental, review.

Secondly, an inquiry should examine more strenuously the scale of the problem. There are disputes about the cost of political asylum and about the numbers involved.

**Fiona Mactaggart:** Will the right hon. Gentleman give way?

**Sir Norman Fowler:** No, I shall not give way again. In the White Paper, the Government refer to 20,000 waiting political asylum applicants between 1993 and the beginning of 1996, but we learn from an answer to a parliamentary question that I received last week that that estimate is likely to be reduced. There are a whole range of similar issues, such as the number of people who arrive without documents, on which the Home Office says there are no figures.

Thirdly, the inquiry should look at the number of asylum seekers who manage to disappear into this country, even though their application has failed—presumably, no one would defend such actions. The Government estimate that there are 20,000 asylum absconders, but an estimate by the former secretary of the Law Society's immigration sub-committee puts the figure at double that number, and the immigration service union reckons it is treble that number. The public are entitled not only to have the most accurate estimate—it will necessarily be an estimate—but, above all, to know why so many are able to disappear in that way and what action can be taken to prevent it.

*[Sir Norman Fowler]*

Fourthly, the inquiry should make some estimate of why so many false applicants have come to Britain—a point raised by my hon. Friend the Member for North Thanet. What acts as the attraction—is it welfare payments, housing, the delay in the system, or some other factor? We hear about different adjusted tables that can be produced to play down the problem, but why, over the past four or five years, does France appear to have had only half the number of applicants that we have had?

We shall press our amendment to a vote tonight, because we believe that the Government have lost an opportunity to examine other measures that could be taken. An independent inquiry would have helped and could still help and we regret the Government's failure to establish one.

**Mr. Gareth R. Thomas** (Harrow, West): Will the right hon. Gentleman give way?

**Sir Norman Fowler:** No. I said that I would not give way again.

The message that this country should be sending out is that, although we shall give entry to genuine refugees, we shall not allow false claimants to stay here. We shall not oppose the Second Reading of the Bill, but we shall work to make it more effective in the way that Labour, when it was in opposition, should have worked with us. I warn the Government that, from now on, the public will not want ministerial excuses or attempts to transfer the blame. The issue is now the Labour Government's responsibility, and the public want effective action.

**Mr. Deputy Speaker (Mr. Michael J. Martin):** I remind the House that Madam Speaker has ruled that there will be a 15-minute limit on Back-Bench speeches.

5.45 pm

**Mr. Gerald Kaufman** (Manchester, Gorton): In the nearly 29 years I have served in the House, I suppose that I have dealt with more constituency immigration cases than any other hon. Member. As a result, I have accumulated a great deal of experience both in this area and of Home Secretaries. There have been 12 Home Secretaries during my time in the House, and my right hon. Friend—I am sorry to say this in his absence—is by far the best Home Secretary of either political party with whom I have had dealings on immigration cases.

That is partly because of my right hon. Friend's experience as Member of Parliament for Blackburn—he understands the issues with great clarity—and partly because he is simultaneously firm and fair. He understands the need for a liberal race relations/community relations policy that is imposed firmly for the benefit of all those involved. A token of the benefits conferred by my right hon. Friend was his abolition, within a few weeks of taking office, of the primary purpose rule—probably the most odious restriction on the union of spouses—which was imposed by William Whitelaw, of all people, when he became Home Secretary in 1979.

I support the Bill and welcome it wholeheartedly because it is a package measure. It confers proper benefits on members of the ethnic minority communities, one of the most important of which is the restoration of the appeals mechanism for people whose visitors visa applications are rejected. I see many cases of that kind in my constituency and sometimes the rulings seem extremely unreasonable. I am gratified that my right hon. Friend has confirmed, in response to my intervention, that there will be a fast-track system for those who wish to attend weddings and funerals in this country but who are refused visitors visas. There is no point in obtaining a visa if the wedding or funeral has already taken place.

I turn to another aspect of the proposals regarding visitors. I would be grateful if the Minister clarified in his winding-up speech the Government's approach in clauses 7 and 8 to the provision of bonds and security. Like other hon. Members' constituents, mine tell me, "I want my mother or my aunt to come to this country and I am willing to offer financial security that I will forfeit if she does not leave." That is fair enough. The problem is that many people do not have the financial means to offer such bonds and security. Many of my constituents from the ethnic minority communities are on low incomes, and I would not like to think that they will have fewer opportunities to bring in relatives for a visit than those on higher incomes.

I welcome with immense satisfaction the provisions for the registration of advisers and solicitors. Any hon. Member who deals with immigration cases knows that there are organisations—and, sadly, solicitors—who batten on the immigrant community when dealing with immigration law. Like most people, members of the immigrant community have little understanding of the ins and outs of immigration law. Increasingly, constituents come to me with correspondence from these organisations, which have not only handled their cases with immense incompetence but have taken huge amounts of money from them. I deal with a number of such cases and shall name three organisations with which my constituents become embroiled.

The first is the Welfare Centre, run by Mr. Abdullah Azad. It takes money from my constituents but often sends their cases to me when he has either botched them or cannot deal with them. Another, in Manchester, is called Ekitok and Co., whose letterhead reads "Immigration, Nationality and Law Consultants". The name of Carole Ekitok LL. B. also appears. My constituents go there although they often do not need to do so; their cases are often botched; and their chances are ruined because of the incompetence and grasping nature of these firms.

Thirdly, there is a firm of solicitors in Manchester called Thornhill, which I understand has now changed its name to Thornhill Ince. It gets involved in cases which have no need of a solicitor because they relate solely to immigration applications. I have now got to the point where constituents tell me that such people have not only failed with their cases but damaged them; I say that I will take their cases—first, because I want to and secondly, because it is my duty to do so—but they must have nothing more to do with those organisations.

I want to end the culture in which people go to these organisations in the first place. It is outrageous that firms of solicitors should not only take on immigration cases which have nothing to do with the legal process but charge money for them. An asylum applicant—I am not

commenting on whether it was a meritorious case—told me that a solicitor was charging her £200 an hour for an asylum application.

A woman came to see me the weekend before last because her husband had been deported a couple of days before. I asked her to send me a letter about her case, and I shall read an extract from it. She wrote:

"The day after marriage our agent Mr. Shaikh who is a friend of my uncle advised us give the case of my husband to leave to remain in the United Kingdom for an indefinite period on marriage status because at this moment he . . . has visitor visa, Mr. Shaikh will apply through . . . John Fuller Immigration specialist in London".

They were asked to pay a £3,000 cash fee. The letter continues:

"We paid £3,000 cash to Mr. Shaikh and John Fuller for applying to the home office and get visa for my husband Tariq Wasim to leave to remain in the United Kingdom permanently. John Fuller's office was in London, every time . . . he visited Manchester to see us he always told us he has submitted our case to home office and waiting for their decision".

They were told not to worry as he was corresponding with the Home Office. The letter goes on to say:

"it cost more time so he demanded more money and I paid £300 to £500 each time . . . I have paid them the total amount of £9,000 up till now but all in vain."

That letter is from a woman who did not know how to approach the matter and who was milked for money by a solicitor who in the end went bankrupt and whose cheque bounced.

I want not only to hear that the registration of such phoney, leech-like advisers will be enforced with severe penalties, but to know—it is not clear in the Bill—how it will be enforced for solicitors, too. Some solicitors are as bad as these advisers. It breaks my heart to see constituents, whatever the merits of their cases, being dealt with by these appalling leeches. I welcome this part of the Bill more than I can say.

I do not know the statistics—the right hon. Member for Sutton Coldfield (Sir N. Fowler) probably does not, either—but one of the problems is that even when advisers do not see the validity of a case, they recommend that an asylum application be made. That is part of the asylum problem with which the Bill has to deal. These advisers create an asylum racket by advising people who do not know any better and who would never act in such a way on their own initiative. They are told that another way for them to stay will be found.

As my right hon. Friend pointed out in response to an intervention, if the asylum racket fails, the applicants are advised to go for judicial review. This has created a process whereby decent, innocent people go through a serious of phoney stages in an attempt to remain in this country. These people would never do such a thing on their own were they not advised to do so by these awful people.

My right hon. Friend the Home Secretary has an excellent record on genuine asylum cases. I have here a letter from a constituent from Sierra Leone who says that he wants to bless my right hon. Friend because his genuine asylum case has resulted in indefinite leave to remain. My hon. Friend the Member for Islington, North (Mr. Corbyn) referred to Algeria; my right hon. Friend has a good record on Algerian cases, too.

One of the things that saddens me most about the asylum racket fostered by advisers is that the genuine and deserving cases are considered alongside the bogus cases, to the detriment of the genuine ones. I welcome the measures to deal with bogus cases, because I want the genuine cases to win. I have many genuine cases, as my right hon. Friend will know because I bombard him with correspondence about them.

I should like clarification on one or two points. My right hon. Friend the Home Secretary talked about the measures to deal with sham marriages. They are fair, because although the women involved are often totally sincere, the men are simply using them as a way to stay in this country. My right hon. Friend referred to the notes that accompany the Bill. Paragraph 337 states that certain proposals with regard to sham marriages

"do not extend to the procedures for marriages celebrated in the Church of England and the Church in Wales. However, they do apply to all other religious marriages solemnised after civil preliminaries."

I hope that my right hon. Friend and my hon. Friend the Member for North Warwickshire (Mr. O'Brien) will look at that again. There is an implication—not intentional, I know—that marriages that take place within the Church of England and the Church in Wales are not going to be bogus but that marriages within the many other religions that we now have in this country might be.

I also warn my right hon. Friend the Secretary of State and the Minister that although we are to have a one-stop appeal, the provisions in clauses 47 and 51 with regard to appeals under the Human Rights Act 1998 on asylum grounds might well institutionalise such appeals. Unless we deal with the advisers who are corrupting applicants, they will advise people to go for appeal on asylum and human rights grounds, too. That will be exploited and distorted, whereas my colleagues' intentions are wholly worthy.

The Bill is a very important package. It is probably the most important immigration legislation to come before the House since 1971. The Immigration Act 1971 was based on racism and restriction; this is based on inclusivity, coupled with a determination to deal with bogus cases. My constituents from the ethnic minorities welcome it, and so do I.

5.59 pm

**Mr. Richard Allan** (Sheffield, Hallam): It would be easy to characterise the Government as having sold out on the principles that they espoused in opposition, in favour of simply carrying on the Conservative agenda. Indeed, the record of the Labour party's reaction to the Asylum and Immigration Act 1996, set against the Bill, would provide strong support for such an attack. However, not only would it be a dull and predictable line of attack to compare what the Minister said then and what he says now, but such a simple line would not do justice to the complexity of the proposals.

The country was badly let down by the previous Conservative Government in respect of asylum and immigration, as in so many other respects. They continually trotted out the rhetoric of being tough on immigration in a way that many of us felt verged on playing the race card, and all the time they were presiding over a system that was falling deeper and deeper into chaos, with increasing backlogs.

I hope that the Minister will assure us today that the Government are firmly committed to improving the immigration and nationality directorate, especially with

*[Mr. Richard Allan]*

regard to targets for processing paperwork. A special concern of mine recently has been the case of students who want to renew their student visas. Their passports are held for months by the IND, preventing them from travelling for genuine family events. Such treatment brings discredit to the IND.

We believe that the Conservatives have little of value to add to the debate, unless and until they have the good grace to apologise for their mismanagement and their failure to act when they were in power. We do not intend to support their amendment tonight.

The Liberal Democrats will oppose the Government on the basis of our long held principles and values, which give us an opposition platform that will be familiar to those many Labour Members who share our values. I hope that many of the Labour Members who have expressed an interest in the matter will be active in Committee making the excellent contributions of which I know they are capable, having encountered them in forums outside the hothouse of this place.

This is a Jekyll and Hyde Bill. Dr. Jekyll has introduced some changes to the asylum and immigration system that are sensible and long overdue. We have no hesitation in supporting the restoration of the right of visitors to appeal a refusal of their visa, although we have some questions about how that will work and what it will cost. We welcome the measures that aim to bring the immigration system up to date and to streamline the controls.

I share the concerns of the right hon. Member for Manchester, Gorton (Mr. Kaufman) about immigration advisers. The regulation of immigration advisers is long overdue and will be to the public good. There are some excellent organisations such as the Immigration Advisory Service and the Refugee Legal Centre. In Sheffield, we have the Law Centre. Like the right hon. Member for Gorton, I am concerned about how we regulate the solicitors. My experience of the Office for the Supervision of Solicitors has not always been a happy one when I have taken up cases on behalf of constituents. I shall seek reassurance that the Law Society will take the firm action that we expect against unscrupulous legally qualified solicitors.

The Bill contains some moves in the right direction regarding the treatment of detainees, but they do not go far enough.

Unfortunately, Mr. Hyde has added to the Bill substantial elements that we believe derive from the ethos of the previous Government and which are unacceptable to me and my colleagues. The debate about asylum seekers has plumbed appalling depths in recent times. Asylum seekers have been used as scapegoats, and the invective launched against them sometimes verges on coded racism. Public attacks on scrounging, criminal asylum seekers will feed the prejudices of some who read the attacks as being on an ethnic group as a whole, be they Roma people or people from one African country or another.

**Mr. Corbyn:** Will the hon. Gentleman comment on the attitude of the *Evening Standard*, which seems to have a schizophrenic approach towards asylum seekers and refugees? It published a brilliant article by Max Hastings about Jewish asylum seekers, many of whom were turned back by Britain in the 1930s, yet it routinely bashes any asylum seeker who arrives in London and generates appalling racism against people who are victims of horrific situations in other countries.

**Mr. Allan:** I agree with the hon. Gentleman that much of the reporting across the entire spectrum of the media has sometimes been extremely confused and come close to being unacceptable in our modern society. We need a healthy and open debate, which I hope will not degenerate into such attacks. I hope that the media will pay attention to the statement issued by the Refugee Council and the Commission for Racial Equality, which calls on the media not to make such unhelpful attacks when reporting on the Bill.

Race relations and immigration are not the same issues, but the linkages are real in public attitudes about our multicultural, multi-ethnic society. We must immediately explode the myth that race relations are somehow improved by talking tough on immigration. We need sensible and fair immigration controls. Tight immigration controls have existed for many years, and no one is talking about radically loosening them. We are discussing changes at the edges, affecting relatively small numbers of people.

The public rhetoric of tough talking often gives the impression that the debate is about an open immigration policy and the prospect of fighting off floods of immigrants who would swamp the country. Such a debate does not help race relations. It causes massive harm to the lives of many people from immigrant communities who properly live in Britain.

Stereotypes about immigrants are created and reinforced, giving rise to a negative impression of all immigrants and their families in this country. In such a climate, it is important that public leaders, especially those in Government, speak up and make clear the benefits that recent immigrants have brought and will continue to bring to Britain.

I shall set out the foundations of a liberal response to the issue. First, I do not say, nor have I ever said, that all those claiming asylum should have their claims granted. Some people clearly do set out to abuse the system, to avoid legitimate immigration controls. Some are simply misguided or ill advised in making their claims. Others have strong cases that are worth testing, but their cases will not prove strong enough for them to be granted asylum.

Secondly, all people should be treated with dignity and respect. Whether people have come to the United Kingdom fleeing poverty or persecution, they can still be treated with dignity. Those fleeing poverty alone will properly be refused asylum, but that is no excuse for treating them poorly during the process.

We must examine the roots of the modern international agreements on asylum. We must remember the failure to accept the genuine fears of many Jews who tried to find their way to safety in the 1930s. Bosnia and Kosovo show us that similar situations can occur very close to home in the 1990s. The majority of those who have come to Britain and been granted asylum are from recognised trouble spots. Home Office figures show that at the top of the league for applications for 1998 were people from the former Yugoslavia and Somalia.

A key issue for us is whether a Government should use the language of deterrence. Britain should not be in the game of seeking to prevent asylum seekers from coming here. There is a fine line between deterring false claimants and preventing genuine ones from arriving. If someone wishes to take up his rights under international conventions, we should not seek to prevent him from doing so. We should ensure that his claim is processed speedily and fairly.

We believe that many of the measures in the Bill will have a serious deterrent or preventive effect that may bring the UK into contravention of its international obligations.

Some of the debate has centred on the notion that this country is a soft touch and is deliberately sought out by asylum seekers who should be applying elsewhere. Again, the figures do not bear that out. The UK was ninth of the 13 European countries in the rate of asylum seekers per 100,000 population in 1998. Switzerland, the Netherlands and Germany are dealing with far more applications, proportionately.

The proper way of sorting out who should be claiming where is by improving international agreements, especially those with our European neighbours, not by a simplistic attempt to make life tough for asylum seekers in the UK. Life is already tough for many asylum seekers. Living on benefit in urban Britain, far from their own home, often without their family, and knowing that violence continues to plague their homeland is not an especially joyful existence.

The ethos of the Bill is that because some people abuse the system, it should be made tough for everyone. It is like a teacher giving the entire class detention because someone who cannot be identified stole the chalk. Nowhere is that more apparent than in the proposals for the support of asylum seekers in the future.

A great deal of criticism has been levelled at the voucher system that has operated for in-country applicants and is to be implemented in a new way for all applicants. It is a hugely inefficient system which is costly in cash terms and in terms of human dignity. Can the Minister tell us whether the new system will cost more or less to administer per person per week than the existing benefits system?

There is a logic in the Home Office holding the budget for the support of asylum seekers. It is also important that we remove the burden from local authorities. If we can make it clear that there will be separate and specific funding, we can be clear to people in the host community that they are not losing out because of the need to support asylum seekers.

Once the budget and the funding responsibility have been identified, however, the cheapest and best way to deliver support is via the benefit system. If we have established levels of income support and housing benefit as the basic means of supporting citizens in the United Kingdom, there is no logic in saying that asylum seekers need a different level or type of support. It would be straightforward to have the Home Office directly reimburse the Benefits Agency and local authorities for the full cost of support that they provide through the benefit system.

The Government's argument for not taking that approach is that the benefits system acts as a great incentive for people coming to claim asylum. That overstates the delights of life on benefit, as politicians often do, by contrast with the experience of many people who survive on that basic level of support.

The Government's argument becomes far weaker when considered in conjunction with their overall proposals. Much of the rest of the Bill and of other administrative changes aims to provide a far more rapid system where claims are dealt with in a few months rather than years, as at present. If that is to be the position, the incentive argument falls apart. There may be some incentive effect in spending several years here with support from the benefits system, but if the Government achieve their targets that incentive will surely disappear.

**Ms Abbott:** The hon. Gentleman was not in this place during the previous Parliament, but when we debated withdrawing benefits from certain categories of asylum seekers, the then shadow Home Secretary—my right hon. Friend the current Home Secretary—said that the draw was not the benefits themselves but the time that it took to resolve claims. Some of my hon. Friends would argue, "What has changed since we opposed these issues in principle when the previous Government were in office?"

**Mr. Allan:** I am glad to hear that the hon. Lady is consistent in that view. I am aware that during the previous Parliament my colleagues argued on a similar basis, saying that the issue was the time taken to come to a decision. The introduction of a new support system suggests, to me, a tremendous lack of confidence on the Government's part that they will achieve their targets for a faster system. I would prefer to leave a system in place that gave them an added incentive to achieve their other targets for faster processing than to provide them with a cop out as they withdraw any support from more and more categories of people during various stages of the process.

The new system will create a new class of socially excluded people. It is a bitter irony that we have a Government who pride themselves on their social exclusion unit yet at the same time intend to create a category of people who will be the most excluded since the days of the workhouse. How much more excluded can one be than to be forced into designated accommodation and then made to use vouchers to purchase goods in certain shops only?

Detention is a key issue for us as liberal politicians. The deprivation of an individual's liberty by the state is sometimes necessary in a liberal society. However, it should never be treated lightly and it should always be within a framework of accountability, with rights to challenge that deprivation of liberty. We believe that the detention of asylum seekers and others under immigration controls generally has been and is being used inappropriately.

The Government have responded with an automatic bail hearing, which is welcome. However, the proposal set out in the Bill leaves much to be desired. In particular, there is no guarantee of legal representation at the hearings. We believe that there could be a mechanism for ensuring that, and that providing such representation would save time and money in the long run. The better the representation at an early stage, the less likely we are to run through a series of further hearings.

There is also no presumption in favour of release, a point which was taken up earlier. The presumption in a bail hearing in general courts is that the court should be

*[Mr. Allan]*

in favour of release, with the officers involved required to demonstrate why the individual should be held. We believe that that presumption should similarly apply in detention cases where the immigration service is required to demonstrate its reasons for detention, rather than the detainee having to try to work his or her way round whatever the guidelines are to try to secure release.

As proposed, we believe that the bail hearings risk becoming a judicial rubber-stamping exercise for the decisions already taken by immigration officers. Concerns along similar lines have been expressed by many organisations, including the United Nations High Commissioner for Refugees, the Law Society and the Refugee Council. We share the concerns that those organisations are raising about whether the new, automatic right to bail will make any significant difference to the situation of detainees.

Two other key areas remain unresolved by the Bill. First, we would wish to see special provision made for the victims of torture to ensure that they have appropriate medical examinations and treatment and are dealt with patiently and sensitively. We believe that some of the time control requirements for getting all the information in will affect especially those who are most traumatised, who may find it very difficult to present information quickly. However, we are told that if they do not present the relevant information at the first stage, they will not be able to use it later.

We believe that similar provision needs to be made for the many female victims of sexual violence, which is sadly all too common now in war and conditions of oppression. Again, there is a need for sensitivity and patience to enable those concerned to get their stories together.

Secondly, we are concerned that the Government have failed to take this opportunity to repeal section 8 of the Asylum and Immigration Act 1996, which concerns the employment of people who are suspected of being illegal immigrants. The Government are merely proposing a new code of conduct. That is in direct contravention of Labour party policy before the Labour party took power, which made explicit its wish to repeal section 8. Work by the Commission for Racial Equality has shown that the section has not had the effect it was sold as having: stopping organised exploitation of overseas workers. In fact, no prosecutions have taken place since it was introduced and its only impact has been to deter employers from employing people from some minority groups, often because they misunderstand the law. It would be perfectly simple to repeal section 8, yet the Government have inexplicably failed to do so.

We would have been happy if Dr. Jekyll had written the entire Bill and it needed only to be tidied up. We would then have been able to support it at this stage, as we agree with the Government that reform of the system is needed urgently. However, the Government have drunk deep of the potion of tough talking and Mr. Hyde's hand figures prominently in so many elements of the Bill. That being so, we will oppose it and ask the Government to return to the drawing board with all possible haste.

It is particularly worrying that the Bill contains 50 order-making powers, so that there is a risk that we will be shadow boxing during its passage without a clear idea of its effects. The Bill delivers no cheques to asylum seekers but it certainly gives a blank cheque to the Home Secretary. We need to know who is drafting the secondary legislation—Dr. Jekyll or his less attractive alter ego—if we are to be able fully to assess the Bill. The hon. Member for Birmingham, Selly Oak (Dr. Jones) referred to that during the speech of the Home Secretary. I hope that whatever the Minister says in response to my contribution, he will be able to give a clear commitment to produce at least draft versions of the many orders in plenty of time for us to consider them in Committee, along with the rest of the Bill.

My colleagues and I will be registering our opposition to the Bill this evening to reflect our view on so many elements of it. I know that my hon. Friend the Member for Portsmouth, South (Mr. Hancock) will be seeking to catch the eye of the Chair when he returns from the Home Office to make some additional points. We will—*[Interruption.]* My hon. Friend is a rapid worker and I see that he is already back in his place. We will have a lively debate for the rest of today and during further consideration of the Bill.

The Commission for Racial Equality and the Refugee Council have sensibly sought and received support from the main party leaders for a statement on the context in which the debate should be conducted. They state that they will conduct the debate in a spirit of trying to continue

"to provide protection to those who have a well-founded fear of persecution."

They add that they will not

"cause to be published, or in any way endorse any material that incites hostility or division between people of different racial, national or religious groups."

I believe that that sort of statement is important, and I end my contribution to the debate by reaffirming my party's commitment to holding a vigorous debate based on the facts and merits or otherwise of particular proposals, in terms of making the asylum system work. We hope and trust that our proceedings on the Bill in this place will be conducted in that spirit. We hope also that leading political figures from all sides will have the courage to use every opportunity to tell people of their support for this country's proud tradition of providing protection for those who have a well founded fear of persecution.

6.19 pm

**Mr. Peter Snape** (West Bromwich, East): The hon. Member for Sheffield, Hallam (Mr. Allan) spoke ably and coherently, but he rather over-used the Jekyll and Hyde analogy. We are all aware of that pair of characters when it comes to the Liberal party. It will be interesting to see how widely the hon. Gentleman's speech is circulated by his fellow Liberals in constituencies such as mine in the west midlands. It will also be interesting to see how widely the Liberal amendment, which Madam Speaker has not selected, is circulated. It seems from that amendment that there is no need for any real control of immigration into the United Kingdom. The hon. Gentleman shakes his head, but his speech was entirely negative about the Government's proposals.

I welcome, first, the provision for an appeal procedure for applications for visitors' visas. For Labour Members—and, I suspect, for Conservative Members—one of the most distressing, as well as annoying, aspects

of immigration cases that we deal with is that people with a perfectly reasonable record in respect of visiting the United Kingdom are subsequently refused entry for no apparent reason. As the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said, not only the families of people who have applied to come here, but the applicants themselves, are refused.

Often, people who entered the United Kingdom and left within the period specified in their visas have had subsequent applications to come to this country refused arbitrarily, and without any apparent reason being given by the entry clearance officer, other than the blanket reason that he is not satisfied that the visit is for the purpose that the applicant claims. I hope that my hon. Friend the Under-Secretary will ensure that that appeal procedure is quick enough to allow genuine applicants to enter this country for the sort of family circumstances that have been outlined by Labour Members.

This is a complex Bill covering a wide area. In the short time available to me, I want to talk about three parts of the Bill. Part IV deals with immigration and asylum appeals. I have not been a Member of the House for as long as my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), but I am not that far behind him. I can remember one applicant for political asylum from my constituency throughout the 1980s. I am currently dealing with about 40 such applications. Although I might offend some of my hon. Friends by saying this, I cannot believe that all those applications are genuine or that the world has become 40 times more dangerous in the late 1990s than it was in the 1980s.

**Mr. Kaufman:** I simply want my hon. Friend to accept my congratulations on the 25th anniversary of his election to Parliament, which is next Sunday.

**Mr. Snape:** That is very kind. This is one of the few occasions when I have given way in the House without regretting it. I thank my right hon. Friend for his remarks.

Returning to a more serious and important matter, all too often it appears to me—and, I suspect, to some of my hon. Friends, in their hearts—that the political asylum application is regarded, in cricketing parlance, as the long stop when all else has failed. I am sorry that I have used cricketing parlance, because I cannot remember who stands behind the long stop.

**Mr. Corbyn:** The boundary.

**Mr. Snape:** No, I am afraid that there is someone before the boundary.

Another fallback position is used all too often—the judicial review. Many of the cases with which I am dealing at present—hon. Members on both sides of the House must also deal with such cases—are based on largely spurious grounds for political asylum and equally spurious grounds for judicial review. I do not blame the applicants themselves. As my right hon. Friend the Member for Gorton said, I do not think that many of them would go down that particular road if they were not so advised. He mentioned certain organisations in the United Kingdom that have established a well deserved reputation for avarice and incompetence in respect of dealing with these human problems.

I was interested to hear my right hon. Friend mention the welfare centre in Manchester, because one of my constituents from West Bromwich ended up there. I am glad that, by and large, such organisations do not flourish in Birmingham and the west midlands area, so that those who go to the less reputable organisations use places such as the welfare centre. My constituent entered the country illegally, in the back of a lorry, in December 1994; was interviewed in May 1995; was informed of his liability to detention and summary removal; made an application for political asylum subsequently, which was refused; married in November 1995; applied for judicial review in October 1997; and disappeared from my constituency books shortly after that.

I am not sure what was the outcome of that case, but in June 1997, I received a letter from the welfare centre in Manchester, signed by Mr. Azad, the director. The letter says that a member of my constituent's family forwarded a copy of a letter from the new immigration Minister, my hon. Friend the Under-Secretary of State for the Home Department, dated 9 June 1997. Mr. Azad said that he was both surprised and disappointed, because he had been receiving that kind of letter from the outgoing Tory Administration, who had been increasingly xenophobic during the past few years, when the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) was Home Secretary.

I do not know how much my constituent was charged for that letter, but I would not describe its value as being particularly great. However, I understand that, until comparatively recently, that organisation was dealing—if that is the right term—with many immigration judicial review cases, as well as political asylum cases, on behalf of constituents all over the country.

It is not only the amateurs about whom I complain and whose activities I hope the Bill will do a great deal to curb. About 76 firms of solicitors are currently under investigation by the Legal Aid Board because of the way in which they handle, mishandle or bungle—hon. Members can describe it any way they like—these cases. Under the heading

"OSS ignores legal aid asylum scam revelations",

Diane Taylor wrote in the 8 February 1999 edition of *The Lawyer*, the legal profession's own magazine:

"The Office for the Supervision of Solicitors failed to pass on a report to the Legal Aid Board outlining a legal aid scam that cost the taxpayer millions of pounds.

Former Law Society immigration law sub-committee secretary Richard Dunstan gave the report to the OSS last October.

The report claims firms approached refugees at the offices of the Government's Asylum Screening Unit in London.

They used interpreters to get asylum seekers to sign Green Form billing forms—often in the ASU's toilets.

The report outlines how solicitors offered shoddy legal advice and milked the system."

That is not my phrase; it was used in the lawyers' own magazine.

The report continues:

"The average claim for asylum seeker legal advice was up to £1,100, with one law firm alone netting more than £500,000 in legal aid money last year."

**Ms Abbott:** We can all tell stories of solicitors and racketeers and abuse, but my hon. Friend will, I hope, agree that abuse and poor advice from lawyers and

*[Ms Abbott]*

advisers, of which I am very critical, should not be allowed to affect the Government meeting our obligations to refugees in respect of the United Nations Commission on Human Rights. We must not let these often amusing tales of abuse detract from our work.

**Mr. Snape:** I have no intention of allowing those not-so-amusing tales to prevent this country from, quite rightly, welcoming genuine refugees, from whom we have benefited enormously over the years. As my right hon. Friend the Member for Gorton said, the problem with those scams is that genuine refugees are all too often turned away because Ministers, advisers and the Home Office generally are bogged down in the sort of cases that I have outlined.

Although I confess that *The Lawyer* is not habitual reading in the Snape household, I must say to my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) that Richard Dunstan, the former Law Society immigration law sub-committee secretary, said:

"The great majority of those now operating in the asylum field, both lawyers and non-lawyers, are either insufficiently competent, dishonest, or both."

That is a shattering indictment of certain shady members of the legal profession and an indication of how much we need the Bill if we are to clear up this situation.

When I read the Tory amendment, I could not believe the nerve of the modern-day Conservative party. Someone described the Tory party as an organised hypocrisy; I have forgotten who it was, but it was an accurate description. *[Interruption.]* It was Disraeli; I knew that my hon. Friends would come to my rescue. That description is accurate in terms of the speech that we heard from the Tory Front-Bench spokesman and the so-called reasoned amendment.

**Mr. Corbyn:** The Tory party is a disorganised hypocrisy.

**Mr. Snape:** Yes, it is a disorganised hypocrisy in this case.

The amendment declines to give the Bill a Second Reading because

"the Bill fails to create a situation whereby only genuine asylum applicants will be given permission to settle in this country."

Many of the applicants being dealt with entered the country under the three pieces of asylum legislation that the Conservatives introduced in just over a decade. *[Interruption.]* Conservative Members say that they were bogus applications.

**Mr. Gale:** The hon. Gentleman voted against the two previous asylum Bills.

**Mr. Snape:** Those three Acts were opposed, because it was clear that they would not work. The situation that we are in today shows better than anything else that they do not work. *[Interruption.]* If the hon. Member for North Thanet (Mr. Gale) wants to defend the Conservative legislation, he should catch Mr. Deputy Speaker's eye, instead of bawling from a sedentary position. If he wants to make a fool of himself, he is better doing it on his feet rather than on the other bit of his anatomy.

I did not congratulate the Under–Secretary of State for the Home Department, my hon. Friend the Member for North Warwickshire (Mr. O'Brien), when he got this job: I commiserated with him. I said that he had the worst job in government.

**Mr. David Ruffley** (Bury St. Edmunds): Will the hon. Gentleman give way?

**Mr. Snape:** No, I have only 60 seconds to go.

I still think that my hon. Friend has the worst job in government: it has very few rewards. He does his job extremely well, and so does the Home Secretary. It is incumbent on all of us to ensure that the Bill goes a long way towards alleviating the human misery felt by many people who are being unfairly kept out of this country, while at the same time tackling the massive corruption—£35 million this year and £50 million next year—through green form fiddles by members of the legal profession. If my hon. Friend can tackle both those problems, he will have earned the admiration and the friendship of both sides of the House.

6.32 pm

**Mr. Humfrey Malins** (Woking): First, I decare an interest as a solicitor and as the founder and first chairman of trustees of the Immigration Advisory Service, which, as the House may know, was set up some five years ago to provide free legal help and advice to those with rights of appeal under immigration law. The IAS—which some hon. Members use for their case work and for advice—has eight offices scattered around the United Kingdom, about 100 staff, and each year sees more than 30,000 people with problems.

Having declared that interest, and thanking the Minister for the kind words he has said about the IAS in the past, may I also tell the House that the constituency of Woking, which I now represent, has a large, settled, ethnic population who contribute greatly to the community. They are mainly from a Pakistani background. Previously, I represented the constituency of Croydon, North-West, which also had a large, settled ethnic community.

The Bill has some good provisions, but I join the hon. Member for West Bromwich, East (Mr. Snape) in welcoming especially the restoration of the appeal right for those who are refused entry clearance as visitors, although it is restricted to those visiting family members. All hon. Members know this problem only too well. Someone may come to our constituency to attend a wedding, a funeral or another important family function. There is often documentary evidence in support of the visit, but the visitor, whom we know to be genuine, is refused entrance and has no right of appeal. I am very pleased that this right of appeal has been introduced.

I am concerned that there is no provision in the Bill for defining what is meant by "family visitor". I hope that the Minister will give attention to that point, because it is capable of a variety of definitions and requires consideration.

I think that it is wrong that a refused visitor will have to pay a fee towards the cost of the appeal. We must look into this matter carefully. It is all very well to say that such people will have the fee back if they are successful on appeal, but I advise the Minister to consider this provision carefully. The amount of the fee is not

mentioned in the Bill. Can the Minister tell us what the fee is? Does he agree that, if the fee is too high, it may discriminate against the poorer appellant, who, even though he has a good case, may not be able to afford the appeal fee? There is a danger that there will be justice for the rich, but no justice for the poor, unless the Minister handles that issue with great sensitivity.

I also extend a more than qualified welcome to clause 7, which introduces the principle of giving financial security for entry clearance or extension of leave, in the form either of a deposit or of a guarantee. I have no quarrel with the security being in the form of a guarantee. However, it is clear from the Bill that the security could be the deposit of a sum of money. Again, I ask the Minister how much. Will it be on a sliding scale depending on the means of the parties? Does the Minister accept that a high cash deposit could discriminate against a poor person who may otherwise have an excellent claim, and work in favour of a rich person, whose claim may otherwise lack merit?

Does the Minister agree that the issue of the deposit must be approached with great sensitivity? Otherwise, he will face two charges: first, that the measure directly damages and discriminates against the poorly off; and secondly, that the move provides a relatively cheap way for the rich but dishonest to circumvent and break the rules, and buy their way into the country.

I welcome most warmly the regulation of immigration advisers, which I have called for on many occasions. We all know of the many unscrupulous advisers who have taken money from our constituents, but have done absolutely nothing for them or have given them rotten advice. I would have been happier had the proposals covered the legal profession. There are people in the legal profession—no one whom I know, of course—whose approach to these matters has been pretty bad. There would be no harm in extending the provisions to them. We must carefully consider the level of fees we charge those who are to be regulated to ensure that it is not so high as to discourage good people who do not have much money.

I take it that the Minister can confirm that Members of Parliament will have no problems giving advice in their constituency surgeries on a Friday or Saturday on matters connected with immigration law, and are exempt from any offences.

**The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien):** Provided that they do not do it for reward.

**Mr. Malins:** I assumed that was the case, and I am grateful to the Minister for confirming it.

Last week, I spent some time at Heathrow airport talking to British Airways about the problems that it faces as a carrier. I knew a little about those problems, but I learned a bit more at Heathrow. Under the Bill, the Government seek powers to require information about passengers carried or expected to be carried on an arriving or departing flight. The type of information required is not set out in the Bill, but will be specified by order. That is quite a good idea in principle, but I believe that the immigration service should use the power sparingly to avoid added inconvenience to passengers and airlines, and, for the latter in particular, increased costs.

Will the Minister clarify the data that will be required from carriers, and the expected frequency of data requests? Will he also assure us that requests for data will not result in airlines being accused of discriminatory conduct? Can he tell us that carriers will not be required to collect extra data from that held at present?

I should like also to deal with the difficult subject of fraudulent documents. Carriers are liable for a charge of £2,000 on each occasion an inadequately documented passenger is brought into the United Kingdom, unless the documentation's falsity is not reasonably apparent. As the Minister knows, false documentation is often associated with clever, organised criminals. This type of passport and visa forgery is done with considerable forensic skill. Many of us have seen such forgeries, and they are terribly difficult to spot.

Forgeries are almost impossible to detect by anyone other than a very skilled immigration officer. Many people believe that the immigration service is a little too draconian in its interpretation of the procedure. Charges are sometimes raised against a carrier and maintained following an appeal, even if the falsity of documentation is not reasonably apparent, especially to a less skilled airline check-in agent.

I also learned that airlines have a problem with outgoing passengers. When a passenger checks in at Heathrow to go out of the country and presents documentation, the only checking that can be done must be done by the person on the check-in desk, who is usually in a tremendous hurry because there is a huge queue. It is pressure, pressure, pressure. That person must check the documents, and check the passport to establish whether the face looks the same; then out the passenger goes.

Currently, carriers face penalties in the countries in which people arrive, having left England, if documentation is false. It is a pity that such pressure is put on carriers, especially because the immigration officers who used to check people leaving Heathrow were removed in July. I hope that the Minister will confirm that the immigration service will act sensitively in future when considering documents and claims.

The Bill requires registrars to report on sham marriages. Are they being turned into unpaid immigration officials? Is there a chance that this will deter members of the ethnic communities from marrying because they fear that it will be used against them and is culturally divisive? I am not sure I agree that such duties should be imposed on registrars: I am not sure that they should have to look as carefully at marriages as an immigration official might. I think I heard the Minister or the Home Secretary say earlier that no such duty applied to clergy in the Church of England, but, if it does apply to them, my father, a retired vicar aged 81, will no doubt have to put a series of difficult questions to all for whom he intends to read the banns in the local church.

I am disappointed about two or three things. I think that the Government missed an opportunity to present a consolidating Bill; instead, we have a slightly unwieldy collection of provisions to be bolted on to other immigration Acts. This is a piecemeal approach, which may cause confusion. I am also worried about the fact that the Home Secretary has given sweeping powers for the making of secondary legislation, while not placing a huge

*[Mr. Malins]*

amount of restriction on the exercise of those powers. The House needs to be kept informed of all developments.

It has been said before that the House has a duty to discuss these issues rationally and sensitively. We are dealing with human problems—with families, and with children—and we must never use emotive language that is guaranteed to inflame passions and opinions, the sort of language we sometimes see in the press. I believe that, although we have some knockabout politics, there is also a tremendous amount of good will and common sense in all parts of the House when we discuss these serious matters.

I cannot let the occasion pass without asking the Minister to focus on the potential problem of enforcement. We may as well have this out in the open. I am thinking of two categories of person. First, there are those who have exercised all their rights of appeal under the immigration laws, who have lost, lost and lost again—end of story—but who are still in this country, and have gone to ground. I understand from a Home Office Minister that up to 50,000 such people have exhausted all their rights and gone absent without leave somewhere in the United Kingdom. Has the Minister an estimate of their number? If he has not, can he give us his best guess, and can he tell us what the Government will do about them? I know that the problem has built up over successive Governments; I was, in a way, lucky not to be here between 1992 and 1997, because it is not all my fault.

**Mr. Snape:** In view of the emollient phrases that the hon. Gentleman has used, I wonder why he wants to know how many of those people there are and what we are doing about chasing them out.

**Mr. Malins:** I think it is time that we did know. I think that the public ought to know how many there are, and what the Minister is going to do about them. If they are here illegally and are subject to removal or deportation, has the Minister plans to deport them or not? If he has such plans, what are they? Does he not think that it is a gigantic task to deport tens of thousands of people? Will he make a start, or not? We deserve answers to those questions.

If the Minister is going to do nothing about those who have exhausted their rights of appeal and are still here illegally, let us be told. If the problem is too big for the Minister, let us be told. If he is prepared to get to grips with it, perhaps he will tell us exactly what he will do, and give us some numbers. I do not think that I was challenged when I said in the Home Affairs Committee, not long ago, that there were about 50,000 people in that category; but I shall hear from the Minister later. Frankly, I think that the problem is so big that, if the Army and the police dealt with it full time for six months, they would make no impact. Nevertheless, we need to know the answers.

If it is true that 20,000 people whose asylum applications are currently going through the system have gone to ground somewhere and lost contact with the Home Office—this is a separate category—can the Minister tell us exactly how contact will be renewed, and exactly how the Government will be able to deal with those people? Can he tell us, in all honesty, that he believes our borders are secure? I do not think that they are. The Minister knows that, while there were 4,000 asylum applications 10 years ago, there are now well over 40,000 a year. He knows that the flow of asylum seekers is becoming stronger. He also knows that, although some asylum seekers are genuine, the vast majority—as confirmed by the Home Secretary—are economic refugees. If the message is spread too extensively in foreign countries—

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. The hon. Gentleman has used his time, and must resume his seat.

6.47 pm

**Mr. Keith Vaz** (Leicester, East): Let me reassure the hon. Member for Woking (Mr. Malins) that the borders of this country are secure and that we need not prevent more people from coming in to protect the residents of Woking. I am sure that they are very safe in being represented by someone like the hon. Gentleman, and in having a Government led by my right hon. Friend the Prime Minister.

I never thought that I would say this in the House, but I welcome this immigration Bill. I welcome it because it delivers on a number of key commitments that the Labour party gave at the last election. I also welcome it because it will be passed in the year of the silver jubilee of my hon. Friend the Member for West Bromwich, East (Mr. Snape). Given my hon. Friend's passionate support for it, perhaps we should call it the Snape Bill.

In discussing the Bill, we should bear in mind the decision of the new Labour Government in 1997 to abolish the primary purpose rule. That was done within a few months of the Government's election. I pay tribute to my right hon. Friend the Home Secretary for his courageous decision, and for the steps that he has taken in the past 18 months to ensure that we have a firm and fair immigration system.

I also pay tribute to the Under-Secretary of State, my hon. Friend the Member for North Warwickshire (Mr. O'Brien). He is no pushover. I do not want to damage his career for ever: he is very tough, but also very fair. I find that in my surgeries I am being much tougher on cases that are not genuine, because I know that when I take cases to my hon. Friend that need to be explained but have compassionate elements, he will listen carefully. I thank him for all the help that he has given during the past two years.

I welcome the Bill for four main reasons. Many of my colleagues have mentioned the need for the regulation of immigration advisers, and the Bill would regulate them. I have my own horrendous stories to tell. A firm of solicitors in my constituency—solicitors are not included in the Bill, and I am sad about that—faxes my office at the last minute, at 5.30 pm on a Friday, saying that it wants to make an application for judicial review.

I feel duty bound—because I stand in the shoes of my constituents—to pass that information on to the Home Office. I never bin those representations. Even though I know that they are not genuine, I pass them on to the Minister's office because we cannot, in the time that we have available very late on a Friday afternoon, decide between what is genuine and what is not. We have

complaints about solicitors. It is important for us to send a message to the president of the Law Society that he needs to get the office for the supervision of solicitors in order, so that the complaints that all of us have made are treated properly and seriously and action is taken.

On the decision to regulate other immigration advisers, I have to say that throughout the country many organisations provide free legal advice—indeed, many community leaders provide such advice in my constituency. I often feel that they take on more than they realise. Immigration is a very complex and complicated subject. Even if people offer free advice, it is not easy to give the sort of detailed advice that is necessary on immigration cases. I pay tribute to those organisations because they provide a service, but people with genuine problems in the complex area of immigration law need to go to those who know what they are talking about. I hope that the message that will come out of the Bill—certainly the clauses that deal with the regulation of immigration advisers—is that people should not touch the subject until and unless they know about it, and that they will not be allowed to deal with it unless they are regulated.

Unfortunately, my hon. Friend the Minister has not been particularly helpful on those cases that we bring to him where duff advice has been given by immigration officers. There is no agreement from his office, and no policy guidance, that says that, if people go to an immigration adviser who gives them duff advice and they are left in a situation where they have to leave the country, they will be treated differently. Even when we go to Ministers at the end of the process, they are not likely to look sympathetically at that issue, so it is important that we get proper regulation.

I welcome strongly the decision to restore an appeals system for visitors. Recently, I secured an Adjournment debate during which I noted the problems in several posts abroad and the difficulty of getting any decisions out of the Foreign Office. Subsequently, several hon. Members and I met the Under-Secretary of State, Foreign and Commonwealth Office, Baroness Symons, to discuss those issues.

The Minister should go a stage further. The Home Office should take over control of entry clearance issues abroad. It is daft that we have to deal with two different Departments. We first have to make representations to the Foreign Office on visitors cases; then, in exceptional cases outside the rules, we can go to the Minister at the Home Office. That is nonsense. We should have to deal with one Department. It is the Home Office that makes the policy and it is to the Home Office that we should make our representations.

I welcome the right of appeal, but in the next few months we will still go to the Minister and to Baroness Symons and say, "On certain cases that are genuine and compassionate we would like Ministers to intervene because the appeals system does not deal with that problem." Nor will it deal with those people who come to this country who are not family members—I hope that the Minister will be able to describe what he means by family members—but very close friends and members of the extended family.

In the culture of the Asian community, sisters can be cousin-sisters and brothers can be cousin-brothers. It can be a very large family. All sorts of uncles, aunts and in-laws can suddenly appear. It is important that the net is drawn as widely as possible simply because of the nature of the community that the change seeks to help. Therefore, I hope that my hon. Friend the Minister will tell us what he means by "family". I know that the Bill excludes close friends, but I hope that we can persuade him in Committee that it should not do so because many close friends wish to visit in this country. It would be a tragedy if they were excluded because of the narrow confines of the Bill.

The Joint Council for the Welfare of Immigrants is an organisation for which I have always had enormous respect. My hon. Friend the Member for Slough (Fiona Mactaggart), who probably knows more about immigration than most of us, is a former director. It has issued a press release telling us that the Bill is:

"Another attack on black and immigrant communities!"

It is absolutely wrong. The measure on visitors appeals will be warmly welcomed in Leicester; my constituents have been asking for it for years and years. The Labour party has been calling for it for years and years. The bond system is another measure that we support.

I am astonished that the hon. Member for Woking should start speaking up for the poor. I remember when he was the Parliamentary Private Secretary to one of the Ministers at the Home Office when it introduced awful immigration legislation that restricted the rights of people to come to this country. In fact, I think that he was a PPS when the visitors' appeals legislation was abolished, so that they could not appeal. He might have been in limbo for five years, but I am sure that he was associated in some way with that measure. He was certainly a PPS at the Home Office.

**Mr. Malins:** Will the hon. Gentleman give way?

**Mr. Vaz:** As I have mentioned the hon. Gentleman, I will.

**Mr. Malins:** The hon. Gentleman knows that I was not in the House from 1992 to 1997. If he wants to criticise my work in the ethnic community in the years that I was out of the House, he is free to do so and to make as many cheap points as he wants.

**Mr. Vaz:** I am not making cheap points. I am mentioning the fact that there is no point in an hon. Member getting up in the Chamber and acting as if he has collective amnesia. The fact is that the previous Government introduced most of those restrictive measures. I take that as an apology. The hon. Gentleman was not here, so he was not responsible for the removal of the right of appeal.

**Mr. Corbyn:** Can I help?

**Mr. Vaz:** I give way to my hon. Friend.

**Mr. Corbyn:** Just so the historical record is accurate, the hon. Member for Woking (Mr. Malins) did lose his seat in the 1992 election, but he was here in 1991 when the original legislation was introduced, which fell because of the 1992 general election, so my hon. Friend may be spot on in ascribing guilt to him.

**Mr. Vaz:** I am grateful to my hon. Friend. I am glad that we have someone with such knowledge, who knows about such things and stores them up in his memory. I thank him for his help.

*[Mr. Vaz]*

The bond system is one with which the hon. Member for Woking should be familiar because he is a stipendiary magistrate. Surely the bail system acts against the very poor. Let us have a system that can at least be administered. Many of my constituents have come to my surgery and said, "If only the Department would accept bonds. It will not let my relative in, but the application is genuine. It will not accept my undertaking. It will not accept my Member of Parliament's undertaking. What is the point of having a Member of Parliament? What is the point of going to Ministers? I will put up £1,000 or whatever. I will get that money back when my relative goes back." Therefore, the bond system will be welcomed.

I know that the scheme is only at the pilot stage and that no decision has been taken on where pilot schemes are to operate. I put in an early bid for the people of Leicester. If it is going to operate from abroad, I put in an early bid for Bombay because it is important that we have a post that is very busy. Let us try out the system and find out whether it works. I think that, in 100 per cent. of cases, it will be successful because people will not want to lose their money. Many people ask us about the matter.

I am against increasing fees in immigration and asylum work. However, if people pay they will at least have a system that works. If fees are introduced, I will want an efficient and effective system and something to be done about the way in which the immigration and nationality directorate operates.

**Fiona Mactaggart:** Will my hon. Friend give way?

**Mr. Vaz:** I shall not because time is short.

My constituents would gladly pay a modest fee if they knew that the current system at IND were efficient. What we have is a shambles. I am glad to know that the shambles began—I am sorry to know, but it is a matter of fact—under the previous Government. I want to know more about the contract that the previous Government entered into over the computer system, which clearly does not work.

I do not blame my hon. Friend the Minister for what is happening at IND, but the fact is that there are massive delays. It is a sad reflection that the only time people take notice of the issue is when City bond dealers complain. Page six of *The Times* today states:

"A City bond dealer who contacted *The Times* was told that it would take four to six months to renew his Croatian wife's visa. In 60 telephone calls, he could reach only an answerphone."

The dealer stated:

"It is a total shambles. If you go down there at 7.15 am there are sometimes up to 200 people waiting outside the building and then when they get in there are hardly any facilities."

It is an appalling system.

I know that the Minister has written to hon. Members to say, "Please don't write to us, because the files have been removed." Moreover, the article in *The Times*—perhaps the Minister will tell us whether it is true—states that boxes of files are in buildings, in one case in an underground garage, that staff cannot enter because of health hazards.

I have raised a number of cases with senior IND members—some of whom are in the House for today's debate; it is a pity that they are not available when we ring them up—but have received no response. The only star on the dark horizon is a woman named Jackie Morar. When I contact her, things get done. However, hon. Members should not have to shout, scream and ring up to complain. Jackie Morar is the head of IND's public inquiry unit. [HON. MEMBERS: "What's her number?"] I do not have her direct number, but I am sure that the Minister will give it to hon. Members who ring him for it.

Hon. Members realise that the system is under pressure. However, the point is that people have to get back their passports and have their applications dealt with—which is not happening. Two weeks ago, the Home Secretary visited IND. I hope that the Minister will visit IND and do something about its operation.

There is an enormous difference between dealing with the Minister's private office and with IND officials, who are supposed to deal with hon. Members. Therefore, let us have also a dedicated unit at IND in Liverpool to deal with hon. Members. Currently, there is no such unit, and hon. Members who try to find out what is happening with naturalisations are not receiving an answer. Let us consider making those administrative changes. The Minister has our support in what he is seeking to do to streamline and modernise the system, but he must ensure that the administration that seeks to run the system works.

I welcome the fact that there will be a Special Standing Committee, which is the best way to take evidence and hear from those who will be affected by the legislation. I ask only that the Special Standing Committee visits Britain's major cities to hear from the communities themselves about the way in which immigration control affects them. I hope that such a process will turn a good Bill into an excellent Bill, as hon. Members will be provided with the type of information that we—although we have our own experience—clearly lack.

7.2 pm

**Mr. Edward Garnier** (Harborough): The constituency of the hon. Member for Leicester, East (Mr. Vaz) borders my constituency for a few hundred yards. However, our constituencies could not be more different in terms of the populations whom we represent. He has a huge number of constituents of Asian and other non-white origin, whereas my constituency has an almost entirely white population. Therefore, my constituency experience must be rather different from his. None the less, we both—I hope—approach the Bill with a sense of mutual good will. I only regret that he felt it sensible to make personal remarks about my hon. Friend the Member for Woking (Mr. Malins), who can claim above most other Opposition Members to have studied the asylum and immigration issue with a clear conscience and a well-motivated heart. I was disappointed about only that part of the hon. Gentleman's speech.

In the short time available to me, I shall not concentrate on the parts of the Bill to which the hon. Member for Leicester, East spoke, but make a few points primarily about part II. First, however, I should say that I agree with the Home Secretary that it is an enormous Bill, which contains 50 order-making powers. Although I agree that previous Conservative Governments have passed similar legislation, I regret the way in which the current

Government are introducing legislation containing regulation-making provisions that allow a Secretary of State in the House, or the Lord Chancellor in the other place, to make subsidiary legislation. I should like more legislation, and more detailed legislation, to be dealt with on the Floor of the House rather than by using order-making powers.

I should like to make a brief point on part I, and then to make other points on part II. I draw the Minister's attention directly to clause 7, which deals with the provision of financial security. Like most hon. Members, I agree that allowing people to put up bonds is a sensible provision. I simply wonder what on earth clause 7(2) is supposed to mean. Clause 7(1) states:

"In such circumstances as may be specified, the Secretary of State may require security to be given, with respect to a person applying for entry clearance, before clearance is given."

That is clear enough. However, clause 7(2) states:

"In such circumstances as may be specified—

(a) the Secretary of State may accept security with respect to a person who is applying for entry clearance but for whom security is not required".

What does that mean? Does it mean that someone may volunteer to give security?

**Mr. Mike O'Brien** *indicated assent.*

**Mr. Garnier:** I am glad that the Minister has been able to clarify that point.

Part II deals with carriers' liability. In it, we enter into a part of the Bill that would impose huge burdens on the carrying industry—whether airlines, road hauliers or owners of ferry companies. Part II carries a superficial attraction. Nevertheless, I rather agree with my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) that, although many of the provisions in part II are worthy ones, Opposition Members hope that the Minister and his colleagues are sincere when they say that they will consult more widely on how the provisions are brought into effect, as they could have damaging effects on the businesses that are likely to be caught by them.

Clause 18, for example, states the responsibilities of those who bring in clandestine entrants, and that they will be liable to

"a penalty of the prescribed amount in respect of the clandestine entrant; and

(b) an additional penalty of that amount in respect of each person who was concealed with the clandestine person in the same transporter."

In no part of the Bill are we told the level of those penalties. Although it is stated that they will be administrative, civil penalties, they will have exactly the same consequence for the respondents as if they had been imposed by a Crown court or a magistrates court. It would behove the Government to be rather more clear—if not today, at a later stage—about the penalty levels that they are talking about.

**Mr. O'Brien:** The hon. and learned Gentleman will be aware that the previous Government introduced carriers' liability for airlines, and that the figure has been about £2,000 per individual illegally carried. That is the type of figure that we are considering.

**Mr. Clappison:** That was a stupid point.

**Mr. Garnier:** I am not sure that the Minister's reply answered my point. *[Interruption.]* I should be most grateful if the Minister—

**Mr. Deputy Speaker:** Order. I am sorry to interrupt the hon. and learned Gentleman, but there are far too many sedentary interventions that are not adding to the debate.

**Mr. Garnier:** Although I appreciate that £2,000 is mentioned later in the Bill, I am not sure that the Minister's reply sensibly answered my question. If he would like to consider the matter, I should be grateful if he could explain the position more fully.

I am concerned also about clause 18(4), which states:

"Payment of the full amount of a penalty by one or more of the persons responsible for the clandestine entrant discharges the liability of each of the persons responsible for that entrant."

It is said to be a civil penalty, not a criminal one. Does that mean that each co-defendant will be entitled to apply to any other co-defendant for a contribution? If the first defendant has paid the full sum, will he be able subsequently to recover a contribution from the others?

Clause 18(5) is also unclear, as it does not seem to explain what will happen in the case of, for example, a clandestine entrant who is concealed within a container that is separate from the bed of the trailer, which is itself separate from the tractor unit. All those vehicles or containers could be subject to separate ownership, separate hiring agreements, separate hire purchase agreements or separate leasing agreements. The Bill is unclear about the liability of each of those owners who may know of the concealed person.

Clause 20 deals with defences—at least there are some. No doubt the Minister will say that the burden of proof in all immigration cases tends to be on the defendant or respondent, but we are talking about huge financial penalties and vehicles that could be the only trading equipment of a company being subject to confiscation and sale, so it is important to flag up the difficulties that many defendants will face when the burden is placed firmly on them to prove their innocence.

Clause 20(2) says:

"It is a defence for the carrier to show that he, or an employee of his who was directly responsible for allowing the clandestine entrant to be concealed, was acting under duress."

Clause 20(3) provides for the carrier not knowing to be a defence. I should be more comfortable if the Bill said that it was for the prosecutor or immigration authority to prove the guilt of the defendant. There are further problems with subsections (5) and (6) of clause 20, which deal with the defences of duress and those listed under subsection (3). I shall not detain the House further on that, save to say that the provisions are unclearly worded. A little more thought ought to be given to them.

*[Mr. Garnier]*

There is a further problem in clause 21, which says that the Secretary of State can serve penalty notices on the responsible persons. Subsection (4) grandly states that

"the Secretary of State is to be taken to have served the required penalty notice on each of them"—

albeit that subsection (5) requires the Secretary of State to

"take reasonable steps to secure that the penalty notice is actually served on each of those responsible persons."

That is very nice.

But clause 20(6) is extraordinary. It says that if a person on whom a penalty notice is served, or—this is the important point—who is treated as having had a penalty notice served on him, alleges that he is not liable for the penalty, he may give written notice of his allegation to the Secretary of State. If he has not received the notice, even if he is being treated as having had it served on him, how is he to know when he is to give written notice? That is illogical.

I should like an explanation of the definitions in clause 28 of "small ship" and "small aircraft". What is the magic of the weight definitions? Why cannot a bigger vessel or aircraft be subject to the same penalties as a small ship or aircraft under clause 22(1)?

Clause 22(4) says:

"The detention of a transporter under this section is lawful even though it is subsequently established that the penalty notice on which the detention was based was ill-founded in respect of all or any of the penalties to which it was related."

There is a potential for huge economic loss there. It is grossly unfair if the Government, through their agencies, can go around giving tickets to the owners or hirers of such vehicles, causing economic loss—albeit that the Secretary of State was not acting maliciously or unreasonably—and not be responsible for compensating the carrier.

**Mr. Clappison:** My hon. and learned Friend is making an important point with his legal expertise. Does he agree that the issue needs to be examined in some detail? The risk of detention of the vehicle could create such economic loss for the lorry firm or lorry driver that they may be pressured into admitting the offence and not advancing any defence to get their vehicle back quicker.

**Mr. Garnier:** I am sure that my hon. Friend will want to press the Minister on that in the Special Standing Committee. I wanted to flag up the issue, which relates to clause 27(4) as well.

I am also concerned about the words "significant doubt" in clause 23. Subsection (3)(b) says that the court may release a transporter if it considers that

"there is a significant doubt as to whether the penalty is payable".

What does that mean? That woefully unclear expression is used again in clause 27(2)(b).

Under clause 24, the court that deals with applications will be the magistrates court, or its equivalent in other parts of the United Kingdom. It would be more sensible for applications to be dealt with by a Crown court or its equivalent, because the issues involve equipment of great value and, as the hon. Member for Leicester, East was quick to say, the law is very complicated. Magistrates are perfectly capable of dealing with all sorts of matters, but it would not do any harm to bring such issues before a Crown court or its equivalent in other parts of the United Kingdom.

Clause 25 says:

"No charge is payable in respect of any person who is shown by the owner or train operator"—

once again the burden of proof is placed on the defendant—

"to have produced the required document or documents to him or his representative".

How can that be done when a traveller destroys an apparently genuine document because it is forged? My hon. Friend the Member for Woking drew attention to that.

Other potentially draconian aspects of the Bill require careful thought. The Bill contains many sensible suggestions, but it also contains too many powers for the Secretary of State and too many areas of vagueness, which cause me considerable alarm. The Minister should pay attention to the few points that I have made in the little time available to me. Unless the Bill is put right, it will lead to further problems and dissatisfaction with the working of the immigration and asylum regime in this country.

7.17 pm

**Mr. Neil Gerrard** (Walthamstow): Before I turn to the detail of the Bill, I want to say a few words about the background. When such issues are debated, the atmosphere is at worst hysterical—as we saw in some of the press coverage last year of what was happening in Dover and the south-east—and even at best full of misinformation, as we heard in the comments of the right hon. Member for Sutton Coldfield (Sir N. Fowler) about numbers, origins and rates of success.

We should remember that the majority of asylum seekers across the world—the 25 million or 30 million displaced people—are not in this country or in Europe and never will be. The majority of them live in poor countries adjacent to the countries from which they have fled. We in Europe are rich and we are not carrying the bulk of the burden of asylum seekers. It is being carried by poor countries across the world. Even in Europe, this country does not carry a disproportionate burden.

The right hon. Member for Sutton Coldfield talked about the vast majority of cases being unjustified because they were economic migrants. Some 40 per cent. of asylum applications in this country come from just four areas: the former Federal Republic of Yugoslavia, Somalia, Afghanistan and Sri Lanka. Anyone who knows what is happening in those countries should not be surprised by that figure.

We know that there are problems with the current system. Well, there is no system. We were left with a shambles. The previous Government intended to leave asylum seekers who applied in-country destitute. The local authorities were left to pick up the burden, leaving a shambles. The Home Office system cannot cope. Something must be done about that.

The question must be whether the right action is being taken. Some of the Government's action has been welcome, including the abolition of primary purpose and the greater openness in looking at country reports when asylum decisions are taken. However, the hon. and

learned Member for Harborough (Mr. Garnier) referred to parts of the Bill where it is difficult to see precisely what will happen.

I disapproved of the previous Government using regulations to deal with the detail of legislation, and I have not changed my view. In some parts of the Bill—even those parts that are to be welcomed, such as the restoration of visit visa appeals—we do not know what the fees will be, or what fees will be set for bonds. We do not know what the fees will be for the regulation of advisers.

My hon. Friend the Member for Leicester, East (Mr. Vaz) referred to the administrative changes that are needed within the Home Office. I do not blame the present incumbents, because we inherited an appalling system which tried to deal on paper with huge numbers of cases, with no proper information technology systems and no mechanism for tracing what was done. However, if we try to embark on a new system without sorting out the existing shambles—while the Home Office is trying also to administer support—it will be a disaster.

We need to put in legal resources at the beginning of the process. UNHCR said in response to the White Paper:

"The Achilles heel of the current asylum system is, in our view, the quality of initial decision-making. As long as Home Office decisions on asylum applications are inconsistent, leaning on questionable credibility arguments, they will be challenged in appeal."

We must improve that.

I am pleased that the Bill will be discussed in a Special Standing Committee, a clear sign that the Government will listen to concerns raised not just by those within this House, but by organisations outside.

On immigration—which only a small part of the Bill deals with—the changes are, by and large, welcome, including the proposals on the visit visa appeal and the regulation of advisers. However, we must look at how the bond system will relate to the appeals system when the two are working alongside each other, as some people may be subject to both. In what cases will bonds be applied?

My hon. Friend the Member for Leicester, East said that his constituents would not mind paying modest fees to have decent decisions taken. If I read the Bill correctly, those fees may not be so modest. The explanatory notes suggest that people will be charged full costs. I would like to see some examples of what that will mean to those applying for leave to remain or for indefinite leave.

I have a serious worry about taking appeal rights away from people who currently have them. Some may be overstayers, and may not have adhered to the conditions attached to their leave to remain. They are very often people who have been in this country for a long time, and may have children born here. In effect, they may have settled here. It may be perfectly legitimate to argue that, in many of those cases, the situation should never have been allowed to arise. However, those cases exist, and many people will lose appeal rights. I have seen nothing in the Bill to suggest that there is any transition, or that anybody who currently has an appeal right will not lose it as soon as the Bill comes into force. Nor do I see what the mechanism might be if compassionate circumstances are to be taken into account.

The same problem applies to one-stop appeals. In response to an intervention by my hon. Friend the Member for Slough (Fiona Mactaggart), my right hon. Friend the Home Secretary pointed out that that process would deal with all appealable aspects. That still leaves us with the question of how compassionate issues might be looked at. If an applicant is refused asylum and is not given exceptional leave to remain, he can appeal against the asylum refusal on the grounds of the UN convention or the European convention on human rights. However, it will still be difficult to appeal against a refusal to use discretion.

Ministers will know that I have argued that we ought to think about formalising exceptional leave and about having a proper right of appeal. I am worried about the proposal which suggests that, in the view of the Immigration Appeal Tribunal, it can be decided that an appeal lacks merit—before the appeal has been heard—and that a financial penalty will be applied if someone persists with the appeal.

I have looked through many of the responses to the White Paper and the one issue raised consistently was that of support. Ministers have said that cash benefits act as a draw. I am not sure that I have seen hard evidence to back that up. In 1996, the Tory Government took benefits away from people who applied in-country, but left them for those who applied at port. If cash benefits are a draw, one might have expected to see a change in the balance of applications. Perhaps more people would sus out that it was better to apply at the port of entry rather than in-country. However, that has not happened, and that balance has not changed.

I represent a London borough, and I know of the pressures in terms of temporary accommodation. If the Government are determined to go ahead with a cashless system, the big question will be whether dispersal will work. The history of dispersal is not a happy one. The Vietnamese boat people drifted back very quickly to where they knew people.

I can think of no reason to assume that London is the only place in this country where asylum seekers can live and be accommodated. That is a ridiculous suggestion. If we are to disperse to places where there is no shortage of housing, it is almost inevitable that those places will be deprived areas which are suffering unemployment and economic problems; that is why there is empty housing. We must look at how we provide support, legal advice, education and medical help, and at whether £7 a week—the sort of cash figure that is being talked about—is sufficient to maintain any dignity for someone living on vouchers.

There is nothing in the Bill about settlement. That issue may be outside the scope of the Bill, but if we do not put real resources into helping people to settle, it is inevitable that there will be a drift back. There is a danger that we will create clusters of socially excluded people. Tensions and arguments may grow between established ethnic minority communities in deprived areas and people who have been shipped into those areas, who may be seen to be competing for, and taking away, resources.

We are told that the search and arrest powers to be given to immigration officers will be modelled on the Police and Criminal Evidence Act 1984. I am not sure what "modelled" means and what the differences will be, but there is a big issue concerning accountability. If I am arrested, charged and taken to court, and my lawyers can show that the police have not followed the provisions of PACE, there is some redress: I may be acquitted, and it

*[Mr. Neil Gerrard]*

is likely that evidence against me will be ruled inadmissible if it was obtained by methods that do not fit with PACE. What will the redress be in immigration cases? People who are arrested might be put on a plane in a couple of days, so how can we be sure that procedures along the lines of PACE are followed?

I understand perfectly the necessity for change. We do not have a working system, with proper decision making and methods in the Home Office for tracking cases through. It is ridiculous that we have multiple layers of appeals that allow cases to be dragged out and fraudulent advisers to push people into totally unfounded claims. I welcome some of the changes in the Bill, fulfilling manifesto commitments, but there are serious difficulties that must be considered in other parts of the Bill.

I hope that in the Special Standing Committee and on Report and Third Reading we will consider those problems. The first Standing Committee on which I served was on the Bill that became the Asylum and Immigration Appeals Act 1993; and I also served on the Committee for the Asylum and Immigration Act 1996. Perhaps I will serve on the Committee for the 1999 Act, but I do not want to have to serve on the Committee for the 2002 Act. We must get it right this time.

I hope that, in Committee, the Government will listen and make some necessary changes in the detail of the Bill. Let us get it right and make it work.

7.32 pm

**Mr. Nigel Waterson** (Eastbourne): The debate has been remarkable for the fact that the opposition to the Bill seems to be coming from two totally different quarters: the mature and constructive opposition exemplified by my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) and the grumblings of discontent from those on the Government Back Benches.

I want to bring the perspective of a south coast constituency to the debate. We are all agreed that, nationally, we have a very big problem. Not only is it a massive problem, but no one really knows its dimensions. The figure of 46,000 applications in 1998, when there were only 4,000 a year not that many years ago, gives some idea of the scale of the problem. Figures have been bandied about for the number of asylum seekers who have gone AWOL, as it were, but no one knows, or can know, the precise figure, or anything like it.

One thing that we know with certainty is that the great majority of applicants will not turn out to be genuine asylum seekers. Any regime must recognise that the great majority of applicants—who, of course, should be treated courteously and humanely while their applications are being processed, which we hope will be done swiftly—will turn out to be making bogus applications.

It bears repeating that we have a long and distinguished history of tolerance and generosity to genuine refugees and asylum seekers. After all, did we not permit Karl Marx to sit in the reading room of the British museum writing "Das Kapital"?

I welcome certain aspects of the Bill, as have some of my hon. Friends. The simplified system for processing applications looks pretty good, at least on paper. There is a lot of detail to be gone into in Committee. Again, the one-stop system for dealing with appeals looks in theory to be an improvement, and let us hope that it is. We hope that it will not prove to be merely another excess of bureaucracy. The new arrangements for detention also seem sensible.

There are some real concerns, the first of which is what amounts to an amnesty for 30,000 or 40,000 people who are already in the country and whose applications are not to be tested or justified in any sense. They will simply be allowed through the system because they have managed to survive this long without being detected or sent home. What message does that send to future applicants? Is it likely to stem or reduce the flow of applicants?

We have already heard that there are all sorts of problems, in the Balkans and elsewhere, that are not about to get any better. People will not be less likely to turn their eyes enviously to this country. We should not add to that an apparent message from the Government that if people can get here and stay here long enough without being found out, they will be allowed to stay permanently. That is most unhelpful, and it is especially unfair on those who have been through the mill and proved their case, achieving in the proper way the right to stay here.

I want to focus principally on part VI, especially as it affects a seaside constituency such as mine. The plight of seaside towns is bad, and the Bill could make it even worse. I asked the Home Office how many asylum seekers or refugees were currently living in my constituency or residing in council or housing association accommodation? I was somewhat startled at the reply. It said:

"This information is not available to the Home Office and the hon. Member should approach the local authority."—[*Official Report*, 15 December 1998; Vol. 322, c. *465*.]

I am worried about how the Home Office intends to proceed when it cannot even tell a Member of Parliament how many people are already living in a particular part of the country.

I then addressed myself to Eastbourne borough council. I should explain, by way of parenthesis, the recent background of the problem. The difficulties with asylum seekers come in addition to an on-going problem that we have had in seaside towns for at least a decade, with the change in holidaymaking patterns, whereby, increasingly, guest houses and small hotels have been used as hostels for social security claimants.

In the previous Parliament, some of us got together to lobby for changes. We were successful in changing planning law and we got some tough provisions put in the last Housing Act—1996—of the previous Government. Based on that, many local authorities, including my own, are introducing a tough inspection regime for houses in multiple occupation. I welcome that, but I would like to hear the Minister's thoughts on how the new regime may collide with some of the problems that I am about to describe.

At present, asylum seekers and illegal immigrants can come to my constituency in one of two ways: they can simply find their way to Eastbourne, and by definition we have no way of knowing how many people fall into that category, as unless they make contact with a particular agency, it is unlikely that they will show up on the radar screen, as it were; but dwarfing that problem—as far as I can tell—is the problem of other parts of the country, and especially certain London boroughs, entering into

commercial arrangements to house people in places such as Eastbourne, where, of course, accommodation such as guest houses and small hotels is readily available, especially outside the holiday season.

One of the startling powers in the Bill is the setting up of what are called, in slightly chilling fashion, reception zones. Albeit those zones can be a matter for consultations with local authorities, the Government intend, as I understand it, to take the power to designate areas and, in effect, billet asylum seekers on particular parts of the country, almost as in wartime.

I raised that issue in a recent meeting with my local council. I was aware of its concerns about the problem, which are shared by many other resorts. The British Resorts Association, of which I have the honour to be a vice-president, has discussed the problem and its president, the hon. Member for Blackpool, South (Mr. Marsden) has corresponded with the Under-Secretary on the issue. The hon. Gentleman specifically raised the problem in his constituency, which is not dissimilar to that faced by many coastal resorts. He queried whether such resorts were likely to be targeted for such accommodation. The response from the Minister was less than reassuring. It stated:

"It is too early to say to what degree this accommodation is likely to be found in seaside resorts, but I would not disagree that, along with the major conurbations, suitable accommodation is likely to be found in coastal towns."

I find that worrying, and so does the British Resorts Association.

**Mr. Gareth R. Thomas:** The hon. Gentleman refers to a policy that I understand that Westminster council has followed. Will he condemn that council for its practice?

**Mr. Waterson:** I shall come on to that point, but my understanding is that Westminster is not one of the major offenders.

**Mr. Coleman:** Who are they?

**Mr. Waterson:** I shall come to that point, if the hon. Gentleman will allow me to make my own speech in my own way. BRA was not wholly reassured by that response from the Minister and the minutes of its discussion of the issue state:

"Members did not believe that the Minister's response altered the general perception that major resort towns were likely to be singled out as convenient hosts for significant numbers of asylum seekers, despite their obvious lack of adequate social and welfare support."

According to the hard-pressed council officers who deal with housing in my constituency with whom I had a meeting last Friday, certain London boroughs—I believe the major offenders are Newham, Wandsworth and Haringey, but that is not an exhaustive list and there may be others who use other coastal towns—are using brokers. One of the most active brokers is VIP, which is based at a post office box number in Brighton. Such brokers make block bookings in guest houses and small hotels in my constituency and others along the south coast. They hide behind a veneer of confidentiality, so when my council officers approach the brokers, they refuse to reveal details because of commercial confidentiality. Those brokers are a front for those London boroughs, and possibly other boroughs, to make those block bookings.

One might think that there would be some comity or a spirit of co-operation between the boroughs involved. The various local government organisations have recognised that best practice in such circumstances is for the boroughs making the placements to share information about numbers, needs and the services required with the recipient boroughs. However, housing officers in Eastbourne tell me a contrary story. They are convinced that the boroughs are breaching best practice. The officers find it very difficult to prise out of the boroughs any details about how many individuals or families are involved, and that is wholly unacceptable. I cannot believe that any hon. Member takes a different view of the issue.

As a result, my local council has no idea of the total numbers involved, the likely stresses and burdens that will be placed on local services or how much greater the problem is likely to become. I ask the Minister to address the issue, because it will take some time for the Bill's provisions to be implemented and in the interim we need proposals to deal with the problem. I am aware that some regional consortiums are being set up that will have some effect on the problem, but will the boroughs involved in trying to offload asylum seekers have a legal obligation to provide the information that I have mentioned? Or will other councils have to rely on such boroughs' good will?

My borough is not atypical. My council officers are doing their best in difficult circumstances, but they have not received the co-operation that they deserve from fellow officers in other boroughs.

**Mr. Martin Linton** (Battersea): Will the hon. Gentleman give way?

**Mr. Waterson:** No, because I do not have time to do so. If the Minister will not take powers to deal with the problem, he should adopt a policy of naming and shaming the boroughs which are in breach of a duty of good will to their fellow councils on the south coast. The consortiums approach may be successful—I hope so—but it is clear that certain councils, especially in London, are abusing the situation and placing unnecessary burdens on areas such as Eastbourne and its hard-pressed services, including health, social services and education. There is no sign at the moment that anything is changing and I hope that the Minister will address that issue when he replies to the debate.

7.46 pm

**Ms Diane Abbott** (Hackney, North and Stoke Newington): Thank you, Mr. Deputy Speaker.

"We oppose the Bill because it is inconsistent with our obligations under international law; it will damage race relations; and it will be neither firm in its effect nor fair in its intent."—[*Official Report*, 11 December 1995; Vol. 268, c. 723.]

That is of course a quotation from the speech by the current Home Secretary in the Second Reading debate on the last immigration and asylum legislation to come before the House. As it happens, that quotation touches on some of the points that I wish to make about the Bill.

I represent one of the largest refugee populations in the country. My constituency has refugees from every quarter of the globe, including Nigeria, Ghana, Algeria and Somalia, and it has a huge population of Turks and Kurds. My concern about how we treat refugees and asylum

*[Ms Diane Abbott]*

seekers is based both in principle and in practice, because I will have to deal daily with the consequences of the Bill if it is not properly and carefully drafted.

As someone who for 12 years now has had to lead constituents through the highways and byways of immigration legislation to try to help them with their manifold problems, I believe that the Bill is a lost opportunity. One of the problems with the current immigration and asylum legislation is that it is a mess. All too often, legislation has been forced through Parliament in response to a scare, whether about east African Asians or refugees from Kosovo. I have tried for 12 years as a Member of Parliament, and for many years before that in the community, to try to understand the legislation and to help people find their way through the rules. However, asylum seekers face a labyrinth that is full of inconsistencies.

The Government have missed an opportunity to begin the process of constructing an asylum system that is transparent, fair, equitable and, above all, free from any taint of racism. For example, the legislation contains no fewer than 50 order-making powers. I have spent much time working on immigration and refugee issues and I know that much of the unfairness of the system creeps in through the circular instructions, the orders and the statutory instruments.

I shall first address the Bill as it relates to our obligations under international law. I remind the House what the United Nations convention on the rights of the child states in article 26:

> "States Parties shall recognise for every child the right to benefit from social security including social insurance and shall take the necessary measures to achieve the full realisation of this right in accordance with their national law."

I also remind the House of the 1951 United Nations convention on refugees. Article 24 states:

> "The Contracting States shall accord to refugees lawfully staying in the territory the same treatment as is accorded to nationals in respect of the following matters . . . social security."

I do not therefore believe that the proposals in the Bill for maintenance and support are in accordance with the spirit and possibly even the letter of our obligations under international law. My concern is not merely a technical, legalistic quibble. I live in the middle of a large refugee community and I want to know whether the proposals will work. If they do not, they will cause an awful lot of suffering and unhappiness to some of my constituents.

Ministers, of this Government and the previous one, have insisted that cash benefits draw refugees to this country. I hope that evidence is provided in Committee to support the contention that cash benefits are the draw, rather then the length of time that it takes to sort cases out.

Moreover, will the arrangements for support include minimum standards of maintenance? How much cash will people have? My son goes to school with children who are refugees from Algeria, Somalia and west Africa: will the mothers of those children lack the money for school outings or coach fares, or to buy drinks? Will there be clusters of second-class refugee children whose mothers do not have access to those simple things that cost a few pounds here and there every week? I should hate to think that I supported a Government who would impose such a regime on children.

I am not happy with the voucher system that is currently in place. The Children's Society has found, from its east London project, that families and children who depend on vouchers to get food are often subject to racial harassment and discrimination in local shops. I understand the reasoning behind the voucher scheme, but it can be degrading and demeaning.

I turn now to the proposals for dispersal. Given what happened to the Vietnamese and the east African Asians, I thought that it had been demonstrated that dispersal does not work. The Government propose that refugees and asylum seekers—who will not have access to benefit—will be separated from family and friends and dispersed outside London. However, many will come back to London, even though they have no benefits. Some of them will find themselves in places where they cannot buy the food to which they are accustomed, or where there is no mosque for them to attend. Many will be illiterate: there will be no language networks for them to plug into, nor any of the informal information networks with which they are familiar, and the schools will not be used to refugee children.

I believe that many asylum seekers will drift back to places such as Hackney or south London and that the Members of Parliament who live and work in those communities, as well as the Churches and the volunteer groups, will have to pick up the pieces. I want to hear more about how dispersal will work. My fear is that it will prove unfair, cruel and unworkable.

What I have to say about race and community relations has less to do with the contents of the Bill than with some of the appalling comment that has appeared recently in the press and in the public debate about refugee and asylum matters. It has become common, in the media and among Ministers, to talk about economic migrants as if they were subhuman, yet—regardless of whether they are Irish navvies, east African Asian shop owners, the West Indians who came to work on buses and in hospitals or the west Africans who do the cleaning jobs—it is economic migrants who have built London.

I am the daughter of economic migrants, and I take exception to the tone sometimes used to describe such people. It is as if there is something wrong with travelling thousands of miles from starvation and poverty to try to better the lot of one's family. Economic migrants may not be easy to accommodate under the letter of refugee law, but it is wrong to ignore the fact that they are honestly trying to do the best that they can for their families. There is a long tradition in my part of London of welcoming economic migrants, who have done so much to make Hackney the vibrant and energetic place that it is.

The public debate in which refugees and asylum seekers are blamed as the cause of so much crime, for example, is most distasteful. It is sad that it was the Kent police, rather than a Minister, who said that some of the media comment was tantamount to an incitement to racial hatred. I note, in passing, that the Bill does not take the opportunity to repeal section 8 of the Asylum and Immigration Act 1996, which requires employers to take details of people's race and nationality. Labour Members at the time argued long and hard that section 8 would be racist in its effect, so I am surprised that the opportunity to repeal it has not been taken.

Finally, the Bill gives immigration officers new powers of arrest and search. Those officers have no formal training in such matters, there is no published manual

covering safe methods of restraint, and there will be no independent complaints body: it is as if Ministers had never heard of Joy Gardner. I can think of nothing more likely to undermine community relations in Hackney and elsewhere than a proposal to allow the immigration officers we know and love to enter my constituents' homes with the power to arrest and search people but without proper training and oversight. I sincerely hope that Ministers will tackle that matter.

If I understand Ministers correctly, constituents of mine who are asylum seekers and who are in council housing will lose the housing benefit and other social security benefits that they receive at present. They also stand to lose their housing. Given that most of them belong to the black and ethnic minorities, that will do no good to community relations, and I agree with what has been said about the loss of appeal rights for overstayers.

My right hon. Friend the Home Secretary, when he was in opposition and speaking against the 1996 Act, said that it would be neither firm nor fair. No one has more experience of dealing with the immigration authorities than my hon. Friend the Member for Leicester, East (Mr. Vaz), and he has noted that the real problem is Lunar house. It is a shambles: no matter how wonderful the Bill might be, unless coherence, proper management and the necessary resources are devoted to Lunar house, there will be no prospect of refugees and asylum seekers getting a fair and effective service.

I shall support the Government in the Lobby tonight, because I believe that the Bill can be improved in Committee. I am aware that an interest in and knowledge of a subject is not sufficient to recommend me for membership of a Standing Committee, but I make my claim here and now, on the Floor of the House.

I live in an area that has welcomed refugees and asylum seekers for more than a century. I am therefore well aware of the human side of these matters. It is one thing to put legislation on the statute book, but it is another to live with its consequences if it is insufficiently thought out. I hope that Ministers will change the tone of some of their remarks on immigration and asylum, as they create the wrong climate. I hope that they will address some of the practical consequences of the Bill and that they will listen carefully in Committee to the representations from the community and concerned organisations.

British people have a tremendous record of welcoming asylum seekers and refugees. I want the Bill to aspire to the best traditions of this country, not to adopt the worst reflexes of some of our tabloid media.

7.58 pm

**Mr. Mike Hancock** (Portsmouth, South): First, I congratulate the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) on her excellent contribution. She spoke for Liberal Democrat Members when she said that she hoped that a miracle might happen and that the Bill would be improved in Committee. I share many of her sentiments.

I also apologise to the right hon. Member for Sutton Coldfield (Sir N. Fowler), who opened for the Opposition. I was not present for the beginning of his speech, as I was at a Home Office meeting on another matter.

The situation in Portsmouth is somewhat unusual. The city is a large port, with a large ethnic community. Traditionally, over the centuries, we have welcomed visitors to the city. We have a good, cosmopolitan and trouble-free atmosphere, of which the city is justifiably proud. A significant problem arises almost daily in the port of Portsmouth, which is second only to Dover in its numbers of freight movements and passengers passing through. Millions of people come through every year, and tens of thousands of cars and lorries. In any given year, a number of people enter illegally.

I welcome the Home Secretary's suggestion that something will be done to help to solve that problem. Large fines and an emphasis on the role of haulage companies and drivers are not enough. They are part of the solution, but not the whole solution. The real problem lies on the other side of the channel in the inability of the French authorities to tackle the issue. I do not know whether many Members, or the Minister, have stood on the dock at Le Havre, Cherbourg or Calais to see how the French patrol their marshalling areas. They have dogs—I have seen them on the quayside at Le Havre—but their operations are small in scale.

What is really needed is a genuine intent among the French authorities to ensure that lorries are properly secure while they wait to go on to ferries. Lorries should be checked regularly at the various truck stops on the major routes in France, particularly those from Italy. More advice could be given to haulage companies and drivers on the problems that they will face. Perhaps that would lead to a dramatic downturn in the number of people coming here.

I recall working in Romania when five bodies were taken from the back of a container lorry on the border between Romania and Hungary. One of the men was young, probably not much more than 15. The bodies were left lying on the side of the road. Evidently, they had travelled from Iraq, overland through Turkey, Bulgaria and so on. They had changed vehicles three times. There was one survivor, and he told investigators how much money had changed hands.

There are huge profits to be made from trafficking humans across the continent of Europe. We must rid ourselves of the real evil of transportation of people. Young girls from the former Yugoslavia or from other parts of eastern Europe walk the streets in most major capitals of Europe, selling sex. It is a disgrace to Europe that that trafficking of people is allowed to continue. We must work together to get to grips with the European dimension, and to deal with the dire situations in which many hopelessly vulnerable and isolated young people find themselves.

I have heard hon. Member after hon. Member speak about the traditions of the United Kingdom, and about our always offering a safe haven to the genuine refugee or asylum seeker. The nation should be genuinely proud of that fact, and we should not allow our reputation to be downgraded. However, I am worried about the ways in which the system is abused. Like many other hon. Members, I have guest houses and hotels in my constituency which are being used as drop zones for people from the London boroughs. I see those people in Portsmouth and I see the problems associated with them.

The VIP organisation is one of many that are making a substantial profit on transporting people from local authorities in London to elsewhere. It is seemingly better to lift the burden of the problem by putting it out of sight and out of mind. However, that policy simply passes on

*[Mr. Mike Hancock]*

the burden, and the Government must do more to help local authorities that are plagued with the problem. We must do more to assist people and to speed up the process.

The White Paper talked of firmer, faster and fairer immigration controls. We must ensure that the Bill makes that idea a reality. No one would dissent from the need for firmer controls, but they must be interpreted consistently. Different answers should not be given to similar cases. Consistency is a real problem. We must make sure the system is faster because it is nonsense now. The situation at Croydon is farcical. Hon. Members have spoken time and again about that farce, and I have lost count of the letters I have written asking whether the process there can be speeded up. The problem must have something to do with underfunding in the immigration service. There must be enough resources to allow matters to be dealt with more firmly and faster.

I do not know whether we will ever achieve a fairer system. One would hope that the Bill will deliver to those who want to come to the UK some assurance that their applications will be fairly dealt with. It is difficult to give people that confidence when hon. Members need merely think back over the past half dozen cases to see problems. One asylum seeker who was granted asylum five years ago had a father who wanted to visit him. The father, a Kurd, would have left his wife in Turkey, but he was refused because the authorities were unsure whether he would attempt to seek asylum as his son had. That man wanted only to come for a two-week stay. The reason for refusal was ludicrous.

In another case, a Russian wanted to come here. He had visited the UK many times, but he was refused a subsequent visit. He had once taken English lessons, and the reason given on his immigration form for his recent refusal was the fact that he had asked for an interpreter. He wanted his interview to be held in Russian rather than English. Would anyone, knowing how difficult it is to get a visa, take a chance on being interviewed in anything other than their native tongue? It would not matter how good they were at English, or how much they wanted to impress the immigration officer.

We must make sure such matters are dealt with fairly and consistently at all points at which people try to enter the United Kingdom. Reasons for refusal must be transparent, and people must understand them.

We must do something about the number of people—estimates range from 40,000 to 50,000—who have gone to ground. What will happen to the people who disappeared into our population after exhausting all the procedures? What will be done to track them down? The Bill says little about that, but it has a lot to say about being hard on those people we know about. How will that be done? Will immigration officers be trained in new techniques, and in how to deal with the public in their homes? I hope that the Government do a better job of training those people than they have in training those who interview applicants for the new deal, as it is manifest that much of that training has fallen far short of what was desired. I hope that we see a significant improvement when it comes to immigration.

The hon. Member for Woking (Mr. Malins) mentioned airline carriers. He and I have probably received the same briefing from British Airways about the serious problems that arise over the kind of information being asked for, how often the Government request it and what is expected of the company. We should clarify the position, not only for British Airways, but for all the airlines that operate in and out of the UK. It is obvious to those of us who have dealt with such cases that there is a difference of opinion among airlines as to how to interpret the rules. It is a fact that people get on to aircraft to come here, but the airlines have problems because of the lack of clarity in the information that has been given out in the past. We have to consider a whole range of similar issues.

We have to ensure that children who seek to come to this country are given proper protection and that we enable them to flourish as human beings and develop their potential while they are here. We have to make sure that they are not disadvantaged by the changes this legislation will make. The Bill has serious flaws that might harm children in particular, so the Committee must build in proper safeguards to ensure against that.

Most people recognise the need for the Government to take action. I know that there will be many people in all the communities that make up the cocktail of the UK population who are disappointed because the Bill does not contain certain measures. Our consideration of the way in which people are given the right to come to this country is long overdue, and many of the Bill's provisions will be welcomed. However, many will cause problems, fester and cause greater resentment about how we as a nation respond to the issue of immigration; an opportunity will have been lost.

I welcome the tighter controls on immigration advisers, but I am bitterly disappointed that lawyers will not be covered. For the life of me, I cannot believe that the Law Society has either the will or the wherewithal to deliver on its commitment. I have seen many cases of people being charged for letters that I wrote on their behalf, and I find that offensive. Like the hon. Member for Leicester, East (Mr. Vaz), I have lost count of the number of late-night faxes that I have received on a Friday, asking whether I can take over a case and get leave for someone to remain while the lawyers seek more time. What they are really asking is for more time to enable them to make more money out of those poor people before they are sent back—

**Mr. Simon Hughes:** And more mistakes.

**Mr. Hancock:** Indeed—time to make more mistakes. The delivery of justice to many of these people is an utter travesty—they are ripped off, time and again, by unscrupulous lawyers and others.

There are genuine advisers out there. It is annoying that the Home Office knows who those people are but does nothing, whereas what we need to do is put resources into ensuring that good practice spreads and is used more often. In that way, we can ensure that people have proper representation at all stages of the process. We have to make sure that lawyers take on immigration work only if someone in the practice is competent to deliver a proper service.

The issue is a big one and I am disappointed that the Government have not been big enough to face up to the size of the problem. Much remains to be done and there will be a lot of disappointed people if we do not do it. We have to take action, but we must not make things so

difficult that genuine refugees and genuine visitors to this country feel unwelcome and unwanted. We have to make it clear that people who have a good case will to be welcome and that there is a process allowing their case to be heard. Genuine visitors to this country—

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Order.

8.14 pm

**Mr. Paul Stinchcombe** (Wellingborough): I am grateful for the opportunity to make a brief contribution to an important debate. At the outset, I should declare an interest: I have been a practising barrister specialising in, among other things, immigration law. In the light of some of the remarks made by hon. Members this evening, I am not entirely sure whether I should instead apologise for that.

As we all know, the Bill was introduced to deal with the chaotic shambles that was the legacy of the previous Government. I do not want to take up the House's time going over that ground again, because other hon. Members, especially Labour Members, have dealt with those issues. Instead, in the hope that reassurance will be forthcoming, I shall raise with my right hon. and hon. Friends on the Treasury Bench specific concerns relating to asylum and support for asylum seekers. I shall address only certain fundamental principles, rather than the detailed concerns which I and others have raised tonight and will, no doubt, raise on other occasions.

I have listened carefully to the debate thus far and I think that I accurately understand the Government's argument. The Government continue to affirm their absolute determination to fulfil all our obligations, both legal and moral, to genuine refugees; however, they also say, rightly, that the present system is being abused. They say that the claims of some of those who are claiming asylum are not genuine; that such claimants undermine support for genuine refugees; and that they increase the delays in dealing with all the claims that are made. The Government appear to claim that it is in part that which lies behind the chaos and shambles at Lunar house.

The Government's three watchwords for reform are those by which last July's White Paper was titled: "Fairer, Faster and Firmer". They say that we must be fair, so as to fulfil our obligations; that we must do so speedily, so that we can cut the backlog in which so many languish; and that we must be firm with those who abuse the system. Against that broadly described argument, the compass of the fears that I express tonight can be narrowly described, for I agree that we must be fair; I agree that we must be fast; but I am concerned that, in our search for firmness, we might sacrifice fairness. I am concerned that we might be at risk of making that error by falling into the trap of wrongly identifying the reasons why people falsely claim asylum.

The reasons are often rooted in abject poverty and lack of opportunity. Those factors may not found a legitimate claim for asylum, but nevertheless, for some people, they make terrible risks worth taking. With that in mind, we have to acknowledge the fact that there might be little we can do domestically to deter those who are desperate to come here—those who climb into the holds of aircraft, lodge themselves above the axles of articulated lorries, or cram themselves with many others into the back of those lorries and travel thousands of miles. I do not believe that people take such risks for the sake of the odd quid in benefits.

We all know that asylum seekers in this country suffer great hardship when they arrive here. We know that nearly two thirds of those interviewed by the Refugee Council did not have enough to eat on a daily basis; and that nearly three quarters were penniless, without the cash for bus fares and other necessities. I do not believe that those people come here because of the odd quid in benefits. They take the risks that have been described, partly because of cultural ties that draw them here, but mostly because of the conditions from which they are fleeing. The evidence largely bears that out.

The Government have set their sights on those who abuse the system. Many of their targets are not only wholly legitimate, but targets that are essential for us to aim at, and to hit: the corrupt, who give clandestine passage in appalling and unsafe conditions, often at great expense to those who are transported; the rogue advisers, who exploit their clients after they arrive in this country; and all those who trade in the exploitation of human suffering. However, I am concerned that the Government have, in part, also set their sights on those who are suffering, especially those whom they describe as mere economic migrants.

I understand that economic migrants might not be—indeed, are not—entitled to asylum, but the Government have to acknowledge certain truths when formulating their approach to such people. First, alongside economic migrants will come many people who have been persecuted, who truly fear for their lives, whose human rights are in grave jeopardy and to whom barriers designed to tackle economic migrants will be barriers also.

Secondly, economic migrants also have fundamental human rights. Thirdly—and perhaps most importantly in terms of practical decision making—even those whom the Government call "economic migrants" have their own reasons for fleeing. I do not believe that cash payments are, in the grand design of things—in Kosovo, Somalia or Afghanistan—the significant incentive for unfounded applications. However, I believe that cash payments may do much to give those who come to this country as asylum seekers just a little dignity.

Therefore, I believe that some of the measures enshrined in the Bill may have little effect on the number of applicants with which we must deal and will merely ensure that we treat applicants—including those whose claims of persecution and fear of persecution are later upheld—less humanely upon their arrival. In short, we may achieve firmness at the expense of fairness.

I have chosen to keep to the general principles. I understand fully the grave necessity of introducing a Bill in order to tackle the appalling legacy left us. I agree that we must be fair, fast and firm. I will support the Bill tonight because it is imperative that we progress legislation to deal with the case backlog that we have inherited and because much of the legislation is greatly needed and very good. However, I fear that, in this Bill, we may not achieve all that we endeavour to achieve. I know that we have fallen well short of the ideals that I hold dear and that one far-off day we may be brave enough to attempt to get closer to achieving them.

Many hon. Members could describe their core political beliefs in two phrases: "I am my brother's keeper" and "I do not pass by on the other side". My right hon. Friend who introduced the Bill and opened the debate said just

*[Mr. Paul Stinchcombe]*

the other day that we cannot become a "walk-on by society". I believe that is an enduring truth that has a resonance which is greater than merely asking people to do what they must in order to help tackle certain crimes. It calls for humanity, caring and compassion on a much larger scale, running through all aspects of our associations with each other, within this nation and across the globe.

That truth lies behind the entreaties that could tackle the causes of asylum seeking, including economic migration. When the least of our brothers and sisters are hungry, we should give them something to eat. When they are thirsty, we should give them something to drink. When they are in need of clothes, we should give them something to wear. We are told what we should do when asylum is sought—in principle, at least. When the least of our brothers and sisters are strangers, we should invite them in. It is a great pity that the remaining entreaty from the same text is most relevant today: when they are in prison, we should go and visit them.

8.23 pm

**Mr. Nick Hawkins** (Surrey Heath): I am glad to make a brief contribution to tonight's debate because, due to other commitments, I do not expect that I shall serve on the Special Standing Committee that will consider the legislation. I shall concentrate tonight on two or three issues.

The number of asylum applications has undoubtedly increased since this Government came to power. There were 46,000 applications for political asylum in 1998 compared with 35,000 in 1997. In addition, those 46,000 applicants had 12,000 dependants. The total number of applicants in 1998 was the highest on record, and there is no sign that the influx of asylum seekers will abate.

**Fiona Mactaggart** *rose—*

**Mr. Hawkins:** I am sorry, but the debate is time limited. If the hon. Lady will forgive me, I must continue.

There were 14,400 applications for asylum in the last quarter of 1998 compared with 8,455 in the last quarter of 1997. I was interested to hear several hon. Members—particularly those from the Government side—refer to their constituency postbags and the large proportion of applications that they receive that they believe to be bogus. That is clearly a matter of great concern to all our constituents. I echo the comments made on both sides of the House about the unscrupulous immigration advisers with whom this Bill seeks to deal, in part.

In their explanatory notes to the Bill, the Government spell out the perceived financial effects of the legislation. I have some queries about those suggested effects. I believe that many of the Government's comments in the explanatory notes are in doubt, particularly in light of the continuing increase in the number of asylum seekers that I have cited. The Government suggest that the costs and savings that they have described depend on a range of assumptions

"many of which cannot easily be quantified. For these reasons the figures given are estimates only."

I must be fair to the Government and point out that latter sentence. The explanatory notes continue:

"All costs are full year costs and are given at current prices."

The Government state:

"Taken as a whole the Bill is intended to reduce the costs of the immigration and asylum system. It is expected therefore that this Bill will produce savings, in particular on the support costs for asylum seekers."

In part I, the Government refer to the financial effects of charging for applications for extensions of stay or duplicate endorsements, and state:

"the levying of fees could reduce public expenditure by £15 million or more annually."

They say that this will depend

"on the number of applications made within the chargeable categories".

Under part II, "Carriers' Liability", the Government say that the operation of the new civil penalty regime will be met from existing resources. They state:

"On the basis of 18,000 clandestines detected in 1998, the penalties raised could amount to a maximum of about £16 million a year. The actual amount raised is likely to be substantially lower as a result of the deterrent effect of the penalty and the safeguards which will mean that a penalty is not owed in all cases."

I shall turn in a moment to the grave concerns expressed by the Freight Transport Association and the Road Haulage Association and their members about the Bill's provisions regarding carriers' liability.

When it comes to the extra costs involved in the equation, the Government state:

"It is estimated that the maximum cost of providing automatic bail hearings for immigration detainees will be around £3 million. Some initial training for magistrates involved in this work is also likely to be needed."

The Government do not cost the latter provision. I suggest that more than "initial training" will be necessary. It is likely that much training will be needed in connection with the new proposals. The cost of that may have been underestimated. From my experience in the courts, I suspect that the cost of providing automatic bail hearings could be great.

We then turn to the Government's estimated costs of the comprehensive right of appeal. The Government state:

"It is anticipated that the new system of immigration and asylum appeals will yield savings by compressing issues presently spread over a number of appeal rights into a single appeal hearing. Other procedural changes designed to enable more cases, particularly at Tribunal level, to be dealt with on the papers and to discourage meritless appeals should also produce savings."

I am very sceptical about that. I suspect that there will be substantial increases in costs as a result of the additional appeals, and the Government concede:

"On the other hand, there may be additional appeals arising from claims made under the European Convention on Human Rights."

My experience in the courts leads me to suggest that any case that goes to Europe, especially under the European convention on human rights, becomes very expensive. The Government's suggestion—under part IV of the notes, which is entitled "Appeals"—that

"overall, the changes could produce savings of up to £3.8 million a year compared with the current system"

is wildly optimistic. Indeed, I suggest that the appeals system will lead to yet a further cost to the taxpayer.

On visitor appeals, the Government suggest that the net additional cost, which they concede, will be

"of the order of £0.4 million."

I suspect that they have set it out that way because it sounds smaller. Every other estimate is set out in hundreds of thousands of pounds, but this one is set out as £0.4 million. Once again, the visitor appeals cost estimate is a wild underestimate, and I suspect that the cost to the taxpayer will be a great deal more.

Under the heading "Immigration Appellate Authorities", the Government suggest that there will be a saving of £350,000 as a result of the removal of the lay members from the Immigration Appeal Tribunal. I am rather surprised that the Government have done that; nevertheless, they suggest that a small saving will be made.

Under the heading "Immigration advisers and immigration service providers", the Government suggest that the scheme will be self-financing, but add:

"A Non-Departmental Public Body will be created to regulate immigration advisers, headed by a Commissioner, a Deputy and an administrative team. The cost of the NDPB, including investigating complaints, and an appeals mechanism will be met from fee income. It is not expected that the scheme will lead to any additional public expenditure."

It would be miraculous if a new quango did not involve any net cost. I suspect that in the years to come—I shall be watching with great interest—we shall find that the NDPB will become a new bureaucratic empire, which will be extremely costly to the public purse.

Under part VI, "Support for asylum seekers", there will be a new asylum seeker support budget managed by the Home Office

"On the basis that the new support scheme will be a disincentive to economic migrants who do not have a well founded fear of persecution".

The Government are suggesting a reducing budget—£350 million for 1999-2000, £300 million for 2000-2001, and £250 million for 2001-02. The notes continue:

"This was based on estimated costs; it compared with spending of about £400 million"—

**Mr. Andrew Love** (Edmonton): Will the hon. Gentleman give way?

**Mr. Hawkins:** No, we are under a time pressure; I hope that the hon. Gentleman will forgive me. I am trying to keep my remarks brief because of the limited time.

The notes state that the Government's reducing budget

"compared with spending of about £400 million a year when the Government announced its immigration and asylum strategy in July 1998, which would have increased to £800 million by 2002 if remedial action had not been taken."

We now come to the most crucial words of all:

"Actual spend will depend on a number of factors such as the number of asylum claims and the speed with which they can be handled. These cost estimates may be revised in due course."

I am absolutely certain that they will be revised in due course, because I suspect that the Bill will lead to huge increases in the cost to the public purse. Conservative Members will be watching that with great care.

Having dealt with financial concerns, we come to concerns about natural justice, particularly those of people involved in the road haulage industry. I am certainly worried by what I am told by the Freight Transport Association and the Road Haulage Association on behalf of their members, some of whom are my constituents.

The FTA and the RHA point out that the primary reason that illegal immigrants target the UK as their final destination is that our welfare and benefit system is particularly attractive. The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) pointed out that there is nothing immoral in being an economic migrant and seeking to better oneself. We can all agree with that, but I repeatedly hear concerns from my constituents about the people who wish to take advantage of our benefit system and have no genuine fear of persecution but simply come here in order to scrounge off the welfare state.

The FTA and the RHA state that the chances of illegal immigrants being detected by the authorities are very small. Statistics show that more than 90 per cent. of the illegal immigrants detected in vehicles are detained as a result of voluntary action by the driver or operator of a vehicle; only 3 per cent. are detected by foreign authorities and a further 3 per cent. by UK authorities.

As those two organisations say, the Bill contains no commitment from the Government to encourage any greater co-operation from foreign port authorities to improve security and detection in and around ports—there is not even a commitment to work in tandem with our European partners in France and their port authorities. Also, there is no commitment to increase enforcement activity in the United Kingdom to improve detection rates. Innocent drivers who subsequently discover illegal immigrants aboard their vehicles will now have no incentive to report them to the authorities as so many of them currently do.

The FTA and RHA emphasise the important point that once detected, very few illegal immigrants are deported. My right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) and others pointed out that the prospect of a substantial amnesty being granted to many of those who have sought asylum over the past few years with no proper claim will increase the temptation for those without a legitimate claim nevertheless to seek asylum in Britain.

The FTA and the RHA believe that the Government are using drivers and operators of commercial vehicles as scapegoats, rather than introducing measures to tackle the problem directly. It was a matter of great concern that in the House on Monday 15 February the Minister stated:

"Lorry drivers are neglecting to check their loads. It is difficult to resist the idea that most drivers are either culpable, because they accept bribes, or, at best, negligent, because they do not check their loads."—[*Official Report*, 15 February 1999; Vol. 325, c. 592.]

It is fortunate that the Minister was protected by parliamentary privilege when he made that statement in the House. Had he suggested outside the House that most lorry drivers were accepting bribes or were negligent, I expect that he would have faced action. One remembers a former Conservative Minister who got into terrible trouble for referring to "most"—in her case, most egg producers. Much embarrassment was caused by that.

On the most recent occasion, the Minister was protected by parliamentary privilege, but he subsequently seems to have accepted that drivers who can demonstrate that they have checked their loads, yet are still unknowingly carrying illegal immigrants, should be provided with some means of defence against the proposed fines. Sadly, the Bill fails to provide adequate safeguards.

*[Mr. Hawkins]*

The FTA and RHA suggest various amendments. Having considered them, I believe those are sensible proposals. In particular, the organisations suggest deleting clause 20(3)(c) in order to ensure that fair and reasonably achievable defence is available where carriers can demonstrate due diligence. They also suggest that the Secretary of State's commitment to a linked code of practice should be confirmed before any clauses enacting penalties are brought into force.

The FTA and RHA further suggest that there should be an automatic defence where there has been voluntary action by the driver or operator leading to the apprehension of illegal immigrants. Fairness requires that. It is also proposed that there should be provision for compensation where the detention of a vehicle is subsequently determined to be ill-founded. That is particularly important because so many hauliers are small family firms, which may have no more than one, two or three vehicles. The survival of the firm might depend on such compensation.

The FTA and RHA believe that there should be a quickly accessible appeal procedure—

**Mr. Deputy Speaker:** Order.

8.38 pm

**Fiona Mactaggart** (Slough): The Bill is designed to deliver Labour's commitment to a firmer, faster and fairer immigration system. If one examines the Government's record so far, it is clear that there has been progress in making the immigration system fairer, with the abolition of the primary purpose rule, the introduction of the right of appeal for people facing deportation on national security grounds, the current commitment to radical action to settle the status of people whose asylum claims have been in limbo for more than seven years, and the opening up of the instructions to immigration officers, which for years before had been secret.

I urge my right hon. Friend the Home Secretary not to rest on those laurels. The system is still extremely unfair. It is so concerned to exclude the unqualified that the rights of those who are qualified to remain can be sacrificed. In common humanity, we should accept a fundamental truth—that it is worse wrongly to refuse a genuine applicant than to admit one who is not entitled to enter under the rules.

What is the consequence of pretending that the opposite is true? It is to say to the racists who have constantly clamoured for new restrictions that their demands were justified. It implies that the public interest rests only in restricting access to Britain.

The Bill aims to be fairer by being faster. That is a concept to which I could sign up. I have always believed that the delays that have characterised the system for more than 30 years are oppressive to the genuine applicants who want to join their family or who are frightened victims of oppression overseas.

Delays create cynicism and unscrupulous advice. Government sound and fury, which we have heard for so many years, rings hollow when it has been blunted by delays that advantage only the person whose desire is to string out his or her stay in Britain.

If my right hon. Friend the Home Secretary examines previous reforms, he will find that it was claimed that they would lead to speedier decisions. In fact, they did not. Despite the claims of the right hon. and learned Member for Rushcliffe (Mr. Clarke) that the Asylum and Immigration Appeals Act 1993 would lead to decisions being made within three months, by 1996, the delay had reached 19 months. Now, asylum claims made before 1993 have taken an average of about seven years to decide. More recent applications have been taking 20 months. That was the position in December.

These delays are coupled with delays overseas. I saw recently one of my constituents who had applied for her husband to join her in July 1996. There has still not been a decision.

A crucial way in which the Bill is designed to speed up the process is by consolidating appeal rights. There is now a consensus that it is time to end duplicate appeals. I am concerned that the consolidation may not deliver what my right hon. Friend the Home Secretary promised us in a letter of 9 February, which was

"a single, comprehensive appeal which would ensure that all the factors in a case are considered fairly and quickly."

The White Paper points out that in many cases, compassionate circumstances, especially those concerning children, come to the fore only at too late a stage. I suggest that those circumstances should be able to be considered at an earlier stage, and should be considered in all appeals. Under paragraph 364 of the present immigration rules, the Secretary of State must take into account on deportation all relevant factors known to him, including age, length of residence in the United Kingdom, strength of connections with the UK, personal history including character, conduct and employment record, domestic circumstances, criminal record, compassionate circumstances and any representations received on a person's behalf. It seems that if a comprehensive appeal was available, much of the business that we as Members are constantly asked to undertake would be unnecessary and that the real circumstances of the whole of a person's life could be taken into account on appeal.

I am concerned, however, that people who currently have the appeal that I have described available to them will have it taken from them in the interests of speeding up the system. That seems utterly illogical. This particular right of appeal was exercised by fewer than 900 people in 1997—some successfully. That is a small number of people when set against the 35,000 who exercised the right generally.

When the previous Government limited the right of appeal to those who had been in the United Kingdom for seven years, my right hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), now Secretary of State for Wales, said:

"The decision to take away the right of an intended deportee to challenge the decision to deport him or her puts limitless power into the hands of the Executive. It poses such a serious threat to fair and just immigration control, a claimed objective of the Government in the implementation of their policy in this regard, that the whole clause should be removed.—[*Official Report, Standing Committee D*, 12 January 1988; c. 529.]

I am not in the habit of quoting Ministers and setting history against them because often it is not exactly relevant to do so. However, in this instance it is absolutely relevant. We are doing what we condemned the Opposition for doing when they were in power—and

we are doing it worse. I believe that this will have the unintended consequence of causing people to make a claim for asylum to which they are not entitled because that is the only way of their having any prospect of getting the circumstances of their case considered. As a result of clause 16, those people will face an extra risk of criminal prosecution. When my hon. Friend the Minister replies, I shall be grateful if he is able to assure me that it is not intended to use clause 16 routinely in that way.

There are other provisions in the Bill that might speed things up. For example, there are proposed new powers to give leave overseas. I am concerned that the 58 separate powers that the Home Secretary reserves to himself, or the Lord Chancellor, may not always be used as fairly as I am sure that my right hon. Friend the Home Secretary would wish. It is the job of Back-Bench Members to ensure that there is legislation that is proof against any Home Secretary. It is important that we know exactly how it is intended to implement the provisions.

The key to speeding things up is the administration of control. I have said in interventions that I believe that the previous Government were grotesquely negligent in the way that they allowed the computerisation of the administration of control to develop. The aim was to create a paperless system, to start in September 1997. In desperation, the Home Office has, without fully evaluating its pilot scheme, rolled out the new paperless system—using paper.

The staff have moved to new offices, there are not enough chairs for everyone employed there to sit down, the people who were employed to carry the paper around are no longer employed and about 16,000 pieces of mail are unopened. Some of that mail is trapped in a basement, which people cannot get into because of fumes, and the whole system is grinding to a halt.

I went to Croydon on Friday to speak not to the managers of the system, but to the people who work in it day to day. Their accounts of how the present system is working are hair raising and their morale is as low as it possibly can be. I accept that the future plans, using a flatter structure, could, in the end, produce better administration, but it is clear that, at present, the information technology is unable to support them. What seems to be a deliberate strategy of not enabling people to focus on their areas of expertise will, in the short term, produce greater delays in decision making. An asylum worker who, perhaps, has experience of handling claims from the Indian sub-continent, and who is now working on claims from former Yugoslavia, will take longer to decide those cases than he would to decide others.

There is chaos and, in anticipation of the brave new computerised world, during the period of growing queues, there have been staff cuts. The 1997 annual report of the immigration and nationality directorate said that the increase in the delay in decisions about after-entry cases had gone up to 99 days, on average, from 88 days in 1995 because of the reductions in caseworking staff. Now we have the cheek to propose charges for that standard of administration.

I am afraid that I do not accept the view of my hon. Friend the Member for Leicester, East (Mr. Vaz) that charges would deliver a more efficient system. We currently charge for the administration of nationality, but it takes 21 months to decide a naturalisation application—applications on which the Home Office nationality directorate made about £1.8 million in profit in 1997.

Faster administration is essential if the provisions are not to be draconian. Expecting an asylum seeker to live in a cashless society may be humane for a short time, but it cannot be reasonable if that is extended, even to the 20-month delay that current applications are experiencing.

Many of my hon. Friends have referred to ways in which the Bill will make the system fairer. Some ways will not achieve enough. For example, the provision creating a bail hearing for those who are detained sounds positive, but it is less stringent than bail provisions in criminal law, where people may pose a real threat to others if they reoffend. That provision is coupled with the new power, in clause 116, for immigration officers to detain someone whom they suspect may have removal directions made against him.

Already, this is the only area of law where people who are not suspected of a criminal offence, or of being a threat to others, can be detained. There is no provision, for example, to prevent the detention of children. Again, the interests of the state in detaining people—usually, I am afraid, for the unacceptable reason of a desire to deter others—are taking precedence over the concerns for the liberty of the person.

I welcome some of the bits of the Bill that are designed to make provisions firmer—for example, action against lorry drivers—but the scale of the new powers for immigration officers is perturbing, including powers to enter and search premises, and to arrest people without a warrant. An immigration officer exercising any of his powers may, if necessary, use reasonable force.

Those powers are potentially dangerous in a service without the extensive training of the police and without the experience, which the police have, of the consequences in other areas of policy of racially administered justice. The immigration service, unlike the police, is not overseen by an independent complaints body. I hope that that will be considered in Committee.

The White Paper noted that past piecemeal efforts at reform had been too complex; solutions in one area had created new problems in another. I fear that the Bill risks suffering from that problem, too. Bolted on to the Immigration Act 1971, which deliberately advantaged white people with ancestral connections to the United Kingdom at the expense of family reunion for people whose home is here, the Bill does not deliver the root and branch reform that we need.

I hope that the Home Secretary's courageous and correct decision to subject this Bill to the Special Standing Committee procedure will uncover the problems that I have only been able to hint at. I hope that it will give us a chance to see the draft regulations and codes in the 58 separate areas where powers are reserved to the Home Secretary and the Lord Chancellor, and that it will enable the Bill, which was devised with the best of intentions, to deliver what we promised: a system that is truly faster, truly firmer and above all, really fairer.

8.50 pm

**Mr. Peter Brooke** (Cities of London and Westminster): The hon. Member for Slough (Fiona Mactaggart) and I once lived opposite each other in

*[Mr. Peter Brooke]*

Hampstead. It is a pleasure to be linked with her again due to the chronological and consecutive order in which we have spoken in the debate. I am aiming to speak for seven minutes to let other hon. Members in.

I left the previous Government in July 1994, and have had a detailed involvement in the matters of today's debate since the autumn of 1995, when I wrote to the then Leader of the House saying that I feared a degree of interdepartmental incoherence was attending the then Government's review of benefits for asylum seekers. I spoke in the debate on Second Reading of the predecessor to this Bill in December 1995, and in the 90-minute debate on the accompanying social security orders in January 1996. I spoke in the 90-minute Adjournment debate on this subject secured by my hon. Friend the Member for Billericay (Mrs. Gorman) in mid-1996.

In this Parliament, I have not asked the Minister who will reply to the debate to invest his time in meetings on individual constituency cases. As he will remember, however, I brought a generic issue in my constituency to his and the Home Secretary's attention. I shall not dwell on the detail, for we were all agreed at the meeting that we would make more progress on solving the issue if we did not raise its profile. I pay tribute to the Minister for the constructive and imaginative way in which we were received, and to members of his private office for the way in which they have coped with the individual emergency cases that I have loaded on them.

I remarked in another debate that I am one of the two remaining inner-city Conservative MPs in the entire country. It will come as a surprise to some that in both the recent Economic and Social Research Council classifications—the first for the period 1981–92, and the second for 1991–95, both of which were calculated in accordance with current constituency boundaries—my constituency of the Cities of London and Westminster came in the top 50 out of the country's 659 constituencies by all the standard household indices of poverty. The top 50 are the poorest.

The problem for local authorities, which I helped to identify in 1995–96, is significantly assuaged by the Bill, but I have looked at the figures in Greater London for supported asylum seekers broken down by authorities for November 1996 and for January 1998, and in aggregate, but not broken down by authorities, for this very month. The Minister will not need me to tell him of the inexorable rise in those figures—it has been formidable. Westminster's precise place in the league table has fluctuated, but it has been consistently near the top.

In an era when Westminster is periodically vilified—as was exemplified by the hon. Member for Harrow, West (Mr. Thomas), who intervened on the speech of my hon. Friend the Member for Eastbourne (Mr. Waterson) and asked him to condemn Westminster practice, which my hon. Friend admirably parried—I am happy to report to the House that a dozen or so London authorities are coming together in a London regional consortium for commissioning and contracting good quality services outside London. I am quietly proud that, despite the intervention of the hon. Member for Harrow, West, Westminster is both housing and managing that consortium.

I remark drily that far fewer than a dozen London local authorities are controlled by the Conservative party, and the fact that Westminster is managing the consortium is an echo of the golden opinions won in this field by the director of social services for Westminster, not least from Mr. Nick Hardwick, the chief executive of the Refugee Council.

I have three questions to ask the Minister. First, I understand the Bill's provisions for dispersal. However, once a determination is made, who will have a statutory duty? If people come back to London and have no other local connection established, what will the arrangements be? Secondly, with no local authority powers or duties relating to families with children who are awaiting a decision, what will happen once a family application has failed? We shall need clear arrangements between the final decision and the act of leaving the country. Thirdly, how will unaccompanied young children from abroad be dealt with after 1 April 1999? Numbers continue to grow, including the number of young people. The Greater London figure this month is three times the size of the figure in November 1996, and that relates not least to eastern Europe. Dispersal is not considered to be a serious option at this stage. Certain questions hang in the air.

Those questions are generic, but I have a personal query that relates to individual constituency cases. All hon. Members representing urban constituencies will have experience of asylum seekers who want a decision from us to discover and advance their places in the various queues. I realise that such requests slow down the overall procedure, but I have not succeeded in persuading either Lunar house or Liverpool to explain their general queueing principles on the basis of territory, so that I can save them the bother of my questions by essaying an approximate answer to constituents myself.

I am generally supportive of the Bill. Certain Labour Members have devoted some of their respective quarters of an hour to attacking the last Government. As one who deals with my fair share of cases, in the last Parliament I calculated that, for every five letters that I received from electors in my constituency, I received a further two from constituents who were resident there, but who were not on the electoral register. I personally hope that the Government will meet the targets that they have set themselves for 2001, and I hope, for their sake, that they have not created a rod for their own back. Those of us who support the Bill in general will mark their progress closely against those targets.

Notwithstanding my general approval, I recognise the various uneases expressed by at least eight well-informed outside bodies that have briefed all of us on the Bill. Every hon. Member has received that briefing, and I dare say the Government have as well. In that context, I am delighted that a Special Standing Committee will be set up to deal with the issues that have been raised. The uneases stir a resonance with me in the comparable field of homelessness. As the owner-occupied element in the housing stock has increased, our human concern for those who are not in owner-occupied accommodation has gradually receded, not least our concern for the homeless. If the Bill improves the overall situation in the field that it addresses, it will place a particular responsibility on those of us who take an interest in such matters to ensure that we do not lose sight of the genuinely disadvantaged in the general euphoria.

I have one last word to say, about an earlier exchange between my hon. Friend the Member for Woking (Mr. Malins) and the hon. Member for West Bromwich, East (Mr. Snape). The hon. Gentleman asked my hon. Friend why he was worried about the possibility that those who had failed every legal test would go to ground, and why he needed to know how many such people there were. I think that my hon. Friend's question was important. Our nation is a great one for fairness, which is one of the pleasures of living here. Those who fail all the legal tests but still stay are cheating the system, and damage the wicket for the law abiding, while generating domestic and indigenous anger with asylum seekers at large. My hon. Friend's question was reasonable, and the Government must give an answer if they are to sustain their overall policy stance.

I fear that I have taken eight minutes. Finally, let me say that I share the concern of the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) about the 50 or so passages in the Bill that envisage secondary legislation. I hope that the outline of such legislation will be available to the Special Standing Committee. I also hope that the parts of the Bill that the Home Secretary has promised to amend will include clause 74(7)—unless the Minister's winding-up speech can rise to an imaginative parsing of the existing, and incomprehensible, words.

8.59 pm

**Mr. Marsha Singh** (Bradford, West): During the debate, it has been established beyond doubt that there is an urgent need for reform and modernisation of our immigration and asylum system. The last Government presided over a system of huge backlogs, delays and widespread abuse. Even after secretly writing off 26,000 people from the backlog, by the end of 1996 they still presided over a backlog of 55,000 unresolved cases, which have fallen into the lap of the Labour Government. That is unacceptable and the Government are now attempting to modernise that system. They have already moved on the primary purpose rule, abolishing it as soon as they came to power.

**Mr. Gerald Howarth (Aldershot):** Will the hon. Gentleman give way?

**Mr. Singh:** No. I have only a few minutes.

That rule was blatantly unfair and unjust and it divided many families.

I welcome the Government's commitment to a fairer, faster and firmer system, but the crucial word is "fairer." No one believes that any of the Bills on immigration or asylum that were passed by the previous Government were fair. In fact, among minority ethnic communities and immigration professionals the belief is widespread that the legislation on immigration that was passed by the previous Administration during their 18 years in power was racist. There is no doubt that in that atmosphere, and with those beliefs, parts of the immigration service have been operating a policy of institutional racism—something which we will hear a great deal about during the rest of the week.

It is my experience that during debates on immigration and asylum, the flames of prejudice are fanned against not just asylum seekers and economic migrants, but British communities of different backgrounds that are lawfully settled here. That is why sensitivity is paramount when we debate immigration and asylum in the House. I can speak with authority on what happens at grass roots level when those matters are debated insensitively and intemperately.

Genuine asylum seekers flee their homelands not for fun, but because of persecution, violence and repression. Again, I will not accept the notion that economic migrants should be vilified, demonised, or seen as some sort of disease infecting the western world. Economic migration has been part of human history for thousands of years.

It ill behoves us in the west to vilify and demonise economic migrants because Europeans have been engaged in economic migration for centuries; they have certainly been engaged in it over the past 200 or 300 years. I mention just a few of the countries to which they have gone: South Africa, Zimbabwe, the United States of America, Canada, Australia and New Zealand. The list could go on, but do we ever talk about Europeans as economic migrants? No. Unfortunately, in this country, it is a term that goes with colour—black or Asian people. I will not accept that. We should learn to accept that Europeans have also been part of economic migration over the years.

The modern counterparts of those European economic migrants seek only to flee the modern poverty and wretched economic conditions that have been inflicted on them through no fault of their own. The long-term answers to their problems lie not in ever stricter immigration control by western countries, but in the eradication of poverty in developing countries.

The sooner that the west collectively undertakes to cancel third world debt, the better. I welcome the action to deal with the matter that has been taken by my right hon. Friend the Secretary of State for International Development, but we have to make ever more progress on it. Ultimately, affluence and security in developing countries are the answers to economic migration.

I welcome many of the Bill's provisions. Many of my constituents will welcome the right of appeal for visitors, and the fact that that right can be exercised quickly. Hon. Members on both sides of the House have said how their constituents, too, will welcome that right. I have had many constituency cases in which relatives of my constituents have wanted to attend family occasions, but were refused permission to do so and did not have a right of appeal. They will very much welcome the provision.

Many of my constituents will welcome the pilot scheme on bonds. Although I realise that the provision is causing some controversy—about its potential effects on poor and rich people, and about the countries in which it will operate—one after another many of my constituents have told me, "My relatives have been refused entry, but we will give you any guarantee you want." What am I to say to them—that no system of bonds or other security or guarantee has been enshrined in legislation? The provision will be warmly and widely accepted by my constituents as it will enable their relatives to come to the United Kingdom for important family occasions.

The provisions on automatic bail hearings for immigration detainees will be widely welcomed, as I welcome them now. Placing management and operation of immigration detention centres on a statutory basis also will be welcomed.

*[Mr. Singh]*

Many hon. Members have mentioned the provisions on licensing immigration advisers and told their horror stories. I shall not take up the House's time with my similar horror stories. However, my constituents who have been ripped off—or who are likely to be ripped off in future—will warmly welcome the provisions.

The Bill contains much that should be welcomed both by the House and by our constituents. However, my hon. Friends have also mentioned some concerns, some of which I share. I am concerned that the Bill contains no provisions for early identification of those who have suffered torture or to prevent detention of those who have suffered torture. Such provisions are crucial. We do not want to throw into detention—or prison—the survivors and victims of torture. Doing so would be inhumane and a retrograde step. I should welcome hearing the Minister's thoughts on the point.

The Bill contains no provision for preventing detention of children. I should welcome the Minister's comments on that matter, too. We cannot be a society that throws children who are asylum seekers into detention centres.

I also wonder—I have not yet made up my mind on the matter—whether extension of the measures on carriers' liabilities will prevent genuine asylum seekers from reaching the United Kingdom. It is precisely genuine asylum seekers who may have the greatest difficulty in obtaining genuine documents, or any documents. I think that bogus applicants are more likely to have documents that are probably fraudulent. I should welcome the Minister's comments also on that matter.

My greatest concern about the Bill is its provisions on the welfare of children and on stopping cash payments. The Bill intends that support should be withheld from families and their children until they

"appear . . . to be either destitute or to be likely to become destitute".

That is not good enough for the welfare of children. It sounds like the "Bear Necessities" policy from "The Jungle Book".

I shall finish now because I am under time pressure. I should have liked to have raised some other issues. This is a complex Bill, which will have a profound impact on the lives of adults and children. I trust that Ministers will listen to the genuine concerns that are raised and will proceed with caution.

9.10 pm

**Mr. David Ruffley** (Bury St. Edmunds): When contributing to this debate on such a sensitive area of public policy, it is worth reminding the House of the important words of my right hon. Friend the Member for Huntingdon (Mr. Major), who said that the Conservative party would not

"play race at any time, in any way, on any occasion or upon any provocation."—[*Official Report*, 15 November 1995; Vol. 267, c. 38.]

It is important to underline that. I am sure that my right hon. Friend spoke for responsible politicians on both sides of the House and outside. Those words are underscored by the joint declaration, organised under the auspices of the Refugee Council and the Commission for Racial Equality, which said that good practice in the debate would be to eschew any language that could lead to the generation of hostility towards minority groups who are affected by the Bill. We all agree on that.

It is also common ground that anyone who satisfies the definition of a refugee in the 1951 United Nations convention must be granted asylum in this country if there would be any threat to their freedom or life from being returned to a country because of their nationality, their race, their religion, their membership of a particular social group or their political opinions. The common ground does not stop there. There is some common ground on the measures that the Conservatives passed—the Immigration (Carriers' Liability) Act 1987 and the two asylum and immigration Acts in 1993 and 1996.

**Mr. Gareth R. Thomas:** Will the hon. Gentleman give way?

**Mr. Ruffley:** If the hon. Gentleman will forgive me, I am under time pressure.

The existence of that common ground is proved by the fact that nowhere in the Bill is there an attempt to repeal the central architecture and main provisions of those Acts. The Government could have done that if some of those measures were as bad as has been suggested by some Labour Members. That leads me to the conclusion that the Government approve of the sensible measures in our legislation. We welcome their belated conversion to what we were trying to achieve.

However, I have some grave concerns about the detail of the Bill. Those concerns are echoed by many specialist and well-informed interest groups outside the House. I shall come to them presently.

The number of asylum applications in 1998 was at an all-time high—more than 46,000—and it falls to the Government to tackle the problem. Of the 31,570 cases determined in 1998, 5,300-odd were successful. The rest were deemed not well founded—or bogus, if we must use that often-employed emotive and demotic word. The unfounded claims are the crux of the problem. They are making the system creak and the Government have to do something.

Another reason why action is necessary is the cost to the public purse. In a debate on a humanitarian issue such as this it may be distasteful to talk about money, but the White Paper drew attention to the cost of asylum seekers in terms of education, processing claims, benefits and so on, which is about £0.5 billion per annum. The figure given by the Immigration Service Union is some four times that. Whatever the figure is, the expense is increasing, as the Home Secretary made clear in the White Paper. Action must be taken because genuine asylum seekers are being prejudiced by a system that is not working. The racketeers and those who knowingly make bogus claims are damaging the interests of genuine refugees.

In clauses 1 to 3, the Government set a great deal of store by the new mechanisms for granting leave to enter or remain. My understanding is that they are looking towards greater use of information technology and electronic smart cards. We do not know how that will operate in practice and I hope that the Committee will look into it. There is a need to make the system more efficient, but there are still doubts as to how passports will be stamped and how employers will get information to show them that those entering this country have the proper entry clearance.

The provisions relating to carriers' liability build on Conservative legislation. However, I wish to draw the attention of the House to what could be a perverse incentive for lorry drivers not to declare if they discover an illegal immigrant in the back of their lorry once in this country. There will be no incentive for them to declare that to the authorities because they will not want to be whacked with a £2,000 fine. At present, that declaration would be made because there is no fine. These points have been made by the Road Haulage Association and other bodies representing a hard-pressed industry, made up—quite often—of small businesses which do not need extra burdens.

**Mr. Gale:** Will my hon. Friend give way?

**Mr. Ruffley:** I am more than happy to do so.

**Hon. Members:** Oh!

**Mr. Gale:** I am relinquishing my attempt to speak in the debate by intervening. I hope that Labour Members will allow me to do so.

The asylum seeker that I had in my home for some six months told me not only how he came into the country, but how he and his friends went out and came back again hidden in lorries, such was their ingenuity. Does my hon. Friend think that the Minister has taken on board what he will do to the road haulage industry?

**Mr. Ruffley:** I know that the Minister has received extensive representations, which I hope will be considered in Committee.

The hon. Member for Slough (Fiona Mactaggart) referred to the proposal for a streamlined, one-stop appeals system, which is to be welcomed. I hope that that will be looked at in Committee. It is common sense for compassionate grounds to be scrutinised within European convention on human rights considerations, as well as other aspects thrown up by the initial interview. At the moment, compassionate considerations are often raised late in the day. They should be raised all at once, and I hope that the matter will be looked at in detail in the interest of efficiency and fairness.

The Children's Society raised a matter that should give us all pause: the operation of a voucher system and the effect that it could have on children of asylum seekers awaiting determination of their cases. Such a system can lead to racial harassment. Labour Members have observed that people could be treated as second-class citizens. Most importantly, without the ability to pay for goods in cash, it is likely that families will not be able to buy medicines or second-hand clothes for children, who will often outgrow clothes pretty quickly. It is not apparent to me how a voucher system will be fairer to vulnerable dependants of asylum seekers. No doubt that, and the other matters that I have raised, will be discussed in Committee. In a spirit of consensus, we should consider the Bill's defects and ensure that they are rectified.

9.21 pm

**Ms Julia Drown** (South Swindon): It is impossible for the Government to get universal support for immigration and asylum legislation. At the one extreme are the pure libertarians who believe in free markets and capital flows and support the steps that the Government are taking to free up further the international flow of money. They say that if markets are to clear, there should be free movement of people and no immigration controls at all.

At the other extreme are the right-wingers, the racists and people who think that we do too much for refugees and asylum seekers, when in fact 10 other European countries take in proportionately more. Those people say that we should not accommodate one single asylum seeker more. The Government have the difficult task of steering a course between the two extremes.

I recognise that many people without a genuine case apply for asylum, but I believe that we also turn away many genuine asylum seekers. It is clear that the current system does not work. Not only are there unreasonable delays, but bad decisions are often made. Medical evidence detailing horrific physical abuse has been dismissed; evidence is demanded to a standard that it is impossible for people fleeing persecution to obtain; experiences of persecution by genuine asylum seekers are belittled; and refusals of asylum have been based on inaccurate or incomplete information on the political situation in the relevant country.

There is a need to change attitudes as well as the practices, procedures and legislation governing asylum decisions. I recognise that there are concerns about the number of asylum seekers and about how the pressures can create obligations on society that it finds difficult to fulfil, but there is another side: I am proud of this country's reputation for taking refugees. It is sad that there are so many asylum seekers and refugees who cannot stay where they want to: in their own countries. Because of persecution and all the dictators in the world, they have to come here and to other countries to seek refuge.

The Commission for Racial Equality is currently touring with an exhibition called "Roots of the Future", which has visited my constituency. It is a marvellous exhibition, showing what refugees have added to this country in culture, business, sport and public service, and how much richer our communities are for having accommodated them over the centuries.

On some specifics in the Bill, I, too, welcome the regulation of immigration advisers, which is vital; but the tribunals that will hear complaints against immigration advisers, although they can instruct advisers to remit fees, lack further powers. Getting one's fees back following bad guidance is not enough. People who have lost their appeal rights through no fault of their own should have them back. I urge my hon. Friend the Minister to give those tribunals powers to restore rights to those people who have lost their appeals through bad advice.

I also welcome the proposal to alter the arrangements for the management and operation of immigration detention centres, to make them more open and accountable. As a county councillor in a previous existence, I represented the area that includes Campsfield house, an immigration detention centre. When I requested information from the previous Government I was told that I could not have it because it was commercially confidential. I could not obtain other information because there was no statutory footing for the operation of such detention centres. Therefore, I welcome the fact that the management and operation of those centres will be placed on a statutory footing.

*[Ms Julia Drown]*

There is growing awareness of the existence of racism in some of our public services, especially after the killing of Stephen Lawrence about which we have rightly heard so much recently. We know that there are problems in the police and there is no reason to believe that such attitudes are not also prevalent in the immigration service and companies such as Group 4, which runs the detention centres. Those issues are especially important when we consider clause 104, which will give immigration officers broader powers, such as to arrest without warrant. I share the concerns expressed by my hon. Friend the Member for Slough (Fiona Mactaggart) on that issue. Anyone who knows about the death of Joy Gardner will know how important it is that proper training, safeguards and accountability are introduced now—and certainly alongside the increased powers for immigration officers.

The introduction of automatic bail hearings for immigration detainees is long overdue. A study by Amnesty when the previous Government were in power found that detention was used arbitrarily. My right hon. Friend the Home Secretary said in his introduction to the Bill that only small numbers are detained, but some 800 people are detained. I have visited people in detention and seen the hundreds who are there—it does not feel like a small number. Each one of those 800 is someone who is in detention because he is in the immigration process, not because he has committed a crime. Because of the delays in the process, many innocent people who have committed no crime are detained for longer than United Kingdom citizens who have committed crimes. I urge my hon. Friend the Minister to consider the practice of detention and to ensure that it is used as a last resort and not arbitrarily to detain a proportion of the people whose claims are being heard. There should be a presumption against detention in those cases.

I hope that the Minister will take note of the recommendation by the inspector of prisons that time standards should be applied to immigration detention. At the moment, there are no time limits on immigration detention, which means that innocent people stay detained for far too long.

I am concerned by clause 16, which will make it a criminal offence for any deception to be used to try to enter the United Kingdom. In the case of refugees and asylum seekers, that is unreasonable. Sadly, there are many dictatorships still in the world. People who work for democracy in such countries are rarely welcome and they and their families often go into hiding. If they are persecuted, they may need to flee. In such circumstances, they cannot come out of hiding and stroll into the passport office or embassy to ask for official travel documents to come to the United Kingdom and claim asylum. That simply does not happen. It is almost impossible for someone who is seeking asylum to get here lawfully. I hope that the Minister will reconsider that clause and find a way to ensure that asylum seekers are not made into criminals because they try to flee persecution.

My constituents welcome the right of appeal for visitors who are refused entry clearance to visit family members. Some of them want their friends to be able to come here too and I hope that in time we will introduce an appeal for them as well.

Finally, I hope that my hon. Friend the Minister will also consider the introduction of gender guidelines, which have been endorsed by many Members of Parliament and the UNHCR. In this country, the status of women is not yet equal to that of men, but in many other countries women's status is much worse. We need to take that into account when considering the women asylum seekers who are coming here. I hope that the Home Office will adopt the gender guidelines, so that the interests of those women are also protected.

I welcome the Bill. It is a huge step forward and I hope that my hon. Friend the Minister, when he replies to the debate, will take on board the concerns that have been expressed today. The key will be in the speed with which the claims of asylum seekers are considered in the future, and I look forward to an improved system of managing them.

9.30 pm

**Mr. James Clappison** (Hertsmere): This serious subject calls for a sensitive and temperate debate and, generally speaking, we have had such a debate this evening. Hon. Members from all parties have made interesting contributions, and have shown appropriate restraint.

The powerful contribution from the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) is worthy of mention. She made some important points about the Bill, and the Special Standing Committee will want to examine some of the questions of detail that she raised, including how the dispersal system will work and the position of children in the new system. She referred to the present state of the Bill, and to the 50 order-making powers that it contains. That point was raised by my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) and by my hon. and learned Friend the Member for Harborough (Mr. Garnier), among others.

I am sure that many hon. Members will share the view of the hon. Member for Walthamstow (Mr. Gerrard), who expressed the opinion that, in some parts of the Bill, it is difficult to see what is happening. The Bill clearly needs substantial and detailed scrutiny.

The hon. Member for Wellingborough (Mr. Stinchcombe) made a considered and cogent speech, although I note in passing that his view of the role and effects of cash benefits seemed to differ from that of the Home Secretary.

Like many other hon. Members, the hon. Member for Leicester, East (Mr. Vaz) spoke from his experience of dealing with many constituency cases involving asylum seekers. Clearly, he felt some frustration about the current state of the operation at Lunar house, where matters of immigration and nationality are dealt with. He described it as a shambles, as did the hon. Members for Slough (Fiona Mactaggart) and for Hackney, North and Stoke Newington.

The hon. Member for Leicester, East quoted interestingly from a letter from a constituent who had been trying to obtain a visa for a person from Croatia. That person had been waiting for between four and eight months. The hon. Gentleman also spoke of having discovered that some of the arrangements at Lunar house included moving boxes around between departments and putting them in garages forbidden to staff because of a

possible health hazard. I hope that the Minister will address that matter when he replies to the debate, and that he will refrain from saying that it was a Conservative Minister who put the boxes in the garage or declared the health hazard. These matters cause concern to many of our constituents and deserve to be investigated.

The right hon. Member for Manchester, Gorton (Mr. Kaufman) spoke about his constituency experience in these matters, and about the need to address the problem of people who give bad advice. He asked that the clause 63 provisions covering immigration advisers should also deal with malpractice by solicitors and members of the legal profession as well as by unqualified people who pass themselves off as advisers.

The right hon. Member for Gorton made another important point, which was also touched on by some other hon. Members, about the operation of clause 47. He expressed concern that it would enable people who offer immigration advice to institutionalise appeals on human rights grounds. However, the new right of appeal created under clause 47 may gain much wider currency and will need to be examined very carefully. The Bill purports to set up a one-stop shop for appeals, but it also creates a new right of appeal to an asylum support adjudicator: that and other appeal provisions mean that we will have to examine the proposals very carefully.

We also heard good speeches from several of my hon. Friends, including my hon. Friend the Member for Woking (Mr. Malins) who brought his undoubted legal expertise and personal experience to bear. He knows a great deal on this matter, having worked on immigration cases in the legal world, and he raised important points of detail with which the Minister will wish to deal.

In particular, my hon. Friend asked whether Members of Parliament would be among those prevented from giving advice. I understand the Minister to have said that that will not be the case because the Bill's prohibition is restricted to people who give advice for reward. I should be interested to know where in clause 63 or elsewhere in the Bill that prohibition is restricted in that way. My hon. Friend has read the Bill, but he remains worried that MPs will be unable to give advice. Given the experience, of which other hon. Members have told us, of being called on for advice at the last minute, other hon. Members may take a different view, but the Minister should deal with the point.

My hon. Friend also considered that the Bill contained a series of unwieldy measures bolted together. He noted the sweeping powers that will be given to the Home Secretary, but he also, rightly, appealed to us to take a common-sense approach and not to allow our passions to be inflamed.

My hon. and learned Friend the Member for Harborough made a considered speech that was also based on legal experience. He referred to some of the problems that will arise from the extension of carriers' liability to lorry drivers, as did several hon. Members. That is a serious matter for drivers, owners and those involved in haulage. The Under-Secretary intervened on the point, but I must tell him that there is a difference between, on the one hand, the existing liability on carriers such as airlines, shipping companies and ferries that carry passengers and, on the other, making lorry drivers liable for clandestine entrants who may have infiltrated their vehicles. We must consider carefully whether the Bill will be fair to lorry drivers.

My hon. Friend the Member for Eastbourne (Mr. Waterson) spoke powerfully as a south-coast, seaside Member of Parliament. In particular, he told us of the problems faced by Eastbourne and of his concern that the plight of seaside towns could be worsened by the new support arrangements. He was concerned that the Home Office had embarked on its course without knowing even how many asylum seekers already live in places such as Eastbourne. He cited the British Resorts Association, which saw wider problems. He also cited a letter from the Minister, in which he said that, along with major conurbations, suitable accommodation was likely to be found in seaside towns. My hon. Friend was absolutely right to draw attention to the position of his constituency and other seaside towns which face a lot of pressure these days.

In his very good speech, my hon. Friend the Member for Surrey Heath (Mr. Hawkins) expressed grave and detailed concerns about the extension of carriers' liability to lorry drivers and firms. He asked about the appeals system, expressing some scepticism as to whether the new system would cost less than the existing one. We shall want to go into that important point in detail in Committee to see whether it is true that the new system will cost less and to consider its general practicability. My hon. Friend believes that the new system will mean a big increase in the cost imposed on the public purse.

My right hon. Friend the Member for Cities of London and Westminster spoke of the particular problems of his constituency, raising three interesting questions. His first point was of great interest to London Members, and the Minister will wish to tell us what will happen under the dispersal arrangements if asylum seekers return to London. The arrangements that are made to cover such cases will be of interest to all London Members.

My hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley), made some important points in a good but necessarily short speech. He rightly emphasised the guiding influence on the Opposition—our desire not to use the Bill as a means to play the race card. It is necessary that we look at the legislation in detail and in the light of common sense; there might be differences, but we must not inflame passions or be over-emotional, so we must be careful in our use of language. The issues are sensitive, for good race relations are heavily dependent on strict immigration control, and that part of the system that deals with asylum has been put under immense pressure.

Anyone wondering how the present situation came into being need only look at the history of the issue in the late 1980s, when, in only a few short years, the number of people seeking asylum rose from 4,000 a year to 40,000 a year. That might not have been properly recognised then by those who now sit on the Government Benches, but now that Labour is in government, they must recognise that fact. As we have heard, the number of applications has again increased substantially, to 46,000 this year; so, too, has the number of outstanding applications. We have to consider carefully the messages that we are sending out and do all that we can to deter those with an unfounded—in some cases, manifestly unfounded—claim from trying to make their application in this country.

We have to consider the position of lorry drivers. Contrary to some assertions, most lorry drivers, if not the vast majority, are responsible, hard-working and decent people. We need to understand how the regime erected by the legislation will affect our lorry drivers. Last week,

*[Mr. James Clappison]*

we applauded the sentiments expressed by the Home Secretary about the need for people to take responsibility and to avoid having a walk-on-by society. In that spirit, we have to look at how the Bill will affect lorry drivers, because it appears at first glance that the Bill creates a huge incentive for lorry drivers to walk on by.

The innocent lorry driver who, on arrival in this country, finds asylum seekers in his lorry, takes a responsible attitude, chooses not to walk on by and reports them to the authorities will, under the legislation, find himself in a difficult position, for the burden will be firmly on his shoulders to prove that he was not in any way responsible for the asylum seekers being in his vehicle. He will face a tough, draconian system of penalties and detention if he fails to do that. All that puts pressure on lorry drivers, who feel that they are being forced to accept a responsibility which should not fall on them. We shall want to examine the details of the Bill from the perspective of the many lorry drivers and owners who work for or own small haulage firms. We must carefully consider the onus that is being laid on them and take into account the fact that they cannot claim compensation if it transpires that a detention was ill-founded.

The Special Standing Committee will have to examine the asylum support system that is to be established and the important issues of its cost and its practicability. It must also consider that system from the perspective of asylum seekers, with a view to ensuring that they receive humane treatment. The hon. Member for Hackney, North and Stoke Newington referred to the risk of racial attacks; we must take that risk into account during our consideration of the Bill and ensure that the Bill is sufficiently flexible to deal with all the circumstances that might arise. As the Bill stands, it is not self-evident that it will be sufficiently flexible.

We believe that there was a strong case for holding an inquiry before embarking on the legislation. Such an inquiry could have considered all the issues—the strength and management of the immigration service; the scale of the problem; the number of asylum seekers who disappear; and the question of why so many people choose to make false and unfounded applications in this country. That is the background which should have been explored. The Bill is a large one, but in many respects it is a package of piecemeal measures to be bolted on to existing legislation. It does not take the comprehensive approach that is necessary to deal with such a sensitive subject, and it places a considerable burden on public funds.

We should have preferred that there had been a comprehensive and wide-ranging inquiry to get to the roots of the problem and to address every aspect of it. We will give the Bill detailed examination in Committee because it certainly needs it. However, that is no substitute for an inquiry that we believe would have done justice to the substantial public interest in this issue.

9.45 pm

**The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien):** As the hon. Member for Hertsmere (Mr. Clappison) has said, this has been a very good debate. Hon. Members have considered the issues—many of which are complex and difficult—and argued many points that will have to be discussed in greater detail during consideration of the Bill. The legislation is the most fundamental review ever of immigration and asylum and is the product of widespread consultation. I assure the House that, in considering the Bill—if the House agrees to the establishment of a Special Standing Committee and during the Standing Committee process—we shall continue to listen carefully and, in constructing this immigration and asylum policy, try to create a consensus regarding how we can produce a system that works.

In the past, the approach to immigration and asylum has often been ad hoc and piecemeal. We want to create a system that works and the spirit of today's debate has shown that that is possible. Many detailed points were raised during the debate and, in the short time available, I cannot do justice to them all. I hope to be able to deal with many of those points in Standing Committee.

As the hon. Members for Hertsmere and for Sheffield, Hallam (Mr. Allan), and my hon. Friends the Members for Walthamstow (Mr. Gerrard), for Bradford, West (Mr. Singh) and for South Swindon (Ms Drown) pointed out during the debate, past discussions of immigration have tended to centre on how tough everyone will be on immigrants. There has often appeared to be a racist subtext. I think that all political parties want to move away from that sort of debate, and I hope that the media will hear the message that the House has sent today and refrain from making those sorts of comments.

We all agree that immigrants have made an enormous contribution to Britain: every area of British life has been enriched by their presence. Looking back over the centuries, I dare say that many hon. Members have an immigrant heritage—and my own is more recent than most. The Government welcome immigrants who are lawfully in this country and who make a contribution to our society. We also welcome genuine visitors. That is one of the reasons why we are introducing an appeal on family visitors visas and why we are piloting the idea of a bond.

Many British people have relatives living abroad who wish to visit this country—and they should be able to do so. Unfortunately, in the past, some relatives have overstayed in breach of immigration rules. That has produced a certain caution in granting visas at entry clearance, which has created a great deal of heartache for many families—particularly British Asian families. The introduction of an appeal will allow a second eye to examine the facts and, we hope, make for better decisions without compromising our controls.

In an excellent speech, my hon. Friend the Member for West Bromwich, East (Mr. Snape) mentioned that, as many family members wish to visit this country to attend weddings and funerals, it is essential that the appeals be heard quickly. We are seeking to ensure that we can deliver fast appeals—indeed, we hope that appeals on the papers can be heard within a week. That is a specific commitment that we shall try to deliver on during development of this law. I was also asked what the fee is likely to be. It will be about £200 for a hearing on the papers or for consideration of the papers and £400 for a full oral hearing. Successful applicants will have their fees refunded.

My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), the hon. Member for Woking (Mr. Malins) and my hon. Friend the Member for Leicester, East (Mr. Vaz) and others welcomed our proposals to crack down on unscrupulous immigration advisers. My right hon. Friend highlighted the way in which unscrupulous advisers in his area have caused tragedy and damaged the cases of many vulnerable people through their often corrupt, and sometimes merely incompetent, advice. I assure my right hon. Friend that our Bill aims to sort out those advisers. It will be a criminal offence to give advice for gain unless one is registered to do so.

We have also agreed with the Law Society to crack down on incompetent and corrupt solicitors. The Bill contains provisions that enable us to intervene if the Law Society does not act. However, we hope that, under the new relationship that the Law Society has developed with us, we will not be obliged to take over and act ourselves. It has the powers and must now use them to clean up the seedier side of the legal profession.

The hon. Members for Hertsmere and for Woking and others asked about Members of Parliament. I refer them to clause 61(2)(b), which refers to advice given

"in the course of a business".

That ensures that Members of Parliament are able to give advice to their constituents.

Eight thousand illegal immigrants were brought into Britain in the back of lorries last year. That is why it is necessary to introduce civil penalties. We have discussed with the hauliers' associations the way to develop a system that works. We have listened to their representations, and will continue to do so; but the important point is that all too often lorry drivers have either accepted bribes—hauliers do not dispute that some have done so—or been negligent in checking their lorries. We know that it can be difficult to check, and we are looking at how to develop a system that enables drivers to do so and which ensures that we do not have illegal immigrants being brought into this country in the backs of lorries.

**Mr. Garnier:** If the Minister thinks that this is such a lacuna, why does he not introduce a criminal prosecution system rather than a civil penalty system?

**Mr. O'Brien:** There can be a criminal prosecution when someone who has the intention of carrying illegal immigrants then carries them. That is already provided for in legislation; the Bill simply toughens the penalties for such criminal acts. One of the difficulties is that lorry drivers can simply say, "We didn't know they were in the back." Unless we search the drivers and find the £2,000 per illegal immigrant that is sometimes paid to those who bring them in deliberately—a minority, I accept—it is difficult to prove that they were aware that the illegal immigrants were in the back. It is necessary to have a system of civil penalties.

We are creating a system that works. The objective is not to fine lorry drivers or impound their lorries, but to stop illegal immigrants entering this country in the back of lorries and costing the taxpayer millions of pounds. That should be good for the taxpayer and, in the end, lorry drivers will find that they will have fewer illegal immigrants in the back of their lorries, often destroying their cargoes.

It is the asylum system that has often caused most concern. It is where most mistakes have been made. It can take years to recognise a genuine refugee who is fleeing for his life; it can be years before he can get access to the help that he needs; and it also takes too long to process and remove those who are abusing our asylum system. One of the key ways to sort out the asylum system is by delivering speed to the process, which is what the Bill is intended to do.

In the past, the asylum debate has been polarised between the hard left, which believed that all immigration control was racist and was often prepared to excuse abuse of the system, and the hard right, which claimed that all asylum seekers were bogus. I agree with the hon. Member for Hertsmere that we need to get away from that polarisation and get rid of those inanities. We need to restore integrity to our asylum system.

The common agenda should concern how to create an asylum system that works—works for the genuine refugee whose claim can be recognised quickly, and for the taxpayer in that it will enable us to identify ineligible claimants and remove them from Britain. The common agenda is efficiency. We have not got it at the moment, and delivering it requires not only the Bill but the wholesale modernisation of the administration of the asylum system and of immigration controls at Croydon.

The Government do not underestimate the size of the problem that we inherited. We are determined to face up to it, and we will resolve it. That means regulating unscrupulous immigration advisers, tackling the backlog, reducing access to benefits and giving people rights against arbitrary detention. It means creating more capacity for detention and reducing the opportunities for frivolous appeals. We believe that it is possible to create a balance in the immigration and asylum system. We supported the Human Rights Act 1998 and an ethical foreign policy. We can balance those with firm immigration controls. The best way to do that is to create an asylum system that has integrity and efficiency.

Let me set out how some of the problems in the asylum system developed, because it is important that people understand. The 1951 convention on refugees worked well for 40 years. It had popular support. There were between 2,000 and 4,000 asylum seekers a year, with a couple of thousand dependants.

In the past decade, that system has often been deliberately undermined. To be fair, the Conservatives did not know at first the scale of the problems—few did. In 1989, the number of applications for asylum, including dependants, went up to 16,800. By 1990, it had increased to 38,200. By 1991, it was 73,400.

Several things happened at once. There were international crises that produced genuine asylum seekers following the collapse of some of the communist regimes. People came from Bosnia, they come from Kosovo now, and they come from Somalia. Many asylum seekers are indeed genuine.

What also happened was that racketeers spotted a chance. The immigration doors had closed during the 1970s, but there was a gap—the asylum system. Criminals, racketeers and opportunists moved in to advise people how to make abusive claims. As the number of abusive claims rose, public support for the asylum system fell. Genuine refugees found that public good will was being undermined by the extent of the abuse.

*[Mr. O'Brien]*

We can all understand why people flee poverty, but the asylum system does not exist for those seeking economic betterment or economic opportunity. It exists for those fleeing persecution—fleeing for their lives. Those who undermine asylum by making abusive claims are to be condemned.

The aim should be to restore integrity to the asylum system. That means facing up to some tough decisions. Benefits are a magnet for abuse. That is why we will restrict access to them. The best message to deter abuse is for a deported abusive asylum seeker to arrive back home saying, "I tried it on in Britain and they threw me out." We must create a system that delivers quickly and enforces decisions that need to be enforced. We intend to do that.

The hon. Member for Hallam criticised in particular our proposal for vouchers. He characterised it as punishing all for the behaviour of the abusive. I agree that abusive asylum claimants can be blamed for the need to introduce a tougher regime on support, but genuine refugees come for protection. We will provide it. They come for food. We will provide it. They come for shelter. We will provide it. They do not come for a giro, and we will not provide it.

The Bill will ensure that genuine asylum seekers will benefit, because we will make speedy decisions on their cases. Few genuine asylum seekers should wait for more than a few weeks on that form of support. Admittedly, abusive asylum seekers will remain until their appeal enables us to remove them. It is tough, but I say to the hon. Gentleman that it certainly is not unfair.

The Conservatives' call for an independent inquiry is rather bizarre. After 18 years in government and two years in opposition, they still do not have a clue what to do about the shambles that they created in the asylum system. We know what to do. The White Paper set it out clearly. The Bill will change the law to ensure that we implement a system that works.

The Tories complain that I blame them all too often for the shambles that they created in the asylum system. I do blame them for what they did, and I blame them for what they failed to do. I accept that when the new laws are in place and when we have undertaken the administrative changes and modernised the way in which Croydon and the immigration service operate, we will be responsible for what we created. We are in the process of making sure that we create a system that works.

Under the present system, 8,000 economic migrants are coming in the back of lorries, and unscrupulous immigration advisers are making fools of the system. We need to make a change. The Government are prepared to make the change necessary. That is what the Bill does. I ask the House to support it.

*Question put,* That the amendment be made:—

*The House divided:* Ayes 135, Noes 346.

**Division No. 70]** **[9.59 pm**

**AYES**

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Colvin, Michael
Cormack, Sir Patrick
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

**Tellers for the Ayes:**
**Mr. John M. Taylor and**
**Mr. Tim Collins.**

**NOES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Barnes, Harry
Barron, Kevin

Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Burgon, Colin
Burnett, John
Byers, Rt Hon Stephen
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*

Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

**Tellers for the Noes:**
**Mr. David Clelland and**
**Mr. Keith Hill.**

*Question accordingly negatived.*

*Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading):—*

*The House divided:* Ayes 304, Noes 38.

**Division No. 71]** **[10.14 pm**

**AYES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Burden, Richard
Burgon, Colin
Byers, Rt Hon Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Ross, Ernie *(Dundee W)*

Rowlands, Ted
Roy, Frank
Russell, Ms Christine *(Chester)*
Salter, Martin
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D *(Strangford)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vaz, Keith
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

**Tellers for the Ayes:**
**Mr. David Clelland and Mr. Keith Hill.**

**NOES**

Allan, Richard
Ashdown, Rt Hon Paddy
Baker, Norman
Ballard, Jackie
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Ewing, Mrs Margaret
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Kennedy, Charles *(Ross Skye)*
Livsey, Richard
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Opik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Stunell, Andrew
Tyler, Paul
Webb, Steve
Welsh, Andrew
Willis, Phil

**Tellers for the Noes:**
**Mr. Adrian Sanders and Sir Robert Smith.**

*Question accordingly agreed to.*

*Bill read a Second time.*

*Motion made, and Question put forthwith, pursuant to Standing Order No. 63(2) (Committal of Bills),*

That the Bill be committed to a Special Standing Committee.—[*Mr. Mike O'Brien.*]

*Question agreed to.*

## IMMIGRATION AND ASYLUM BILL [*MONEY*]

*Queen's recommendation having been signified—*

*Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),*

That, for the purposes of any Act resulting from the Immigration and Asylum Bill, it is expedient to authorise—

(1) the payment out of money provided by Parliament of—

(a) any expenditure incurred by the Secretary of State or the Lord Chancellor in consequence of the Act; and

(b) any increase attributable to the Act in the sums so payable by virtue of any other Act; and

(2) the payment of sums into the Consolidated Fund.—[*Mr. Kevin Hughes.*]

*Question agreed to.*

## IMMIGRATION AND ASYLUM BILL

*Ordered,*

That Standing Order No. 91 (Special standing committees) shall have effect in relation to the Immigration and Asylum Bill, with the following modifications:

1. in line 6, leave out the words "four morning" and insert the word "five".

2. in line 7, leave out the second word "three" and insert the word "four".—[*Mr. Kevin Hughes*]

# Northern Ireland

10.26 pm

**The Secretary of State for Northern Ireland (Marjorie Mowlam):** I beg to move,

That the draft Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) Order 1999, which was laid before this House on 1st February, be approved.

The order is made under the Northern Ireland Arms Decommissioning Act 1997—the purpose of which, as my predecessor Lord Mayhew said when introducing the Act, is to deal with "how" decommissioning is done. It provides for a limited amnesty that is necessary to enable paramilitary decommissioning to happen, in line with the 1996 report of George Mitchell's international decommissioning body.

The Act sets the amnesty period at just one year, but provides the power for it to be renewed by order, one year at a time, for up to five years. The order therefore extends the period to 24 February 2000.

The amnesty is limited in time and subject to annual renewal by the House precisely because it involves suspension of certain parts of normal criminal law. The amnesty provision ensures that anyone engaged in an act of decommissioning is not exposed to prosecution. It also places prohibitions on the evidential use and forensic testing of decommissioned items. However, it does not mean that either the Royal Ulster Constabulary or the Garda will diminish in any way their efforts to find and seize illegal weapons.

I am sure that all hon. Members will join me in congratulating the RUC and the Garda on their successes, including last week's finds of weapons and explosives in Belfast.

**Rev. Martin Smyth** (Belfast, South): Has there been any improvement in the relationship between the decommissioning commission and the RUC, so that the RUC knows when weapons might be moved for decommissioning? I am thinking of the issue that arose when members of the Loyalist Volunteer Force started to move weapons but the RUC arrested them—quite rightly, as they were armed with the weapons and firing them. However, the RUC did not know that the LVF was moving under licence from the decommissioning body.

May I also ask the Secretary of State now—to avoid having to intervene later in her speech—how far we are able to assess parliamentary bodies' willingness to decommission, especially when a story is going round that IRA weapons have been stolen and we remember that the IRA exercises strict discipline in dealing with those who have stolen its weapons?

**Marjorie Mowlam:** In answer to the first part of the hon. Gentleman's question, I believe that the relationships are more harmonious. Not only did all sides learn from the LVF decommissioning, but the decommissioning showed that the process works. It is important to note that the process that was established and that the decommissioning body was following worked in the case of LVF.

The hon. Member for Belfast, South (Rev. Martin Smyth) asked also about the weapons that recently were found and recorded by the police. The police recorded them as belonging to the Provisional IRA and did not know how long they had been there. It is important to take the issue step by step, as it comes. We must look at it in the round. I assure the hon. Gentleman that I will focus on the details. I shall not take my eye off the ball. However, we do not have sufficient evidence on those finds to go any further.

The finds show the success that the Army and the police are having, together with the Gardai across the border. That is worth registering. The most recent development was not just the discovery of weapons last week, but the arrest of 11 people—six in Northern Ireland and five in the Republic—in relation to the Omagh bomb. They have not been charged yet, but the arrests have been made. That shows the effectiveness of the work of the police on either side of the border.

For the amnesty provisions to operate, decommissioning must be carried out in accordance with the scheme that the Government brought into force last June. Similar provisions are also in force in the Irish republic.

The Government's scheme—which is non-statutory—allows weapons to be decommissioned either through the provision of information to the decommissioning commission so it can collect and destroy the arms or by the destruction of the arms by those who possess them. Other options are also open, including handing weapons over to the commission for it to destroy. The essential feature of any method of decommissioning is that it must be properly verifiable.

In making this renewal order I am particularly conscious of the fact that this year we are in a better position than ever to see the verifiable decommissioning of paramilitary weapons. The reason is the Good Friday agreement. All parties to that agreement confirmed

"their intention to work constructively and in good faith with the Independent International Commission on Decommissioning, and to use any influence they may have to achieve the decommissioning of all paramilitary arms within two years of the Agreement being endorsed, that is by May 2000."

In accordance with the agreement, the two Governments will take all necessary steps to facilitate the decommissioning process. The passing of this order is an essential part of that to continue fulfilling our commitment under the agreement.

I am also conscious that there continues to be a great deal of scepticism in the House and elsewhere about the prospects for decommissioning taking place. In response, I point to the fact that we have had a beginning—small but significant—to the process with the action taken by the Loyalist Volunteer Force last December. The Government welcomed the LVF action, which showed that decommissioning is politically possible for the groups concerned. It was not an act of surrender—no one was humiliated. It was an act of good faith.

The LVF's action also showed that the legislation works. We must thank General de Chastelain and his colleagues on the commission for all their important work to facilitate the decommissioning process.

Nevertheless, the vast bulk of the weapons remains in the hands of the paramilitaries. That is unacceptable. The Government have made it clear to Sinn Fein and to the loyalist parties that decommissioning, though not a precondition, is an obligation under the agreement. It is

what the people of Northern Ireland—including supporters of republican and loyalist parties—voted for, along with all the other parts of the agreement.

We are entering a crucial phase in the political process, leading to the point at which powers can be transferred to locally elected politicians and all the other institutional arrangements in the agreement can be brought into being early in March. It is essential that all parties move quickly to fulfil all the commitments that they have made. That means a start to decommissioning, the Executive being set up and early meetings of the north-south ministerial council and the British-Irish Council.

**Mr. Andrew Hunter** (Basingstoke): Will the Secretary of State return to the recent findings of IRA weapons in west Belfast? How is the finding of primed weapons remotely consistent with the proposition that the political representatives of paramilitaries are committed exclusively to non-violence and democracy?

**Marjorie Mowlam:** The hon. Gentleman knows that the weapons were those of the IRA, but we need further forensic information before we know of their exact status. The possession of the weapons is a serious offence and anyone guilty will not be covered by the Northern Ireland (Sentences) Act 1998. If information emerges, action will be taken. At the moment, there is insufficient evidence. The commitment of the police to seek out all illegally held weapons has been shown, and we should acknowledge our gratitude to the police on both sides of the border for that.

Decommissioning must take place, the Executive must be put in place and there must be meetings of the north-south ministerial council and the British-Irish Council. No one can assume that that will be easy; it never was. Difficult decisions will have to be made, but I have no doubt—the evidence is clear—that the people want these matters tackled, and tackled now.

**Mr. John Bercow** (Buckingham): Is the Secretary of State morally committed to laying the order annually, irrespective of whether progress is achieved in decommissioning?

**Marjorie Mowlam:** I do not understand the inclusion of the word "morally" in the hon. Gentleman's question. The order was introduced in 1996 by my predecessor, and part of its nature is that it is laid every year. The order involves the suspension of parts of the criminal law, and therefore must be introduced every year. We are doing so today up to 24 February 2000, and that will continue for the five years for which the order was introduced. That is the nature of the order. The order deals with questions of the process of decommissioning—it is nothing more than that.

We will continue to do our part to make sure that all weapons are taken out of commission, whether by the actions of the RUC, the Gardai or the British and Irish Governments. The order is central to those arrangements, and I commend it to the House.

10.37 pm

**Mr. Malcolm Moss** (North-East Cambridgeshire): The Government have our wholehearted support for the order which, as the Secretary of State has pointed out, renews the amnesty period for a further 12 months under the Northern Ireland Arms Decommissioning Act 1997—not least because, without the order, the decommissioning scheme would become completely moribund and we would be unable to decommission arms, even if we wanted to.

I join the Secretary of State in her praise for the diligent and impartial efforts of General de Chastelain, the chairman of the independent international commission set up under the decommissioning scheme and reinforced under the Belfast agreement. His is not an enviable position, but he is conducting his role with great skill and patience.

Decommissioning seems to be the critical issue in Northern Ireland politics at present. It features in debates about the pace and efficacy of prisoner release, and about who has the right to take up Executive posts in the new Northern Ireland Assembly. It is central to discussion and argument in this House, as well as in the Assembly.

There are only two questions that need answering. First, why is decommissioning so crucial? Secondly, if decommissioning is so important, why has none so far taken place? The answer to the first question—indeed, perhaps the answer to all the questions—lies in the Belfast agreement, paragraph 4 of which stated that parties to the agreement gave their

"total and absolute commitment to exclusively democratic and peaceful means of resolving differences on political issues"

and stated their

"opposition to any use or threat of force by others for any political purpose".

The agreement is unequivocal on force, covering not only its use but the threat of its use. Threats do not emanate only from statements and posturing. The fact that some parties to the agreement are associated with paramilitary organisations with substantial stocks of arms and explosives—they have made ready use of them in the past—is, in itself, a real and tangible threat. In the absence of any statement from Sinn Fein-IRA or the Progressive Ulster Unionist Party-Ulster Volunteer Force that violence is over for good and that they will never again resort to a military campaign to further their ends, the perception of threat will not go away.

The agreement is no less explicit about the ways in which arms and explosives are to be taken out of the equation, and the time scale over which that is to be achieved. It says:

"Participants reiterated their agreement to a Procedural Motion adopted on 24 September 1997 'that the resolution of the decommissioning issue is an indispensable part of the process of negotiation'".

It further says:

"All participants affirm their commitment to the total disarmament of all paramilitary organisations. They also confirm their intention to . . . use any influence they may have, to achieve the decommissioning of all paramilitary arms within two years".

No doubt those words were extremely well crafted. There was a commitment to total—I emphasise total—disarmament. The reference is to "all paramilitary organisations", rather than military organisations, so demilitarisation of the British Army and its bases in Northern Ireland does not come into it.

The words "use any influence" might sound weak at first, but as we have had an acceptance in the House on more than one occasion that Sinn Fein and IRA are one and the same, the use of that phrase becomes clear cut:

*[Mr. Malcolm Moss]*

the people involved in the political negotiations are the same people as those in the military organisation. The agreement set up a time scale: decommissioning was to take place within two years.

Decommissioning is crucial to the setting up of the Executive in the Northern Ireland Assembly. The agreement is clear on that point. It says:

"Those who hold office should use only democratic, non-violent means, and those who do not should be excluded or removed from office."

Violence has been a common occurrence on the streets of Northern Ireland since the Good Friday agreement. Punishment beatings—we prefer to call them mutilations—have been widely used by the paramilitary groups associated with the political process to control and intimidate whole communities. The Chief Constable has confirmed that on more than one occasion.

Where is the commitment to non-violence? Only last week, the hon. Member for Belfast, South (Rev. Martin Smyth) focused on that point in a question. Only last week, the RUC found an arms cache. It was confirmed not only that the arms were PIRA weapons but that they were hidden recently, despite the so-called ceasefire that we are supposed to be enjoying.

**Marjorie Mowlam:** For the record, the Chief Constable said that the arms were PIRA-related, but there was no ability to put a time scale on them.

**Mr. Moss:** I am grateful for that clarification.

**The Minister of State, Northern Ireland Office (Mr. Adam Ingram):** Do you accept it?

**Mr. Moss:** Yes, of course I accept that important clarification.

**Rev. Martin Smyth:** I understood that a time was established, because the police marked the detonators and they could be seen to be from 1998.

**Mr. Moss:** We have two conflicting opinions and I am inclined to believe the Secretary of State, who has the latest intelligence reports.

**Mr. Hunter:** I encourage my hon. Friend not to give credence to the Secretary of State on that point. Primed weapons were moved into west Belfast, and the Secretary of State will know from her intelligence sources that the Provisional IRA do not move weapons into west Belfast unless they are intended for operational purposes. My hon. Friend should stand fast on that point and not accept the Secretary of State's comments. It is clear that those weapons and ammunition were intended for operational use immediately.

**Mr. Moss:** My hon. Friend has made his point. I do not have accurate intelligence reports from the highest source in Northern Ireland. The Secretary of State has made a statement in the House and I have to believe her. She will have to stand by the comments that she has made to the House. It is as simple as that.

At another level, how can Sinn Fein-IRA and the PUP-UVF equate non-violence with the holding of weapons and explosives? I am delighted to say that that is now the view of the Irish Taoiseach as well as the Leader of the Opposition in the Dail, Mr. Bruton, who was quoted on 15 January in *The Daily Telegraph* as saying that the IRA had to disarm if Sinn Fein were to be allowed to take its seats in government. He put it correctly when he said:

"How long could a coalition in the Dail work if one of the parties in the cabinet had a private army? We hardly expect different standards to apply in Belfast."

As far as the Taoiseach is concerned, despite the "now he said it, now he didn't" claim and counter-claim, one thing is certain: Bertie Ahern's assertion that there can be no Executive without a start to decommissioning dramatically increased the pressure on the republican movement. His statement that the republican position on decommissioning was "illogical, unfair and unreasonable" produced

"gloom, concern and puzzlement in the republican camp"—

to quote one report. From his subsequent clarification, he did that deliberately and consciously. Why should he do that? Various newspaper headlines suggested that he had blown it or lost the plot, or had been too open and helpful in handling the journalist. However, could it be that Mr. Ahern had come to the end of his patience with Sinn Fein-IRA? When he came under pressure from the republican movement, he did not retract. He was courageous in punching home his key message:

"Decommissioning in one form or another has to happen . . . it is not compatible with being part of a government—I mean part of an executive—if there is not at least a commencement of decommissioning, and that would apply in the North, it would apply in the South."

**Mr. David Wilshire** (Spelthorne): My hon. Friend has just said what the Secretary of State said—that there needs to be decommissioning and a start to the Executive. The Secretary of State would not give way to me and therefore did not answer the question about the order of events. Does decommissioning come before the start of the Executive? Does my hon. Friend agree that it is crucial that decommissioning starts before there is any question of Sinn Fein-IRA involvement in an Executive?

**Mr. Moss:** I am happy to agree with my hon. Friend and I shall come to that point in a moment. There is no doubt that the Taoiseach sees no disparity or discrepancy between Sinn Fein's public and private position on decommissioning—it will not do it and it has said that it will not do it. Why else should he confront the issue in that way?

On the other side of the argument is the First Minister designate, the right hon. Member for Upper Bann (Mr. Trimble) and his party. He has stated time and again that there is no place for Sinn Fein-IRA representatives on the Executive of the new Assembly without substantial decommissioning. His position is as entrenched as that of Sinn Fein. The only room for manoeuvre, it would seem, lies with the two Governments. Perhaps a third ingredient would be President Clinton's involvement. The party invitations to the St. Patrick's day celebrations in Washington become more significant by the day.

The Taoiseach, it seems, has made his move. When can we expect the Government's response? The Opposition's line on this issue has been consistent from the start.

We want the Belfast agreement to be implemented in full. In case there is any doubt, that means that each and every section must be implemented, without cherry picking. The consensus—except among those who retain their arms—is that, in terms of practical politics, decommissioning is an integral part of that implementation.

After last week's critical vote in the Assembly, my right hon. Friend the Member for Bracknell (Mr. MacKay) restated our position. He said:

"Sinn Fein-IRA cannot become Ministers until they have fulfilled their obligations under the agreement to start proper decommissioning of illegally held weapons and end violence in all its forms."

**Mr. William Cash** (Stone): I hear what my hon. Friend said in respect of a start to decommissioning taking place, and he rightly mentioned that the right hon. Member for Upper Bann (Mr. Trimble) had called for substantial decommissioning. We know that, from time to time, the Government have a way of talking in terms that appear to be de minimis. Will my hon. Friend be good enough to clarify at what stage decommissioning becomes significant? Even if some decommissioning—or even substantial decommissioning—were to take place, is not the real problem that the threat and the danger to the public would continue to exist if any arms at all are left?

**Mr. Moss:** My hon. Friend makes an extremely valid point, but we are talking about building confidence and about continuing the process begun with the Belfast agreement. We on the Opposition Front Bench have always said that substantial decommissioning should take place but, at the end of the process, we probably would not know whether all the arms had been decommissioned. The fact is that any organisation—in Northern Ireland, in the island of Ireland as a whole or even in this country—that is serious about terrorism can obtain arms tomorrow, if it wants to. What we are talking about is a full and total commitment to peaceful and democratic means.

Since last May, the Government have achieved much, and deserve credit for that. They have honoured—some would say more than honoured—their side of the bargain. The Assembly has been established; the Northern Ireland Act 1998 has gained Royal Assent; the commissions on human rights and equality have been set up; the reviews of policing and criminal justice have begun; there has been an accelerated release of paramilitary prisoners, which is now more than half way through; and the prudent normalisation of security measures has proceeded.

Have the Government been criticised for a lack of willpower and resolve to implement their responsibilities? I have heard no such criticism.

The Irish Government, too, have faithfully implemented their commitments—so much so that the Taoiseach was moved to say, in his recent interview, that

"you can't prioritise and bring forward and incrementally do everything and then say we won't even start on the first 0.001 per cent. of this issue".

By the phrase "this issue", he meant decommissioning.

Perhaps I should apologise to the House, and to the Taoiseach himself, for quoting him so frequently in this debate, but we all know and believe that what he said is true. He has given courageous leadership on this critical matter: would that we had had similar quotable words of wisdom from our own Government. They have the opportunity this evening, in winding up the debate, to tell us unequivocally that they agree with the Taoiseach that there should be no progress towards setting up the Executive of the Assembly until and unless there is a committed start to meaningful decommissioning.

Nothing could be simpler or more helpful in the overall context. The agreement is 80 per cent. in the process of implementation. I do not believe that there can be any going back. There is no alternative around the corner. The Government should be bold and courageous. They should stand firm on the basic principles of the agreement, and they should stand shoulder to shoulder with the Irish Prime Minister and the Irish Parliament in spelling out reality to Sinn Fein-IRA.

10.55 pm

**Dr. Norman A. Godman** (Greenock and Inverclyde): I shall respond to a couple of points made by the hon. Members for North–East Cambridgeshire (Mr. Moss) and for Basingstoke (Mr. Hunter). The hon. Member for Basingstoke referred to the discovery of an arms cache, saying that the arms were intended for operational purposes. I would have preferred him to have said that they would have been used for terrorist purposes. The people concerned are terrorists. They are not engaged in military operations. Purely and simply, they are brutal terrorists. I was surprised at the language used by the hon. Gentleman.

**Mr. Hunter:** Quite frankly, that is pathetic. In the context in which I used the word operational, it means the most vile, horrific, murderous terrorist operational activities. I am surprised that the hon. Gentleman did not appreciate that that was the point I was making.

**Dr. Godman:** That intervention was pathetic. Most people who will read the record of the debate will not define "operational" in those terms. The hon. Gentleman is being characteristically pathetic.

The hon. Member for North–East Cambridgeshire spoke about the Taoiseach's interview in *The Sunday Times*. Since the interview, there has been some to-ing and fro-ing over the semantics of what the Taoiseach said. The hon. Gentleman wondered why the Taoiseach said what he did at that time. A number of factors influenced him, one of which was the outrage felt by the people of the Irish Republic about the verdict in the trial of those who murdered Garda McCabe, but who were convicted only of manslaughter. Irish people were especially shocked by the interventions of Mr. McGuinness and Mr. Adams shortly afterwards on the sentences that the killers received, and on their so-called early release. The overwhelming majority of Irish people would wish those men to serve condign sentences for a horrific murder in the beautiful little village of Adare.

**Mr. David Winnick** (Walsall, North): I agree with what my hon. Friend says about the terrible murder of an Irish police officer. Does he agree that both Governments are equally committed to decommissioning and that the British Government have made their position perfectly clear? However, is it not part of the political scenery that a statement from the Irish Government, particularly given

*[Mr. David Winnick]*

the main governing party in the Republic, may be more important to the IRA than a statement from the British Government would be?

**Dr. Godman:** As always, my hon. Friend makes good sense. That party can be enormously influential on the thinking of members of Sinn Fein, both north and south of the border.

**Mr. Frank Field** (Birkenhead): May I add to the point made by my hon. Friend the Member for Walsall, North (Mr. Winnick)? It is not merely the Taoiseach who has spoken. Did my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) notice that a week earlier, the Irish Deputy Prime Minister made almost the same statement in Australia?

**Dr. Godman:** I recall that that was so. I have enormous admiration for the Taoiseach; it is not as if he enjoys the majority that our Government do. We would all agree that he was not responsible for the headline on his interview in *The Sunday Times*, and that what he said was courageous. I do not think that in subsequent statements, he was trying to go back on what he said. He has behaved with considerable moral and political courage, just as my right hon. Friend the Secretary of State has done.

On Friday, accompanied by the hon. Member for East Hampshire (Mr. Mates) and the right hon. Member for Cities of London and Westminster (Mr. Brooke), I shall meet General de Chastelain in Belfast to discuss what he and his colleagues are doing. They face a formidable task, for they are at the heart of the critical issue of decommissioning, but I put my faith in the general, his colleagues in the two Governments and those others who want peace to be maintained in that dreadfully bedevilled province of Northern Ireland.

11.1 pm

**Mr. Lembit Öpik** (Montgomeryshire): This tends to be a place for simple messages, and it is always a risk to try to move the debate forward. Still, it is a lot less risky than paragliding and these days, I have to get my kicks somehow, so I shall attempt to provide a few insights into what is going through the minds of those who are faced with the expectation of having to decommission.

It must be recognised that we have made a lot of progress. Sometimes, in our debates about impasses, we forget that we have made breakthroughs in matters on which, even two years ago, we thought it would be impossible to get a result.

Although today's debate is taking place within the positive context of that progress, we are faced once again with the issue of decommissioning. The whole House, including the Liberal Democrats, will support the renewal of the order, because it represents Parliament's side of the bargain to ensure that the door is always open to enable those who want to decommission to do so. In addition, it puts moral pressure on those individuals to take their side of the bargain seriously.

It is unfortunate that the Good Friday agreement only sets a date by which decommissioning must have been completed—the two-year deadline—and contains no staging posts within that process. The hon. Member for North-East Cambridgeshire (Mr. Moss) has pointed out that many of us believe that there is a moral obligation on the IRA and all paramilitaries to demonstrate that they are serious about meeting the two-year deadline by taking some steps towards decommissioning before that date, but technically, that obligation does not appear in the Good Friday agreement, so when one speaks to those people, they say that they are under no moral obligation whatever to decommission before that date.

Such assertions conjure up the interesting image of a whole bunch of heavy goods vehicles trundling up the day before the deadline containing all the arms belonging to the IRA and the loyalist paramilitaries, so enabling them to fulfil their obligations in a dramatic fashion. The difficulty for us is that such a scenario does not seem credible: to us, common sense dictates that there should be signs of the decommissioning process taking place over a period lasting many months.

I view the order to be renewed tonight as a way of keeping open the possibility of continuing the process that the LVF has demonstrated can be made to work.

**Mr. Dominic Grieve** (Beaconsfield): Is not the problem that, judging by what Sinn Fein and the IRA have said on the subject, it is not a question of their adhering to some legalistic nicety that gives them until some time next year to complete the decommissioning process, but that they have publicly said that they will never decommission?

**Mr. Öpik:** I might be an optimist, but I have to say that when I speak directly with those individuals who, I can be pretty sure, represent those organisations, my feeling is that they are saying that they will not decommission now. We could enter into a moot discussion on that point, but I think that we can all agree that, if no decommissioning has taken place in two years' time, that will be an objective outcome: whichever party has failed to decommission will have failed to fulfil its half of the Good Friday agreement, and we are all acutely aware of the consequences of that.

We are currently considering how we can move forward from an impasse. Basically, one side is unwilling to decommission or to provide any sign at all that the guns will be handed in, while the other side is applying pressure—its case is coherently argued—by saying, "If you don't show a willingness to decommission, we will be entitled to exclude you from the Executive". That leads me to my next point.

**Mr. Field:** The hon. Gentleman keeps mentioning an impasse. There is only an impasse if one group is trying to prevent something from happening. I have listened to the debate, and I believe that there is no will in the House to state that people should not enter government unless they surrender their weapons. That is in stark contrast to the approach of the Irish Government. As I said by way of intervention on my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman), both the Irish Prime Minister and Deputy Prime Minister have said clearly that they do not think that there should be access to government until decommissioning has occurred. Therefore, the Irish Government are creating an impasse, but we are not. We seem to be suggesting that we are being carried along by events and that we might review

the situation after two years. I think that the hon. Gentleman is making his contribution within a deeply mistaken framework.

**Mr. Öpik:** That is what I meant when I mentioned the risk involved. I am providing the perspective—with which I do not have a great deal of sympathy—of many of those who are presenting obstacles to decommissioning.

Turning to the point raised by the right hon. Member for Birkenhead (Mr. Field), individuals who are intimately involved in the peace process have created the expectation that decommissioning must take place at this point in order to provide some confidence that the parties really mean it. Incidentally, that is why I echo the comments of the Irish Prime Minister: he has established a moral expectation that individuals will demonstrate their willingness to decommission. My point is that those who oppose decommissioning respond simply by saying: "Where is the time frame in the Good Friday agreement that we are expected to adhere to?" That is the impasse that I am describing.

In case there is any doubt, I am not being an apologist for those who refuse to decommission, but I am trying to move beyond the kind of rhetoric—which is so easy to engage in in the House—that says that their views are without basis.

**Mr. Hunter:** Will the hon. Gentleman give way?

**Mr. Öpik:** I will give way when I have finished making this point. Regardless of how right we believe we are, it does not serve any purpose not even to attempt to understand the opposing point of view. A superficiality creeps into our debates about decommissioning that is caused by our unwillingness to ensure that we understand the opposing arguments and show that we do, whether or not we have chosen to accept them. Those on the other side of the debate sometimes feel that we do not even understand where they are coming from.

**Mr. Harry Barnes** (North–East Derbyshire) *rose—*

**Mr. Öpik:** I will give way to the two hon. Gentlemen and then I must conclude.

**Mr. Barnes:** The agreement involves not just the two-year provision. It does not follow that, if one side decommissions the day before the deadline, it will be seen to have fulfilled the agreement. The agreement also comprises a commitment to the democratic process and having foresworn any participation in activities involving arms. Those conditions influence our understanding of how the two-year deadline operates. It makes sense to say that we must see some movement towards decommissioning and that it is reasonable to expect those signs before the Executive is established.

**Mr. Öpik:** I now give way—

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. The hon. Member for Montgomeryshire (Mr. Öpik) is making a speech, not listening to a series of contributions by others.

**Mr. Öpik:** I apologise for my judgment and thank you for your guidance, Mr. Deputy Speaker. I am far too generous—it has always been one of my weaknesses. I shall draw my speech to a close and other hon. Members may be able to catch your eye later, Mr. Deputy Speaker.

I think that we are violently agreeing. The arguments that we are rehearsing across the Chamber are exactly the ones that we must put to those who refuse to decommission. I shall leave the House with one simple point. We need to understand that there is an intransigence based on a kind of logic, which makes sense to those people who refuse to decommission. I do not agree with them; I do not think that it is right for them to act in what I regard as bad faith—

**Mr. Hunter:** Will the hon. Gentleman give way?

**Mr. Öpik:** I really should not; I need to bring my comments to a close.

It is not right to fail to act in good faith, and it is wrong not to trust the process; but let us make our position clearer by proving to the people who refuse to decommission that this Chamber understands their logic, but chooses to reject it. Let us say that we understand that they are arguing according to the letter of the Good Friday agreement, but that we feel there is a moral imperative at this point—an imperative felt not only by politicians, but by a large proportion of people in Northern Ireland as well as in the Republic of Ireland and on mainland Britain—for them to show good faith by decommissioning.

The message that we are sending by renewing the order is that we in this Chamber are acting beyond the simple letter of the Good Friday agreement and are acting in the spirit of reconciliation, trying to open a gateway to make progress. We now expect others to do the same.

I apologise for being overly generous in accepting too many interventions, but their number and the nature of the debate in the past 10 minutes underline how easy it is to miss the point at our end. They should also be a powerful sign to us of how easy it is for others to miss our point at their end. Our message in renewing the order is simple: "We understand your argument and your logic, but at the moment it is simply not good enough. We need to see more." Everyone here agrees that we need to see more. Most importantly, we are moving beyond the letter of the law to the spirit of the agreement and the spirit of the peace that we are trying so hard to build in Northern Ireland.

11.12 pm

**Mr. John D. Taylor** (Strangford): The renewal of this order is a timely event because decommissioning has certainly been the main issue in political debate in Northern Ireland in recent weeks. If decommissioning does not take place in the forthcoming year—the order is being renewed for another year—I regret to say that the whole political process built on the Belfast agreement will collapse.

I disagree with the interpretation advanced by the hon. Member for Montgomeryshire (Mr. Öpik) of what is required in the Belfast agreement in respect of decommissioning. I say that as one of the three negotiators for the Ulster Unionist party who was involved for two years in those negotiations and knows exactly how every word of the agreement was carefully chosen.

*[Mr. John D. Taylor]*

I well recall the Tuesday before Good Friday when we had the first draft of the Belfast agreement, which I dismissed out of hand and said that I would not touch with a 40 ft pole, and rightly so. The Prime Minister came to Belfast that evening, and we had continual negotiation for the next three days, culminating in the revised agreement from which, I am glad to say, many things were removed and to which, I am afraid, some things were added. None the less, there had to be compromise, and on the basis of that compromise we have the Belfast agreement.

Why is the renewal of the order timely? It is timely because all the participants in that agreement had to do something, and almost every one of them, with the exception of Sinn Fein-IRA, has done what was required. Her Majesty's Government were required to commence the release of terrorists imprisoned for criminal offences. I hope that the hon. Member for Montgomeryshire is listening. There was no time scale for the beginning of the release of prisoners. There was a two-year end-date, but no date for the beginning, yet the release of prisoners has commenced.

The review of policing in Northern Ireland and the review of the criminal justice system—these were commitments by Her Majesty's Government, and they have commenced. There was a commitment by the Dublin Government and the people of the Republic of Ireland that they would recognise Northern Ireland as part of the United Kingdom. This they have done by means of a referendum. There was a commitment by the SDLP that it would enter into a new British-Irish Council, replacing the Anglo-Irish Agreement—this it has agreed to do.

I was in Edinburgh on Thursday and Friday meeting the Labour party, the Conservative party, the Liberal Democrats and the Scottish nationalists. I was glad to find enthusiasm in Scotland for the British-Irish agreement. The Minister of State, Northern Ireland Office, the right hon. Member for Torfaen (Mr. Murphy), was in Wales recently and also in the Isle of Man. I gather from his press releases that there is encouragement for the beginning of the British-Irish Council.

The Ulster Unionists have also made their contribution. They were not happy with the idea of north-south implementation bodies, but on 18 December, we agreed those with the SDLP and with the Irish Government. The six implementation bodies are ready to go into operation, once we get an Executive in Northern Ireland.

There is only one thing left to happen in order to make the agreement the success that the House wants it to be, and that America, the Dublin Parliament and the peoples in the whole of the island of Ireland want it to be, and in support of which both the European Parliament and the Council of Europe have passed motions.

What is that one remaining thing? It is, of course, decommissioning. Sinn Fein-IRA—the Secretary of State on the Floor of the House has confirmed that they are inextricably linked, and the Dublin Prime Minister has said that they are one and the same organisation, with interchangeable membership—say that there is no need for decommissioning. Well, there is a full chapter on page 20 of the agreement on the need for decommissioning. It is not there by accident. I repeat that it is there as a result of detailed negotiations with all the parties in the Stormont talks, including Sinn Fein-IRA.

Paragraph 1 states that

"'the resolution of the decommissioning issue is an indispensable part of the process of negotiation'".

Paragraph 3 of the decommissioning chapter goes on:

"All participants"—

that includes Sinn Fein-IRA—

"accordingly reaffirm their commitment to the total disarmament of all paramilitary organisations"

and

"to achieve the decommissioning of all paramilitary arms".

Here I want to make a distinction from a comment that was made by the hon. Member for North-East Cambridgeshire (Mr. Moss)—I think it was a slip of the tongue. The agreement does not call for total disarmament. It calls for the total disarmament of illegal armaments. It is Gerry Adams who calls for total disarmament. I see that he is away to Australia and already saying that there must be total disarmament—the British Army must have no arms in Northern Ireland, the RUC must have no arms in Northern Ireland, and the farmers must have no shotguns.

None of that is in the agreement. Sinn Fein-IRA, led by Gerry Adams at the Stormont talks, agreed that the decommissioning should be of illegal armaments only. That is what is in the decommissioning chapter. What is most important in that chapter—I ask the hon. Member for Montgomeryshire to pay greater attention to the detail of the Belfast agreement—is the fact that decommissioning is specifically and deliberately connected to the chapter on setting up the Executive.

That point did not appear in paragraph 1 of the decommissioning chapter by accident. It was put in deliberately and it was agreed by all the participants in the Stormont talks, including the two Governments, that in resolving the decommissioning issue, we

"also recall the provisions of paragraph 25 of Strand 1"

of the Belfast agreement.

Paragraph 25 states that those who want to serve in the Executive of Northern Ireland must be totally committed to peaceful and democratic methods. It states:

"Those who hold office should use only democratic, non-violent means,"

and it continues:

"and those who do not should be excluded . . . from office"—

in other words, such people cannot even get into the Executive.

Some speak of such people being removed from office, but the agreement went further, deliberately. It stipulates that people who are not fully committed to non-violent and democratic means will be excluded from the Executive. That is the way that most people in Northern Ireland interpret the agreement, and it is certainly the interpretation of the main party in Northern Ireland, the Ulster Unionist party. There is no way that Ulster Unionists will serve in an Executive with people who have not ensured the decommissioning of their illegal armaments.

**Mr. Wilshire:** May I be clear about what I have just heard? Did I hear it stated that it is a clear, firm policy of the Ulster Unionist party that it will not sit in an Executive with Sinn Fein-IRA until decommissioning in a substantial form has started?

**Mr. Taylor:** Absolutely. Decommissioning in a credible form must have taken place before we accept

Sinn Fein-IRA in an Executive in Northern Ireland. I would have hoped that the hon. Gentleman realised that that has been our policy from the outset.

**Mr. Hunter:** May I press the right hon. Gentleman further? Total commitment to non-violence and democracy must surely mean total disarmament. We are not talking about a few weapons or a few ounces, pounds or tonnes of Semtex in that context. It is total commitment and therefore total disarmament.

**Mr. Taylor:** When someone tells me what total disarmament is, I will understand what that intervention means. It all depends on one's knowledge of how many illegal armaments there are in Northern Ireland. There cannot be total disarmament until we are aware of the total number of illegal arms. Let us not pursue that. We want credible disarmament so that the people of Northern Ireland can see that decommissioning is under way. Let us not quibble over other words.

Decommissioning is an important issue in Northern Ireland. We very much welcome the intervention of the Dublin Prime Minister, Mr. Bertie Ahern. He analysed the situation accurately, but he is not on his own. As has been mentioned, the Deputy Prime Minister of the south of Ireland did so in Australia last week. Significantly, the annual conference of the Fine Gael party, the main Opposition party which could well form the next Dublin Government, unanimously passed a motion, Saturday week ago, that there must be decommissioning for Sinn Fein to get into the Executive in Northern Ireland. I hope that there will be similar statements from London and Washington in coming weeks.

I am disappointed because I think that Sinn Fein-IRA are not taking this issue seriously. The leader of Sinn Fein, who was elected as a Member of Parliament but has refused to take his seat, Mr. Gerry Adams, is not in Northern Ireland; he is in Australia. He will be away for 10 days, and then he is going on to celebrate St. Patrick's day in the United States. Yet 10 March has been stated by the Secretary of State as the deadline to get the Executive up and moving in Northern Ireland. It seems to me that Sinn Fein-IRA are not taking the issue of decommissioning seriously. If that is so, I regret to say that an impasse will have been reached.

**Rev. Martin Smyth:** I appreciate my right hon. Friend's giving way. He said that the whole thing could collapse in a year's time. Is there anything in the Belfast agreement that would prevent the Secretary of State, even now, from appointing to the Executive those who have honoured their commitment and leaving out those who obviously have not? One bears in mind the fact that it was not in a clandestine position that the negotiator representing Sinn Fein-IRA on decommissioning said that it was not a question of the IRA being unable to decommission, but that it would not.

**Mr. Taylor:** Everything depends on one's individual interpretation of the Belfast agreement. I would think that Sinn Fein-IRA could be excluded under the terms of the Belfast agreement, but obviously the Secretary of State, at the moment, does not.

It has been said by Sinn Fein-IRA that decommissioning has not happened in other countries. It is important to place on record that some of the main terrorist and revolutionary campaigns have resulted in decommissioning in order for political and democratic solutions to emerge and to stick. For example, Lebanon can be cited as one of the worst examples that we have had in the past 20 years. In 1989, there was an agreement whereby the green line—it ran for five miles between the Christian and Muslim territories in Beirut—was removed. It is significant that under the Taif accord, which brought about successful political reform, it was insisted that the disbandment and disarmament of all militia should take place. That disbandment and disarmament of all militia—Christian and Muslim—took place in advance of the political settlement.

Likewise in Mozambique, people were trying to get a political process under way without decommissioning. The then Secretary-General of the United Nations, Mr. Boutros Boutros-Ghali, strenuously rejected that and held fast to the point that elections could be held only after full demobilisation had taken place. In 1994, the United Nations operations in Mozambique confirmed that there had been the total disarmament of the various illegal organisations in that country.

Thirdly, I remember the troubles in El Salvador from my time as a Member of the European Parliament. Again, there was an agreement—in 1992—which brought about the total disarmament and decommissioning of illegally held weaponry, in pursuit of peace. A settlement was then achieved, so it is important to place on record the need for decommissioning for peaceful, democratic government to emerge in countries such as Lebanon, Mozambique and El Salvador.

There are places where there has not been decommissioning; one is South Africa. Anyone who has been there in the past two years will know that people now regret that they did not have decommissioning before they reached a political settlement. Now there are more illegal arms running around South Africa than there are lawful arms, and the situation is deteriorating in some of the major cities.

The order is timely. We have to achieve the beginning of credible decommissioning to achieve a political settlement in Northern Ireland. We are 95 per cent. of the way to achieving what every Member of the House would like achieve in Northern Ireland, but, at the moment, I remain unconvinced that that will happen. There is less than a 50 per cent. chance of the Belfast agreement succeeding; I still believe that Sinn Fein-IRA will not decommission and that they are determined to wreck the Belfast agreement.

On that note, I shall ask one question of the Secretary of State. Last week, Sinn Fein-IRA were caught by the Royal Ulster Constabulary with firearms—that is the Provisional IRA, which is supposed to be at peace and on ceasefire. In what year were the detonators that were discovered with the explosives last week manufactured?

11.27 pm

**Mr. David Wilshire** (Spelthorne): Before I come to the main points that I want to make, I want to pick up on what the right hon. Member for Birkenhead (Mr. Field) said. He suggested that whereas there was in the Republic of Ireland a will to say that there would be, or should be, no entry into an Executive before decommissioning, we had not heard that sort of sentiment expressed in this House.

*[Mr. David Wilshire]*

If I have understood the debate correctly, I have heard my hon. Friend the Member for North-East Cambridgeshire (Mr. Moss) make that point absolutely and I have heard the right hon. Member for Strangford (Mr. Taylor) make the very same point—there can be no entry into an Executive before a credible start to decommissioning is made. My hon. Friend the Member for Basingstoke (Mr. Hunter) feels the same and I have made my position absolutely clear. In case I have not, let me restate that there are some Members of this House, and a large number of people in this country, who believe that it is absolutely intolerable to contemplate armed terrorists taking their seats in a democratic Government.

I tried to intervene on the Secretary of State, but was not able to do so. Therefore, I ask the Minister to make clear for this House exactly where Her Majesty's Government stand on the question of entry into an Executive before there is a start to decommissioning. This House and this country have the right to know exactly what is the Government's policy on that matter.

These are my main points. As the House will know, I was unhappy when the Northern Ireland Arms Decommissioning Act 1997 was first brought to the House and I am still unhappy about this process. I felt then, and I feel now, that the whole act of an amnesty allows bombers and murderers to get away scot free. It therefore follows that I wish we were not doing what we are doing tonight. Nevertheless, I am a democrat and I accept that it was the will of the House that the Act should be passed. I have no objection to us continuing, having started down this track. I do not intend to force a Division. The House will want to renew the order.

I have little doubt that the few of us present tonight will be back again next year and the year after to extend the period, because we are wasting our time. Sinn Fein-IRA have never had any intention of decommissioning—and they never will. Do not take my word for it: listen to Sinn Fein-IRA, which have made it clear that there will be no decommissioning. Let us come back next year and have another go, and see whether we can persuade ourselves that this is a good idea.

I understand only too well why the Government want to fudge the spirit of the Good Friday agreement. If they do that, they can justify to themselves—and they can try to justify it to the country—that they can, after all, allow armed terrorists into an Executive.

**Marjorie Mowlam:** The Government are implementing the Good Friday agreement, which the party leaders in Northern Ireland agreed to and for which the people voted. The agreement says clearly—this is our position—that decommissioning must take place and the Executive must be formed. Both must happen for the Good Friday agreement to work.

**Mr. Wilshire:** The right hon. Lady has yet again not told us in which order that must happen. Will the Minister, when he winds up, please tell us in which order those two things must happen?

**Marjorie Mowlam:** If it would help the hon. Gentleman, I can explain that it is up to the parties to decide in which order that takes place. The parties, with the Government's support and encouragement, must find a mechanism to move this process forward. They have done so in the past on other issues, and I believe that, with the will and determination they have shown, they can do so again.

**Mr. Wilshire:** If I understand that intervention correctly, the Secretary of State is saying that she is prepared to contemplate allowing armed terrorists into an Executive. That is nothing short of abject surrender to the gunmen.

**Mr. Hunter:** Does my hon. Friend agree that what we are witnessing is a process of appeasement that morally corrupts the appeasers? The Government give way every time inch by inch simply to keep the process going. We are witnessing a moral corruption of government and a corruption of moral authority.

**Mr. Wilshire:** My hon. Friend is absolutely right. That is how he and I have always seen it.

I also understand only too well why the Government claim that there is no proof that the recent find of arms has anything to do with Sinn Fein-IRA. It is convenient to claim that there is no link, because that way they can pretend that the ceasefire is still in place. I also understand why the Government are prepared to believe the wholly spurious claim that Sinn Fein-IRA weaponry has been stolen. When it is used, it is possible to fudge the issue yet again by saying that it was not used by Sinn Fein-IRA.

I also understand only too well why the Government are always talking about a start to decommissioning. If they are pushed hard, they may call it a meaningful start, which perhaps means two bullets rather than one. I also understand why the Government keep talking about tokens of good faith. The one thing we can never accuse Sinn Fein-IRA of is having good faith.

**Mr. Barnes:** Sinn Fein-IRA may not have good faith, but they are subject to influences and pressures from other people. Their involvement in intimidation and terror has been highlighted, so they have backed off in the past fortnight. They have done so because attention has been drawn to such activity in the House and elsewhere. If we advance such arguments, we have the moral authority to shift opinion. Even more important, opinion in the Irish Republic and throughout Northern Ireland will help to change the position.

**Mr. Wilshire:** I am sure that those who would have had their kneecaps smashed and their ankles smashed and their elbows smashed are grateful for a fortnight's respite; but I do not think that tells us a great deal about what will happen.

**Mr. Barnes:** That is an obnoxious response. I have tried, in the House, to aid bodies such as Families Against Intimidation and Terror in order to ensure that such action stops, and I have always seen that as an attempt to secure decommissioning in the end. If we stop exile, beatings and intimidation, we shall move a stage further, and the prize will be decommissioning. The hon. Gentleman may not like what I have said, but I very much dislike the response that I have just received from him.

**Mr. Wilshire:** If the hon. Gentleman feels that I was being personal in regard to him, let me put the record

straight. I know of his integrity in these matters, I know of his hard work and I know of his commitment; I did not seek to cast aspersions on his approach. As far as I can see, however, any sort of token decommissioning will not get us anywhere. This is the slippery slope towards moral corruption that was mentioned by my hon. Friend the Member for Basingstoke. Sinn Fein-IRA have enough Semtex to spare a tonne of it, and still murder and maim thousands of people in both Northern Ireland and Great Britain. There must be total decommissioning of all paramilitary arms and explosives—a point made by the right hon. Member for Strangford.

However often we return to the House to renew the order, terrorists will always be the same. Terrorists keep arms for one purpose, and for one purpose only: to use them to kill people, and to obtain ever more concessions from those who are foolish enough to try to do deals with them. However much this Government twist and turn, in the end all they are doing is seeking to appease killers, bombers and maimers. History teaches us—if we only care to read it—that appeasement is always doomed to failure.

11.37 pm

**Mr. Dominic Grieve** (Beaconsfield): I shall try to be brief, as I realise time is short.

I welcome the renewal of the order. When we discussed the whole question of the agreement last year, it was obvious that, to a certain extent, the agreement involved an act of faith: that the peace process could be got moving, and that a momentum would be maintained. It seems to me that one of the features of today's debate—and I certainly enjoyed listening to the contributions—is that there is a growing crystallisation and unanimity about some of the next stages of that peace process, which is moving away from simply the minutiae of the detail of the agreement to what is actually required to bring lasting peace to Northern Ireland. In that context, decommissioning is clearly central, and it always seemed to me that it would be central when we discussed the agreement last year.

We cannot predict what will happen. Certainly, the Government have my best wishes and my good will to bring about what appears at the moment to be very difficult, but I must tell the hon. Member for Montgomeryshire (Mr. Öpik) that it has seemed to me from the various discussions that I have had that the position of Sinn Fein-IRA on this issue has not been to look at legalistic niceties within the agreement, but to make blanket proclamations that they do not intend to decommission. If that is indeed their intention, this peace process is going straight into the sand. That seemed to me to be the case when we discussed the agreement and looked at the legalistic niceties last year, and it seems to me that it remains the position this year. It is therefore greatly to be hoped that the pressure that has been spoken about—not just by what we say in the House, which I dare say will carry very little weight, but by those outside and, indeed, in other countries—may be brought to bear on Sinn Fein, so that it can see the advantages of moving and showing that it really intends to maintain a peace process. The hon. Member for Montgomeryshire was right: that is clearly very difficult in view of the culture of violence and of the gun that has prevailed in Northern Ireland. I share his view that we in a democratic assembly sometimes forget that there is another world—the other side of the mirror—which, to those who participate in it, appears to have equal validity, even if we as democrats have abandoned it. Therefore, it is a difficult transition to make. I agree with his comments on that point.

All we can do is hold the door open. What we are doing by passing the order and renewing it is holding that door open. On that basis, I welcome the order and hope that the parties start to move through that door.

11.40 pm

**The Minister of State, Northern Ireland Office (Mr. Adam Ingram):** The debate has been brief, but interesting and, in some ways, thought provoking. I pay tribute to my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) and to the hon. Member for Montgomeryshire (Mr. Öpik) for their thoughtful contributions. Both hon. Members always add balance to the debate. We are grateful for that.

The right hon. Member for Strangford (Mr. Taylor)—someone who has been very close to the whole process—made a major contribution. Obviously, the Government will take his points into account. Clearly, he is very close to the negotiations, discussions and the whole process. He knows the way in which the issue can be moved forward and the momentum maintained. I read from his comments that he wants the Good Friday agreement to work. He knows that that is the overwhelming view of the people in Northern Ireland. It is important that that message is put across: it is a difficult process, to which we are trying to find answers.

When it was last debated, the order was dealt with in Committee. Representations were made by the Opposition to have it debated on the Floor of the House. There was no objection from the Government. We felt that it would be useful, but it is interesting to note that, having made those representations, the shadow Secretary of State is not here. There may be good reasons why he is not here. I understand that he was in Northern Ireland today. I just make the point that I and, more important, the Secretary of State for Northern Ireland have had to come back for the debate in the middle of a very difficult process. There has been a discourteous approach by the Opposition. I do not object to the debate taking place on the Floor of the House, but I hope that we can get a much more serious contribution from Her Majesty's official Opposition on the issue.

Not all parties from Northern Ireland are represented in the debate. That reflects what the right hon. Member for Strangford and others have said. It is an important order, but it should be approved and not used as a vehicle for other debates, with hon. Members trying to widen the debate into other areas.

I cannot stress too strongly how important the draft order and the subject of decommissioning are. They are critical to the whole process and underpin the Good Friday agreement. As the Secretary of State said, the draft order will allow for an extension of the period during which there can be the amnesty from prosecution for offences, mainly possession related, committed by people during decommissioning. Without it, there would be no decommissioning, which is, after all, a voluntary process that, but for the provisions of the 1997 Act, would put people at risk of prosecution.

I want to make it clear that there must be decommissioning. It is an essential part of the Good Friday agreement, which all parties to the agreement endorsed

*[Mr. Adam Ingram]*

and said they would urge others to achieve. The agreement is not something from which one can pick and choose the bit one likes and will abide by. All parties who have endorsed the agreement should take early action to show their commitment to it.

The right hon. Member for Strangford listed the various matters dealt with in the Good Friday agreement—the Belfast agreement—on which the Government and the Government of the Republic of Ireland have made progress and which fell to them to implement. They operated with no time scale operating against them, but with a determination and commitment to create an entirely new environment in Northern Ireland. We have started to do that against very difficult odds, after facing up to some very difficult conditions.

**Mr. Cash:** Will the Minister answer a very simple question? Does he endorse the statement on decommissioning that the Taoiseach made the other day and that has been mentioned several times in this debate? Yes or no?

**Mr. Ingram:** The Taoiseach speaks for himself, and the hon. Gentleman should read what he said both in that interview and in the Dail. The Taoiseach speaks for himself, and we do not speak for the Irish Government. We say that both processes must move forward. As my right hon. Friend the Secretary of State said both in her opening remarks and in response to similar interventions, there are two strands to the process—decommissioning and the Executive. They must happen; otherwise, we shall not have continuation of the Good Friday agreement. That is the reality. It is the complex environment in which we operate, and the matter to which we are trying to seek agreement.

The matter rests not only with the Government, or with the two Governments, but with all the parties who signed up to the Belfast agreement. No one said that the process would be an easy one or that it was a matter simply of reaching agreement and, the day after, of everything falling automatically into place. If Opposition Members think that that is how peace processes work, they have not been living in this century or understood the lessons of history.

**Mr. Wilshire:** I can well understand why the hon. Gentleman does not want to speak for the Republic's Government, but will he speak for the British Government? Will he tell us, please, whether the British Government will allow into the Northern Ireland Executive armed terrorists before they have started decommissioning? Will the Government sanction such entry, or will they not?

**Mr. Ingram:** The Secretary of State already answered that question, and there is no point in my trying to find different words simply to repeat what she said.

I want to quote from a letter to the Leader of the Opposition that was written on 6 January 1998 by the hon. Member for Spelthorne (Mr. Wilshire). He wrote:

> "I had absolutely no doubt that its 'Peace Process' was doomed to failure and that the Talks were going nowhere."

Within months of that letter being written, we had the Belfast agreement and had made substantial progress, both in the referendum and in the commitment of the parties to take the process forward. Progress continued right up to December and beyond it, into the new year.

I do not want to enter into debate with the hon. Member for Spelthorne as his speech was over the top, and I tend to ignore such speeches. However, his speech was deeply offensive to my right hon. Friend the Secretary of State and to other Labour Members who are trying to move the process forward. We are not appeasers of terrorism—which is the most outrageous statement to make about any right hon. or hon. Member. The Government—like previous Governments—have been resolute against terrorism. That is why we have committed so many brave men and women—in the RUC and in the armed forces—to defend the democracy that we want to uphold in Northern Ireland. We shall continue to do so.

I do not want to get involved in a debate with the hon. Member for Spelthorne, as the judgment that he demonstrated in his letter to the Leader of the Opposition shows that his opinions, which may be strong ones, are misplaced.

**Mr. Hunter:** Will the hon. Gentleman give way?

**Mr. Ingram:** I shall not constantly give way. The hon. Gentleman had the opportunity to make a speech in the debate but has only intervened in the speeches of other hon. Members. He could have collected his thought processes and made a speech, but—*[Interruption.]* Some hon. Members say that he could not have done that, but I was trying to give him the benefit of the doubt. He decided not to make a speech.

We have already seen some decommissioning. As my right hon. Friend the Secretary of State has said, the LVF has decommissioned weapons through the independent commission. We can only hope that that action will be followed by others.

Decommissioning not only can happen, it must happen, and I am certain that it will happen with the determination and commitment of those who hold illegal weapons in Northern Ireland. The question is no longer whether there will be decommissioning, but when terrorist and paramilitary groups will start the process. The sooner they do, the better it will be for everyone. The order provides a framework for the process to be taken forward and I commend it to the House.

*Question put and agreed to.*

*Resolved,*

That the draft Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) Order 1999, which was laid before this House on 1st February, be approved.

## DELEGATED LEGISLATION

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

### International Immunities and Privileges

That the draft Diplomatic Privileges (British Nationals) Order 1999, which was laid before this House on 28th January, be approved.—*[Mr. Betts.]*

*Question agreed to.*

## Badgers

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Betts.]*

11.51 pm

**Charlotte Atkins** (Staffordshire, Moorlands): In May 1997, just days after I was elected, a planned cull of badgers in my constituency was stopped. Understandably, that caused much anxiety among local farmers and ensured that badgers and bovine tuberculosis quickly became a key priority for me as a new Member of Parliament. I am grateful to my hon. Friend the Minister for having received a delegation of six farmers from my constituency and that of my hon. Friend the Member for Burton (Mrs. Dean), with whom I share the debate. He also took time to visit the farm of Mr. George Richardson at Ilam in my constituency to discuss the problems that badgers posed in his environment. Sadly, I have learnt since then that Mr. Richardson's farm has gone down with TB. On that farm the Minister saw how difficult it is for farmers to follow Government advice on keeping badgers and cattle apart.

Over the past decade the number of cases of TB in cattle has risen steadily. Although the west country is the traditional stronghold of the disease, it is spreading rapidly in Staffordshire, particularly along the border with Derbyshire. During 1998 there were 30 confirmed TB herd breakdowns in Staffordshire, but the most worrying fact is the rate of increase of TB incidence, at around 30 per cent. year on year. The other main concern is the virulent strain of TB that seems to be prevalent in Staffordshire.

Following the Krebs report, the sum of evidence strongly supports the view that badgers are a cause of bovine TB outbreaks. However, due to the previous Government's failure to grasp the nettle there has been no proper experimental study to enable firm conclusions to be drawn about the effectiveness of badger culling and other methods of controlling the disease, so I strongly support the Government's decision to implement the culling trial. We must establish whether the culling of badgers influences bovine TB cases and which culling strategy is the most effective. I was disappointed that, given the spread of the disease in Staffordshire, the area was not declared a hot spot. That would have allowed careful examination of the worrying local situation.

There is frustration in my constituency that nothing seems to have happened locally since the cull was stopped in May 1997. I know that my hon. Friend the Minister is acutely aware of the hardship and real trauma caused by TB breakdown, having met some of my local farmers. He should be congratulated for increasing compensation to the full market value of infected cattle. Farmers in my area have told me how grateful they are for the increased compensation, although, as my hon. Friend will recognise, those facing prolonged periods of shutdown suffer substantial additional losses. The National Farmers Union has calculated that the new compensation arrangements meet only 16 per cent. of the costs of the breakdown. I quote the figure to indicate how desperate farmers become at the prospect of a herd breakdown.

I would like to read a short letter that I received last week from Christine Chester, a dairy farmer from Foxt in my constituency. She wrote:

"Dear Charlotte, As from yesterday we have become another statistic in the Tuberculosis in cattle story. We have previously had over 40 years clear of TB in a closed herd, i.e. no bought in cattle. What have we done to deserve this? I am old enough to remember the cost and effort of clearing the country of TB in cattle in the 1950s-60s. I never thought we should have to go through it all again."

I am concerned about the way in which some farmers and wildlife trusts have reacted to the problem of badgers. They should be working together, rather than fighting each other. My biggest fear is that farmers will take the law into their own hands. It has been reported to me that poisoning is going on around the Wetton area in my constituency. It has been said that potatoes have been injected with strychnine for badgers to pick up. No one wants that to happen. Most farmers are caring about their animals. There is a real concern that badger numbers are getting out of control. Their main predator now is the car, which kills twenty times the number that the Government propose to cull.

**Mr. William Cash** (Stone): As a Staffordshire Member of Parliament, may I put on record that I welcome the remarks of the hon. Lady, and look forward to hearing from the Minister that compensation will be suitable in the circumstances, and that adequate resources will be made available to deal with the problem?

**Charlotte Atkins:** I thank the hon. Gentleman for his intervention.

The Woodchester park experiment has found no relationship between population density and the incidence of disease in badgers.

**Mr. David Drew** (Stroud): I am no expert on Staffordshire, but the Woodchester park research station is in my constituency. Does my hon. Friend agree that one of the key improvements that could be made is an effective testing regime, not just for cattle but for badgers?

**Charlotte Atkins:** I agree, and it is vital that we get the testing right. Concerns have been raised about the culling programme in Devon. It would be a disaster if we were to embark on a cull of badgers and a testing regime on cattle—which can be stressful for all concerned—if no reliable data emerges from the trials.

One of my main concerns is that it seems that the badger population has increased by about 76 per cent. in 10 years. That raises the question of ecological balance, and particularly the influence of badgers on other animals, such as ground-nesting birds. I represent an area with a strong tourist industry—an area of great natural beauty. People come to the area to observe the wildlife, and there is concern at the effect of TB on wildlife and on the local tourist industry. Inevitably, there will be opposition to the culling, and I recognise the strongly held views of animal welfare groups. However, I believe that TB is not good for cattle, badgers or people, and we must get this right.

Up to 50 per cent. of TB cases are likely to be outside the trial areas—in places such as Staffordshire, Moorlands. Action must be taken in those non-hot-spot areas. It is not realistic to expect non-trial areas to wait until at least 2005 before action is taken. I urge my hon.

*[Charlotte Atkins]*

Friend the Minister to consider those non-trial areas and ensure that the Ministry presses ahead with advice and work with the farming industry to evaluate different animal husbandry methods and ensure that we keep the spread of disease under control. I also advocate the early and comprehensive recommencement of post-mortem examination of badger road casualties. Wildlife trusts should co-operate in that experiment; very often, badger carcases are quickly removed from the roadside.

Many more resources should go into developing a vaccine and into scientific research on the health and growth of the badger population. We do not have enough information at present.

12.1 am

**Mrs. Janet Dean** (Burton): I congratulate my hon. Friend the Member for Staffordshire, Moorlands (Charlotte Atkins) on securing this debate on a subject that is extremely important to both our adjoining constituencies. I am very pleased to have the opportunity to take part.

My hon. Friend read a profound letter from her constituent. I can also remember the cattle being tested for TB when I was growing up on a farm in the 1950s. It was a time when herds were gradually regaining their TB-free status. My parents, like other farmers, hoped and prayed that there would be no reactors to the tests each time those tests took place. That was especially significant to them as my father had had TB himself in the 1930s.

In the years that followed, some parts of the country, unfortunately, continued to have problems with bovine TB, but in most areas it was considered a problem of the past. One of the farms in my constituency had been free of TB since 1952; and that farm also has always had a closed herd. Therefore, when there was a reactor in August 1997, it was clear that the infection could have come only from the land itself. Over the next few months, the farm continued to have reactors, losing 42 of its 90 cattle.

Thankfully, there have now been two clear tests and my constituents can only assume that that is because they have ceased to use for grazing any fields where there is evidence of badgers. That means that they have ceased to graze 20 of their 65 acres. I certainly hope that the herd remains clear. If it does, with my constituents' expensive husbandry methods, that could provide vital evidence both on how to contain TB in cattle and on the connection with the badger population.

Such good husbandry experiments need to be evaluated, even though they are, as my hon. Friend said, currently outside the trial cull areas. It is also vital that, if there are any lessons to be learned from the trial cull areas as the experiments take place, action should not wait until 2005, especially if it is likely that there could be any delay taking the trial beyond that date.

It is important that animal welfare groups, badger groups and farmers work together in the next few years, for the sake of the badgers and the cattle. No one wants any animals to be slaughtered needlessly. It is essential that there be full co-operation with the trials to ensure that the experiment is valid. It is important to monitor the number of badgers and their condition without interference, and that badgers remain protected outside the designated cull areas.

As my hon. Friend said, farmers on the Staffordshire-Derbyshire border who are affected are disappointed that their area has not been included in the trials, especially as there has been a rapid spread of herd breakdowns in an area where a cull had been due to start in 1997 and where it seems that there is a virulent strain of TB.

My constituents were grateful to my hon. Friend the Minister for meeting them and listening to their concerns. They welcome the Government's decision to pay the full market value of infected cattle. However, as my example of the way in which my constituents have tried to protect their cattle from infection shows, good husbandry can be expensive. Indeed, on some farms, it may be impossible to isolate the cattle from the badgers.

It is essential that we establish once and for all the connection between the badger population and the incidence of bovine TB. It is essential that we show whether the number of badgers in an area is significant. We must find the best way to contain the problem until the ultimate solution of a cattle vaccine is a reality. I know that the Minister is well aware of the problems that bovine TB has caused to many farmers. This is a sensitive subject, but it is vitally important to the welfare of badgers, cattle and, ultimately, human beings.

12.5 am

**The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker):** I congratulate my hon. Friend the Member for Staffordshire, Moorlands (Charlotte Atkins) on securing this debate. I also thank my hon. Friend the Member for Burton (Mrs. Dean) and other hon. Members who are present tonight. This is a serious issue and the Ministry and I have taken it seriously. Indeed, in a few weeks' time I will appear before the Agriculture Select Committee, and I have run a check on my activities. As a Minister, in 22 months, I have had 40 separate meetings or visits with farmers and scientists to discuss the issue. It is constantly before me in my work as a Minister.

It is to the credit of the previous Government that they set up the Krebs inquiry, because if they had not done so we would have had to do something similar. As it was, we had Professor Krebs' report by December 1997. I take full responsibility for stopping the badger removal operation, or cull, moving into new counties before the Krebs report was published. Four farms in Staffordshire were expecting badger removal operations and I have met some of the people involved. However, I decided, supported by my ministerial colleagues, that it did not make sense to continue a policy that clearly did not work into new counties before the publication of the Krebs report. Apart from any other issue, we might have needed areas to conduct trials of the very nature that Krebs in the event recommended. That does not satisfy the farmers in Staffordshire but as my hon. Friends know—and I am grateful for their comments—I have visited the farms and met the farmers in my office in London and I know the situation at first hand.

The incidence of TB in cattle in Great Britain has been rising since the early 1980s, with a much more significant rise in recent years. Nearly 4,000 cattle were compulsorily slaughtered in 1997. I do not have the final figure for 1998, but it will be more than 6,000. The number of incidents in 1997 was 515. We already know that in 1998

there were at least 720 and we expect that there were 30 more, although it can take six to eight weeks to complete the tests and they sometimes have to be repeated. That is why there is a caveat with regard to the figures—but we expect a 40 per cent. increase over 1997.

In Staffordshire, there were no TB incidents in 1994, but there was a worrying increase to 24 in 1997. In 1998, we have had 30 confirmed incidents so far, an increase of 25 per cent. Indeed, for the first time in many years, TB has been confirmed in the Moorlands constituency and I have discussed that with my hon. Friend the Member for Moorlands.

There are no easy fixes. No single policy option is available to the Government to fix or solve the problem—hence our adoption of the recommendations of Professor Krebs, which have been put into practical effect by the independent expert group, chaired by Professor Bourne. As the scientists point out, our multifaceted strategy will allow us to come up with a sustainable policy for controlling and eradicating TB in cattle. It is not the Government's policy to eradicate the badger: it is not an endangered species in this country.

The five-point strategy announced last August put the protection of public health first and gave due weight to our commitment to animal welfare. Until around this time last year, my Ministry and the Department of Health were not checking human cases of TB to determine the exact strain, but we are now monitoring all human cases for M. bovis.

The long-term strategy is to develop a vaccine: 10 years ago, such a vaccine was 10 or 15 years away, and that is still the case. We intend to devote a lot more money to the development of a cattle vaccine. We took all the bids and made the relevant assessments last autumn, and we shall announce the details of our research programme for the next financial year.

In addition, we have a strategy for looking at research projects so that we can better understand how the infection is transmitted. Whoever finds the route of transmission that infection takes will win a Nobel prize, but as yet it is not known.

We also have policies for the detection and prevention of cattle-to-cattle spread. At present, we are examining the arrangements to see whether they can be strengthened to stop the spread of the disease in the short term.

In addition, there is the culling trial. From what some hon. Members and commentators have said, it would be possible to believe that we are doing no more than holding the culling trial. In fact, that is only part of the overall strategy to find a way to control and eradicate TB in cattle.

**Mr. John Burnett** (Torridge and West Devon) *rose—*

**Mr. Rooker:** I give way to the hon. Gentleman.

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. I appreciate the generosity of the Minister in giving way, but I feel that I must point out that Adjournment debates such as this are the personal possession of the hon. Member who moves the motion. That hon. Member—in this case, the hon. Member for Staffordshire, Moorlands (Charlotte Atkins)—is entitled to a full ministerial reply. This is not a generalised debate. It is about tuberculosis in Staffordshire, and other hon. Members who intervene are taking away from the hon. Member who has been given the opportunity of the debate time in which she can get a full reply.

**Mr. Rooker:** I am grateful for your guidance, Mr. Deputy Speaker, and I am sure that the hon. Member for Torridge and West Devon will understand what you have said.

Of course, the culling trial is not taking place in Staffordshire. So far, we have announced only the first two triplets, which will take place in Devon and Cornwall, and in Gloucester-Hereford. We did not successfully complete the culling strategy in one of those triplets. At present, we are in the close season of February, March and April, when no culling will take place in any event. In the near future, we will be in a position to make the decisions involved in organising the strategy for the summer.

I have to say that there was some minimal interference with the trial in December. The policy is to take 10 triplets of 30 areas in the country, and I do not know whether Staffordshire or other parts of the country will be chosen by the expert group for the other triplets. It is clear that there are areas in Staffordshire where the problem is very severe indeed, but I do not know whether the incidence there is sufficient to make up three triplets for the strategy to be operated for the culling trial.

The Government and the independent expert group have said that decisions to choose the triplet areas for the reactive, proactive and survey-only culling will be taken on the basis of the latest available information. That is very important for farmers in Staffordshire and other areas that are not traditional hotspots for the disease. In other words, we shall not be looking at the sort of snapshot that was examined by Krebs three or four years ago. The latest information—which of course will be from 1998—will be assessed this spring. If a pattern is detected in the change of breakdowns, areas of the country other than the south-west will be chosen.

I am grateful for what has been said about the increase in compensation. It was right to increase it to 100 per cent. of market value, with no upper limit. Farmers who have come to my office, and whom I have gone to see on their farms, have been literally broken men as they have watched their prize beasts, worth thousands of pounds, go down with TB. Those farmers were paid next to no compensation under the old system: at least today we can offer them the market value of the beast. I accept that compensation amounts to only about 16 per cent. of the total loss of a farmer, and the previous policy provided about 11 per cent. That comes nowhere near compensating for the effect of the distress on the farm and the loss to the farm of income and other support. It is, however, the best we can do at present.

We are spending a considerable amount of extra money, allocated under the comprehensive spending review, on vaccine research and on the trial. For vaccine research, there will be more than £1.5 million. We were severely criticised by the Krebs report for putting proportionately more money into compensation and testing than into looking for a vaccine. We shall spend about £16 million on testing and compensation, and the trial will cost nearly £10 million in addition to other work.

I do not know where the triplets will be, but I want to emphasise that participation in the culling trial areas is entirely voluntary. There is no compulsion.

*[Mr. Rooker]*

The Government and the Ministry of Agriculture, Fisheries and Food do not have the legal authority under the Animal Health Act 1981 to conduct a compulsory experiment for the trial. A press release has been issued today on behalf of organic beef farmers which refers to our debate and to the Select Committee on Agriculture's inquiry. However, farmers in the triplet areas who do not wish to participate do not have to. There is no compulsion, and there never has been.

Some landowners have allowed us to survey for badgers, but not to cull them. We have had a good response in the Devon and Cornwall area where the trial took place, and the results are still being analysed. The scheme is entirely voluntary, and not every farmer wishes to participate.

I do not see widespread badger culling as the answer. There is a problem for farmers outside the culling trial areas. When all 10 triplets are up and running, they will cover only a very small part of the land area of the United Kingdom, and a small part of the areas affected by tuberculosis. Our only real hope lies in the work that we are doing to check other wildlife species for strains of TB, the road accident surveys that we shall start in the new financial year, and the advice and guidance that we shall publish in conjunction with the National Farmers Union on husbandry techniques.

The latter is no criticism of farmers' existing husbandry techniques, but we are trying to review all the areas in which there has been a breakdown in the past. That has not been done before, but we want to consider all the evidence from breakdown areas to see whether there is any pattern. There may be an environmental pattern or a weather pattern or some other lesson that we can learn from previous incidences that would allow us to give information to farmers in other parts of the country.

In the areas of the south-west where the great hotspots are, there are massive numbers of breakdowns already, but there are also areas including farms that have never had a case of TB even though there are badgers on the farms. There is a great contradiction that makes it extremely difficult to conduct a policy. Farmers and those in the food production chain need to know that we have a policy, but we cannot have a policy without firm information and valid science to underpin it. We have not had that in the past, and no previous strategy has worked, as is proved by the rising incidence in current herd breakdowns. If previous policies had worked, we would not be where we are now.

We have no long-term plan to eradicate badgers, even though we are doing so in a small area of 10 sq km in each of the 10 triplet areas. We intend simply to test our strategy, and we shall not know the results for two or three years. We cannot base our policy on the trials of the first or second years, for which we shall not have the results until the following year.

I cannot give my hon. Friend the answers that she seeks, but I hope that I have given the House some indication of how seriously the Government take the problem. We have put in far greater resources for the new financial year starting in March, and we have doubled the number of employees that we are recruiting to the wildlife unit to ensure that we can do the job properly. We have to take care of MAFF staff, who have a difficult job: they are out all hours, in all weathers, and firearms are involved in their work. I am not prepared to have the safety of MAFF staff put at risk in any way and I do not want anyone to take the law into their own hands, for that would interfere with the validity of the trials and would not help farmers in the long run.

The badger is a protected species, but it is not endangered—there are people currently serving gaol sentences for interfering with badgers. We shall operate the law as set down and as we are required to do. There will be no free-for-all and no one is encouraging farmers to take the law into their own hands, because that will not serve the purpose of finding a policy to control and eradicate tuberculosis in cattle, which is our basic objective.

*Question put and agreed to.*

*Adjourned accordingly at twenty minutes past Twelve o'clock.*

# House of Commons

*Tuesday 23 February 1999*

*The House met at half-past Two o'clock*

PRAYERS

[MADAM SPEAKER *in the Chair*]

# Oral Answers to Questions

## SCOTLAND

*The Secretary of State was asked—*

### Cashmere Knitwear

1. **Mr. Archy Kirkwood** (Roxburgh and Berwickshire): If he will meet representatives of the Scottish Cashmere Association to discuss current difficulties facing exporters of cashmere knitwear; and if he will make a statement. [70818]

**The Parliamentary Under-Secretary of State for Scotland (Mr. Calum Macdonald):** The Scottish Cashmere Association and the Scotfish Borders Studio are providing regular briefing on the problem facing the cashmere industry as a consequence of the current banana dispute, and my right hon. Friend the Secretary of State and his Cabinet colleagues are keeping fully in touch with the situation. The Government are doing everything possible through the European Union to solve this very serious problem, with discussions at the highest levels.

**Mr. Kirkwood:** Is the Minister aware of the extent of the fear and apprehension felt by cashmere manufacturers at the prospect of 100 per cent. penal tariff duties being imposed on 3 March on cashmere jerseys exported from Scotland to the United States? Unless the threat is removed, hundreds and hundreds of jobs will be lost in south-east Scotland, in addition to the recent losses, as a direct consequence of the American action. Will the Minister redouble his efforts to ensure that a settlement is reached? Will he and the Secretary of State consider using their access to the Prime Minister to try to persuade him to use his good offices and credit with the President of the United States to try to get the threat removed as soon as possible?

**Mr. Macdonald:** I agree with everything that the hon. Gentleman said about the unfairness of the threat to the cashmere industry. The Government are working with our European partners to try to bring about a positive resolution. We especially deplore the threat to introduce duties in March. The World Trade Organisation has set up a panel to try to adjudicate in the dispute; it is not expected to report until April, and no action should be considered until that has happened, but the Government will certainly continue working with our European partners.

**Mrs. Margaret Ewing** (Moray): I believe that everyone in the House would appreciate the deep concerns about the implications for the borders, with the concentration of the cashmere industry in that area, but is it not also true that there is an impact elsewhere in the Scottish economy, including in the north-east, where we also have a cashmere industry and the food processing industry is equally under threat? Companies are trying to make their way into the 1999 Christmas market in the United States of America, so it is important that any conflict that affects them negatively is lifted. Will the Minister do everything that he can, not only for the cashmere industry, but for all the industries affected?

**Mr. Macdonald:** I absolutely agree that it is equally unfair that the dispute should impact on other industries, not only in Scotland but throughout the United Kingdom and the whole of Europe. That is why we are taking the situation so seriously and are working so hard with our European partners to try to encourage a more rational approach from the American Administration so that we can resolve the dispute.

**Dr. Liam Fox** (Woodspring): The whole House will be aware that the dispute is serious, not only for cashmere, but in a wider trading context. The Minister spoke about our European partners. What contacts has he made directly with his counterparts in the United States, and what contacts has the Prime Minister made with President Clinton on this serious subject?

**Mr. Macdonald:** As the hon. Gentleman is aware, we are working closely with our European partners. This is a matter in which European member states have to deal collectively with the US Administration, who are in no doubt about the British Government's views and the seriousness with which we take the issue.

**Dr. Fox:** Has or has not the Prime Minister made direct contact with President Clinton on the subject? We hear a great deal, time and again, about the closeness of their relationship. When President Clinton was in personal trouble, the Prime Minister was there to help him out of the situation. It is not unreasonable to expect our Prime Minister to intervene directly with the President of the United States on an issue that affects an important industry and may have ramifications for other industries in a wider trading context.

**Mr. Macdonald:** The hon. Gentleman is a noted anti-European, so it is understandable that he does not like the fact that we are working with our European partners to try to resolve the dispute, which affects not only the United Kingdom, but other European Union countries. The only way of resolving it is through direct discussions between the European Union and the American Administration, under the auspices of the World Trade Organisation.

**Mr. Menzies Campbell** (North-East Fife): What does the Minister think would have happened if the United Kingdom had joined the North American Free Trade Agreement, as Conservative Members urged? Is he aware that United States companies have 78 per cent. of the European banana market, compared with the Caribbean's 9 per cent., and that none of the bananas about which

there is a dispute are actually grown in the United States? What does that make him think about the reasonableness of the position adopted by the Americans?

**Mr. Macdonald:** The right hon. and learned Gentleman makes a fair point. The European Union banana regime is designed to comply with the World Trade Organisation regulations while honouring our commitments to those countries in Africa, the Pacific and the Caribbean with which we have relations through the Lomé agreement. We stand by those commitments.

## Inward Investment

2. **Mr. Michael Moore** (Tweeddale, Ettrick and Lauderdale): When the concordat on inward investment between his Department and other Departments will be published. [70819]

**The Secretary of State for Scotland (Mr. Donald Dewar):** Concordats will be discussed and concluded between United Kingdom Government Departments and the Scottish Executive, rather than the Scottish Office. My Department and others continue to undertake sensible preparatory work ahead of those discussions.

**Mr. Moore:** Many people in my constituency and across the borders will be hoping that the concordats that are drawn up are a vast improvement on the present regime. Much anger is felt in the borders about the way in which Viasystems is closing two profitable plants with the loss of 1,000 jobs and the fact that all the work is being transferred to other parts of the United Kingdom. Despite that, no Government agency has intervened to examine the substantial grants that the company received in other parts of the country at the expense of the borders. Will the Secretary of State accept that it is now time to hold a public inquiry so that we can resolve once and for all the real issues behind that sorry mess?

**Mr. Dewar:** Of course, I understand the hon. Gentleman's dismay and anger at what happened in the Viasystems case. As he knows, I have discussed it with a number of interests in the borders, including those who have worked in the plant. He is wrong when he says that no attempt has been made to examine what happened and, in particular, the transfer of work to factories in other parts of the country. The Department of Trade and Industry has considered the issue exhaustively with much encouragement from my Department, and we have not found any technical infringement of the rules. It is a sad chapter, but the public inquiry envisaged by the hon. Gentleman would not be the best approach to it.

**Mr. Alasdair Morgan** (Galloway and Upper Nithsdale): Will the Secretary of State publish the latest draft of the concordat on inward investment and will he tell us whether he intends to have a period of shadow running, as suggested in the guidelines on concordats published in February? If he does, will he consult the other political parties in Scotland before any period of shadow running commences?

**Mr. Dewar:** I must confess that I have never been clear about what shadow running means. I am not a great shadow runner, or indeed a great runner at all. That is perhaps a personal sadness. I repeat what I have already said: we are undertaking sensible preparatory work ahead of the discussions. I stress to the House that any agreement about the working guidelines—that is what the concordats are—between the United Kingdom Administration and the Scottish Administration is a matter for discussion between the parties. I would have thought that the Nationalists would welcome that. I notice from *The Scotsman* yesterday that Mr. Michael Russell—an important SNP apparatchik—was quoted as saying:

"The Scottish general election will give the mandate for such agreements to be drawn up between Holyrood and Westminster. To have them drafted beforehand by civil servants, party apparatchiks and political hacks is not acceptable."

**Mr. Oliver Letwin** (West Dorset): Can the Secretary of State tell the House whether the concordats will, in principle, be subject to judicial review? Does he think that there is much chance that the concordats will emerge by consensus when a senior figure in the SNP is quoted today as saying:

"the SNP executive is already made up with a proportion of so-called fundamentalists"?

**Mr. Dewar:** I am never sure whether "fundamentalist" is a religious or political term, because it has a wide use. I do not wish to interfere in the private problems of the SNP, which have been illustrated by articles in the papers today. The hon. Gentleman makes an important point, but the concordats are ground rules, not legally binding matters. Therefore, I would not expect them to be in court.

On the subject of consensus, I hope that everyone in Scottish politics will have the best intentions for the running of the new Administration and their relations with the United Kingdom. We all want to see the system work and I hope that it will be approached in a consensual manner. Even if differences arise, I hope that they will be discussed and settled amicably.

## Health Care (Glasgow)

3. **Mr. David Marshall** (Glasgow, Shettleston): If he will make a statement about the Government's plans for providing improved health care for the citizens of Glasgow. [70821]

**The Parliamentary Under-Secretary of State for Scotland (Mr. Sam Galbraith):** The White Paper "Designed to Care" set out the Government's vision for a renewed and better health service in Scotland. Total Government expenditure on health in Glasgow this year has been almost £1 billion. Since we took office, we have announced extra capital of £52 million for a new maternity hospital, a plastic surgery and burns unit and an emergency receiving centre at Glasgow royal infirmary; £10 million capital for a new radiotherapy facility at Gartnavel hospital; £6.2 million to tackle waiting times and £4.7 million to tackle peak admissions over the winter. From 1 July, this will be a matter for the Scottish Parliament.

**Mr. Marshall:** In thanking my hon. Friend the Minister for that reply, I recall that I have raised this important matter with him at previous Scottish Question Times. I congratulate him on his splendid efforts to tackle the horrific health legacy that he inherited after 18 years of terrible Tory government. However, will my hon. Friend

guarantee that the twin evils of poverty and unemployment are taken properly into account when the tremendous inequalities in health that exist in the city of Glasgow, compared with the rest of Scotland and with the United Kingdom as a whole, are tackled?

**Mr. Galbraith:** I can give my hon. Friend that absolute assurance. One of the first things that I did when I took over responsibility for the health service in Scotland was to charge it with a new priority to deal with inequalities in health, in terms of both provision and access. As my hon. Friend will know, the White Paper on Scotland's public health recognises for the first time the link between inequality, deprivation and ill health. It proposes specific measures for tackling that problem, the most important of which is the investment of £2.6 billion to change people's life circumstances, such as their lack of jobs and education, and their poor housing and environment. Once that change is in place, we can affect people's life styles and build a healthier Scotland for everyone, and especially for people in deprived areas.

**Mr. James Gray** (North Wiltshire): Some £45 million has so far been spent by the Government to reduce the absolute numbers on waiting lists in Scotland. However, will the Minister explain why, in my native city of Glasgow—*[Interruption.]* Hon. Members may laugh, but I was born in Glasgow and lived there until I was 21. It is very much my native city and, like the Secretary of State, I am a graduate of Glasgow university. Will the Minister explain why, when he came to power, only one person on the waiting list in Glasgow was waiting longer than 12 months, whereas, after a year, there were 348 people on the waiting list?

**Mr. Galbraith:** The hon. Gentleman clearly does not keep himself up to date. For the past three quarters, no one on the waiting list has been waiting for more than 12 months. He will also be aware that waiting lists in Scotland now total 78,500 people. That total is significantly lower than what we inherited and is the lowest this decade.

**Mr. John Maxton** (Glasgow, Cathcart): Does my hon. Friend agree that one of the health problems facing the citizens of Glasgow is the high incidence of dental decay, especially among young children, in the most deprived areas of the city? Does he also agree that the best way to solve the problem is to ensure the proper supply of fluoride in the public water system?

**Mr. Galbraith:** I am grateful to my hon. Friend for raising this matter again. My answer remains the same as that which I have given him previously, and the matter is also dealt with in the White Paper. There are three ways to improve the nation's dental health: although people should reduce their sugar consumption and brush regularly, the most significant factor is to fluoridation of the water.

## Employment Opportunities

5. **Mr. Dennis Canavan** (Falkirk, West): What steps he is taking to improve employment opportunities in Scotland. [70823]

**The Secretary of State for Scotland (Mr. Donald Dewar):** The Government are supporting employment growth in Scotland by securing a stable economic environment based on low inflation and sound public finances. From 1 July, this will be a matter for the Scottish Parliament.

Sadly, jobs sometimes go, but jobs are always being created. Seasonally adjusted data from the civilian work force jobs series show an increase of 33,000 in the number of employee jobs in Scotland in the period between June 1997 and September 1998.

**Mr. Canavan:** Is my hon. Friend aware that, according to International Labour Organisation statistics, unemployment in the United Kingdom fell by 98,000 last year, but that in Scotland it rose by 9,000? That was before the declaration of redundancies at firms such as Wrangler, BP, Kvaerner and Volvo, and at places such as Bishopton. In the Falkirk area alone, more than 1,000 redundancies have been announced in the past month.

When will the Government listen to people in industry who legitimately complain that interest rates and sterling are still far too high? Is it not about time that some senior Ministers were sent to places such as Falkirk to hold high-level crisis discussions with representatives of local people and business to try to devise an urgent action plan to save as many existing jobs as possible, and to attract new jobs through inward investment?

**Mr. Dewar:** We want to attract as many jobs as we can to Scotland, and to encourage firms already operating in Scotland. I need not tell my hon. Friend that, since January 1998, unemployment in his constituency is down, though marginally so. I accept that there has been bad news in Falkirk, including the Wrangler closure. However, my hon. Friend will have read of the difficulties in that industry: Levi's for example, is closing half its capacity in America, laying off more than 6,000 people. The industry has significant market problems.

My hon. Friend is right to draw attention to the problems of job creation, but we are creating jobs all over Scotland, and the balance between jobs created and jobs lost tips to the right side. On the ILO statistics, I do not like any reverse gap between us and the rest of the United Kingdom, but the Scottish unemployment rate is well below that of large parts of London, Merseyside, the north-east and other parts of England. A little perspective would be rather more helpful than suggesting that the end of the world is nigh.

**Miss Anne McIntosh** (Vale of York): Has the right hon. Gentleman assessed the potential impact on employment opportunities in Scotland of a potential loss of objective 1 status for Scotland? Has he assessed the effect of losses in the farming sector through reforms in Agenda 2000? Are the Government likely to take steps to make good any job losses caused by those reforms?

**Mr. Dewar:** I assume that the hon. Lady made a slip of the tongue in seeming to suggest that Scotland is entirely an objective 1 area. In fact, objective 1 relates only to the highlands and islands. We are keeping the matter on the agenda, fighting hard—with, I hope, her support and that of her hon. Friends—on grounds of gross domestic product per head, on which we narrowly miss

the present criteria. We are also using the Nordic rim and sparsity arguments in doing everything possible to try to retain objective 1 status for the highlands and islands.

The hon. Lady will know that extensive beef production is affected by the shape of what may come from the Agenda 2000 discussions. We are watching matters closely, and Lord Sewel is with the UK delegation, which is united on the importance of the matter. The hon. Lady will realise that enlargement of the European Union and the pressing needs for budgetary stability and agricultural reform are among the difficult problems to be faced.

**Mrs. Irene Adams** (Paisley, North): Does the Secretary of State agree that when areas such as mine—the Paisley postcode area—have lost 90 per cent. of their manufacturing jobs, there is a great need for inward investment? For how many projects has Locate in Scotland been responsible during the past year, and how many jobs will they bring to Scotland?

**Mr. Dewar:** If I remember correctly, there are 87 inward investment projects. I shall refresh my memory later in case—perish the thought—I am misleading my hon. Friend. Those projects have created a great deal of employment, and have also preserved many jobs. It is encouraging that more good news is likely in future. This week, for example, I visited Dingwall—an area which the hon. Member for Moray (Mrs. Ewing) knows well—to launch a 300-job plant promoted by a French company, Cap Gemini. That is particularly welcome, and there is much mileage in inward investment. Locate in Scotland has an absolutely first-class record and will continue to have the full backing of the Government.

**Mr. Donald Gorrie** (Edinburgh, West): First, will the Secretary of State consider stopping his present policy and that of his colleagues of blocking the employment opportunities sought by the hon. Member for Falkirk, West (Mr. Canavan) in the Scottish Parliament? On a wider front, will he consider using some of the funds that he has for training to create many hundreds of jobs insulating houses, preventing damp and conserving energy in homes? That is a labour-intensive activity, which would create many real and continuing jobs. It would not cost a great deal, but it would do a huge amount for the housing and health of the Scottish people.

**Mr. Dewar:** Of course, I do not disagree with the hon. Gentleman about the importance of thermal efficiency and the house insulation programme. I should have expected him to remember that we are in the middle of a large programme of that sort, which involves about 50,000 houses. We certainly intend to work hard on it and I look for further progress. As he knows, we are also using the new deal and the opportunities that it provides to progress that work. It is important that we have job creation constantly in our minds. That is why environmental work, thermal efficiency improvements and the work of Locate in Scotland, which has safeguarded or created nearly 18,000 jobs with the 87 projects to which I referred, are all important and must be progressed to the best of our ability.

**Mr. Tom Clarke** (Coatbridge and Chryston): In view of the importance for jobs of the Scottish tourism industry, which already employs 175,000 people in a £2.6 billion industry, does my right hon. Friend agree with Lord Gordon that it is still important for the British Tourist Authority to continue to project Scotland overseas, particularly in view of the advantages of that promotion? Because the authority markets the whole of the United Kingdom, we in Scotland leave the advantage of such marketing from Greenwich to the Grampian, which can only make sense.

**Mr. Dewar:** I agree with my right hon. Friend that we have to promote Scotland as a tourism centre in every way possible and on every scale. He will know that we have found additional money for the area tourist boards and have increased the funds of the Scottish tourist board overall, perhaps modestly but still significantly. In the area to which he referred, we have found money for Project OSSIAN—a database into which people key—which we hope will make Scotland a more accessible centre for world tourism and underline its great attractions and charms. I am strongly in favour of tourism as an important part of the Scottish economy. I was interested to note that Anne Lorne Gillies—I presume that she was not speaking for her party—a Scottish National party candidate and a member of cabinet told *The Northern Times*:

"Don't depend on tourism, it's only the icing on the cake."

That is rather undervaluing it.

**Dr. Liam Fox** (Woodspring): When Labour-supporting newspapers such as the *Daily Record* have such headlines as, "The jobs graveyard", I am sure that it makes the Secretary of State take note. What is it about the Scottish economy that is causing unemployment to rise at present when it is falling in the rest of the United Kingdom? To return to the point made by the Secretary of State's hon. Friend, or, perhaps I should say, the hon. Member for Falkirk, West (Mr. Canavan), apart from the 250 direct job losses at Bishopton, what other jobs will be lost as a consequence of a closure that the Government could prevent if they wanted to?

**Mr. Dewar:** The hon. Gentleman should look at what is happening and not take the simplistic and populist approach, which I fear is his trademark and does him little credit. That is gentle advice, not a rebuke—I fear that a rebuke would be ineffective. I repeat that there are enormous variations in unemployment in England. It is higher in Merseyside, the north-east and London than in Scotland. I do not like high unemployment. Our unemployment level is, perhaps, not exceptionable compared with the levels that often occurred under Conservative Governments—I point that out merely as a comparison, not an accusation.

Let us consider job creation. Even if one takes out one third of the promised jobs to allow for a shortfall, since we came to power we have been still more than in balance—we have a balance on the right side. If the hon. Gentleman is suggesting that things are bad and can only get worse, he should at least look at that perspective and recognise that that is so. I recommend a little more research.

**Ms Rachel Squire** (Dunfermline, West): From the 10,000 jobs lost at Rosyth and the closure of the Fife coal mines under the previous Government, I and my constituents, like many hon. Members, know only too

well the devastation that unemployment brings to local communities. However, when I visited Rosyth on Friday, at Lexmark I found a buoyant work force of 500 people and heard of plans for expansion and for a further 200 jobs. Does my right hon. Friend agree that Lexmark is an excellent example of successful inward investment; and that it is a good example of the effective partnership that can be developed between a council such as Fife council, Fife Enterprise, Locate in Scotland and the Scottish Office? Will he say what other such projects currently in hand in Scotland might bring hope and new jobs to communities?

**Mr. Dewar:** I have no difficulty in agreeing with my hon. Friend about the example she instances, which is important to her and lies within her constituency. New jobs are coming on stream: for example, I was happy to visit Standard Life bank recently, which had no employees 18 months ago, but now has more than 700, and the number is rising rapidly. One can find similar examples throughout Scotland. Like everyone else, we are having a tough time in our manufacturing industry and in some of our traditional industries, but a lot is happening that is good and positive and, as I said, the balance is on the right side.

There are examples of difficulties arising, of which perhaps the best known are Mitsubishi and the problems at Prestwick, but the sort of co-operation which my hon. Friend describes between private industry, Government, local authorities and other interested agencies has fully replaced, or is in the process of fully replacing, the job losses that were experienced. Those two examples are hopeful signs of the times.

**Scottish Executive**

6. **Mrs. Teresa Gorman** (Billericay): What plans he has for a needs assessment to inform decisions on the size of the Scottish block made available to the Scottish Executive. [70824]

**The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish):** The Scottish Parliament's assigned budget for the next three years has been determined as part of the comprehensive spending review. From 1 July 1999, any change to the funding arrangements for the Parliament, including any proposal for a study of Scotland's relative needs, would be the subject of full consultation between the Scottish Executive and the UK Government.

**Mrs. Gorman:** Will the Minister confirm that the last needs assessment for Scotland was conducted in 1977, under the last Labour Government, since when per capita income in Scotland soared under the Conservative Administration; and that per capita income in Scotland is now equal to that in England? Does he agree that, when the next needs assessment is considered, there will no longer be any excuse for English taxpayers having to subsidise Scotland to the tune of £1,000 for every man, woman and child in Scotland? There are needy areas in the south-west, Cornwall and the north-east, parts of London that currently languish under Labour management, and even parts of my constituency in Basildon where we could do with that money and where, I put it to him, the money could legitimately be directed.

**Mr. McLeish:** It is a pity that the House continues to hear such tired old arguments about devolution and the state of public finances in the United Kingdom. We have a settled system that is fair and provides stable finances throughout the whole of the United Kingdom. We believe that there is no need for a needs assessment, but, as I said, if that happens in future, there will be close consultation between the UK Government and the new Scottish Executive.

That said, comments such as the hon. Lady's are about attacking devolution. I should have hoped that the issue would be put to rest by now, because all parties in the House now support that proposition. Let me tell the House what is important in Scotland: £4 billion of new money is being spent over the next three years, of which £1.8 billion will be spent on health and £1.3 billion on education. That is what my constituents want and I am sure that it is what the House wants as well.

**Mr. Ernie Ross** (Dundee, West): Does my hon. Friend agree that it seems passingly strange that, on the one hand, the Tories are saying that we are spending too much and, on the other hand, the other right-wing party in Scotland, the Scottish National party, is saying that we are spending too little? Does my hon. Friend believe that the commitment given in the devolution White Paper that the Barnett formula will not be changed without a full assessment of Scotland's relative needs, together with the comprehensive spending review—which gives £1.8 billion extra for health and £1.3 billion extra for education—are the right policies to follow?

**Mr. McLeish:** I agree entirely with my hon. Friend. This is a stable settlement which provides something that is fair to the United Kingdom and to Scotland. My hon. Friend has highlighted the fact that, on the one hand, the SNP argues that the Barnett formula undermines the Scottish settlement, while, on the other hand, the Conservatives argue that Scotland is getting too much. They are both simply wrong. It is a fair settlement which should be supported.

**Mr. John Swinney** (North Tayside): Before a needs assessment is carried out, is the Minister at all concerned about the fact that education and health spending in Scotland is increasing at a slower rate than in England and Wales as a result of the comprehensive spending review? As a consequence, does he not realise that the statement that he has just made and the comments by the hon. Member for Dundee, West (Mr. Ross) are ludicrous because they reveal no understanding of the real impact of the Barnett formula on public finances in Scotland?

**Mr. McLeish:** It is no surprise or secret that spending levels are 20 per cent. higher per capita in Scotland. What is the SNP arguing? Is it arguing that Scotland is getting too much from Barnett and that the percentage is too high, or that it will spend more money and offer Scots a new future? The SNP cannot get away with that because it simply does not understand the finances: it is living in an economics fantasy world. Scots clearly want investment in real projects, and £4 billion in new money has been provided. The SNP cannot compete with that and the Tories want to undermine it, but ours is the correct way forward.

## Medical Care (Elderly People)

7. **Dr. Norman A. Godman** (Greenock and Inverclyde): When he last met the chairmen of health boards to discuss matters relating to the medical care of elderly people. [70825]

**The Parliamentary Under-Secretary of State for Scotland (Mr. Sam Galbraith):** I meet representatives of health boards and national health service trusts regularly to discuss matters of current interest, including matters relating to the medical care of elderly people.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Dr. Godman:** Before it becomes a matter for the Scottish Parliament, dare I remind my hon. Friend that two problems affecting the medical treatment of the elderly relate to bed blocking—in all its faulty definitions—and medical examinations? What guidelines are given to general practitioners about the annual medical examinations that people of 75 years and above receive? Are those elderly people expected to skip down to the surgeries or are allowances made for their infirmity? How comprehensive are those examinations of the elderly?

**Mr. Galbraith:** I assure my hon. Friend that allowances are made for general practitioners to visit elderly people in their homes in order to conduct examinations. The general practitioners are under an obligation either to invite elderly people to their surgeries or to conduct home visits. They carry out full examinations which assess the needs of the individual and then decide what matters should be pursued.

**Mr. Andrew Lansley** (South Cambridgeshire): When examining issues of long-term care for the elderly, I am sure that the Minister will wish to have regard to the royal commission's report on that subject. Can the Minister shed some light on why that commission—which the House was promised would report within 12 months after 4 December 1997—has not reported yet?

**Mr. Galbraith:** I hope that the hon. Gentleman will agree that it is important to get such reports correct rather than to get them early. I trust that that has been the motivating factor for the royal commission.

**Mr. James Wray** (Glasgow, Baillieston): Will the Minister tell the House why he has been pontificating about the fluoridation of the public water supply? Does he realise that he could be in breach of the Food and Drugs (Scotland) Act 1956, the Medicine Act 1968 and the Water Act 1945? Will he tell the House what doctor provides treatment to patients whom he never sees?

**Mr. Galbraith:** As many of my colleagues will know, my hon. Friend and I have had many jousts on this matter, in public and in private, and I am grateful to him for continuing the debate. He is looking a bit the worse for wear for it. We must take the most significant public measure possible to help my hon. Friend's constituents, and we must remember that this is an issue for his constituents more than anyone else. I know that he lives not in his constituency, but rather in a well-off place—but we must think about his constituents.

## Livestock Industry

8. **Mr. Owen Paterson** (North Shropshire): If he will make a statement on the Scottish livestock industry. [70827]

**The Parliamentary Under-Secretary of State for Scotland (Mr. Calum Macdonald):** The Scottish livestock industry is working to recover from blows that have affected its performance in recent years. The Government are providing a record amount of aid to farming in Scotland—almost £500 million—and since taking office we have provided an extra £82 million of targeted special aid to the livestock sector. We also made the breakthrough in getting the EU beef export ban lifted via the date-based export scheme.

From 1 July, this will be a matter for the Scottish Parliament.

**Mr. Paterson:** I thank the Minister for that reply. I recently talked to a major exporter of high-quality Scottish beef in Inverurie who said that, until the ban on beef on the bone is lifted, his business of exporting top-quality roasts to Italy, France and Belgium cannot be restarted. Therefore, no serious meat concern in Scotland will go to the considerable expense of dedicating an entire abattoir to export business. Last year, the risk of getting new version Creutzfeld-Jakob disease was one in a billion; this year, it is lower. When on earth will the Government apply common sense to the issue?

**Mr. Macdonald:** It was the previous Government, of whose party the hon. Gentleman is a member, who caused the export ban to be imposed in the first place. We have made progress—the date-based export scheme was agreed in November and we shall shortly host a visit from the Commission to study the details of the scheme and to inspect premises. After that, we shall need to work hard to relaunch the export industry successfully. I am sure that there is a market for Scottish and British beef, and we need to work hard to ensure that we win that market.

**Sir Robert Smith** (West Aberdeenshire and Kincardine): Will the Minister assure the livestock industry that, if national envelopes are introduced as a result of the negotiations on Agenda 2000 and reform of the common agricultural policy, the Government will use all the money in the national envelope to benefit agriculture?

**Mr. Macdonald:** I cannot anticipate the outcome of the negotiations. As my right hon. Friend the Secretary of State said, Lord Sewel, the Minister responsible for agriculture, is in Brussels and engaged in discussions on Agenda 2000. Current proposals would be a step in the right direction, but we need to do much more work to ensure that they are fair to British farming, including the Scottish industry.

## Housing

9. **Mr. Ian Davidson** (Glasgow, Pollok): If he will make a statement on the development of community ownership of housing in Glasgow. [70828]

**The Secretary of State for Scotland (Mr. Donald Dewar):** Glasgow city council is currently conducting a feasibility study of options for the possible transfer of the council's housing stock into community ownership.

From 1 July, this will be a matter for the Scottish Parliament.

**Mr. Davidson:** I welcome any prospect of additional money for Scottish housing in general and Glasgow in particular. I welcome also the Government's enthusiasm for the community ownership of housing. Does the Secretary of State agree, however, that it is important that any new tenants who go into community housing do so willingly and do not feel that they have been bribed or bludgeoned into doing so?

Does my right hon. Friend accept that, if there is to be any new money for Scottish housing, that money should be available whatever the result of any ballots about transfer of ownership, whether people choose to stay with the local authority, go to community housing or go somewhere else? Does he agree that it is essential that there are no rigged ballots for disposing of Scottish housing in future?

**Mr. Dewar:** I do not accept the implication that there have been rigged ballots. "Rigged" is a rather serious word to use. I am glad that my hon. Friend welcomes the emphasis on community ownership. It is an exciting initiative. It is only one option open to local government, which is at the absolute centre of the housing partnerships on which we are working.

I stress that not only does a local authority have to agree before a community ownership scheme can be set up, but the decision must be endorsed by tenants. It is important that any ballot is conducted on the basis of full information so that tenants have the opportunity to assess exactly what kind of tenancy agreement and rent policy would result. I am interested not in railroading anyone into that decision, but in taking an exciting new approach to housing and providing an opportunity to deal with the problem of residual debt, while involving tenants in managing their own affairs.

I am sure that my hon. Friend will take pleasure—as I have—in the enormously positive response of the Scottish Federation of Housing Associations, the Convention of Scottish Local Authorities, Shelter and many other organisations to the recently published Green Paper.

## LORD CHANCELLOR'S DEPARTMENT

*The Minister of State was asked—*

### Magistrates Clerks

29. **Mr. John M. Taylor** (Solihull): When he last discussed with the Association of Magisterial Officers the qualifications required of a clerk to a magistrates court. [70849]

**The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon):** I last spoke with the Association of Magisterial Officers about qualifications for court clerks on 14 January 1999.

**Mr. Taylor:** Does the Minister mind telling the House, on the matter of the solicitor's qualification, why a clerk of a magistrates court should need to be trained and examined in conveyancing, probate, wills and trusts?

**Mr. Hoon:** I had thought that the policy of the previous Administration was in favour of requiring magistrates court clerks to be legally qualified, and that is the answer to the hon. Gentleman's question. It is important that those giving legal advice to magistrates are legally qualified.

**Mr. David Kidney** (Stafford): I congratulate my hon. Friend on the concession that he made to allow clerks over 40 years of age to continue in their job without obtaining the qualification, and I congratulate him on the fact that he has put in place the training of non-qualified clerks so that they can obtain the qualification. Having said all that as his friend, may I ask him once more about the question of certificates of competence for those who have not attained the age of 40 but have done the job for many years and have thereby proved their competence? Why should they be obliged to obtain another qualification if they can already receive a certificate, as suggested by the Justices' Clerks Society, for one?

**Mr. Hoon:** I am grateful to my hon. Friend for his observations, but there is no suggestion that there is any criticism of the competence of those giving legal advice. However, it is important that we achieve a fully professional service to meet the challenges facing magistrates courts today and those that they are likely to face in future. The difficulty is that, if we exempt the great majority of those in post at present, it will take until at least the fourth decade of the next century to achieve the legal qualification.

### Legal Aid Board

30. **Mr. Simon Burns** (West Chelmsford): If he will make a statement about the financial efficiency of the Legal Aid Board. [70850]

**The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon):** The grant allocated for the Legal Aid Board's administration costs is determined with reference to a business plan, which sets out performance targets for processing the board's business under the legal aid scheme. In the financial year 1997-98, the board's unit costs fell by 1.7 per cent.

The Access to Justice Bill will reform legal aid and replace the Legal Aid Board with a Legal Services Commission, which will develop the managerial and strategic systems to implement the new legal aid arrangements and monitor them in future.

**Mr. Burns:** Does the Minister agree that one way of improving the financial efficiency of the Legal Aid Board would be for the Minister to reform the system to stop the ludicrous position—which is affecting some of my constituents—whereby a European Union national or anyone from outside the EU can come to this country and immediately qualify for legal aid, whereas most British citizens cannot travel the world and get free legal services in other countries at their taxpayers' expense? Does the Minister agree that it is time that this nonsense was stopped?

**Mr. Hoon:** As the hon. Gentleman knows, the Government are engaged in a significant reform of the legal aid scheme. However, I must tell him that reciprocity in the availability of legal aid with other European Union countries actually works to the advantage

of citizens of the United Kingdom, because they benefit from legal advice and help when they go to other EU countries. There is also a consideration under the European convention on human rights, as it is important that those appearing before our courts, of whatever nationality, have access to legal representation.

**Jacqui Smith** (Redditch): Last week I was able to visit and see the excellent work of the Redditch citizens advice bureau, and I was impressed by the potential that exists there for providing accessible legal advice to my constituents. Can my hon. Friend assure me that, in the legal aid reforms, the Government will not only keep control of current expenditure on legal aid, but ensure that a larger proportion is made available to provide legal advice in areas such as citizens advice bureaux and law centres—and widen the ambit of legal aid to cover areas, such as welfare benefits, that currently are not covered?

**Mr. Hoon:** I am grateful to my hon. Friend for her observations. She and I were elected on a manifesto that pledged to create a community legal service. It is precisely the Government's intention to get the existing legal aid scheme under control to provide resources to fund a community legal service that will give help to the most disadvantaged in our society.

**Mr. John Burnett** (Torridge and West Devon): The Government believe that the introduction of conditional fee agreements will substantially reduce the legal aid budget. They also believe that that will open up access to justice to middle-income Britain. Will the Minister tell the House whether, under conditional fee agreements, the costs of successful plaintiffs—whether they be the uplift in cost, disbursements, experts' fees and insurance premiums, if they are affordable and available—will be recoverable on a full indemnity basis?

**Mr. Hoon:** Subject, obviously, to the approval of the House, the Access to Justice Bill specifies that a successful plaintiff, under a conditional fee agreement, would be able to recover both an insurance premium and the success fee from the unsuccessful defendant.

**Mr. Edward Garnier** (Harborough): Under the Minister's plans, the only money that will be left for civil legal aid will be what is left over after the requirements of criminal legal aid have been met. If that is what he intended when he introduced his reforms, why did he not say so 18 months ago, or is this just another example of his failure to give attention to detail?

**Mr. Hoon:** It is clear that the proposed criminal defence service and the proposed community legal service budgets are separate, but those budgets are set with an expenditure settlement that is settled for the next three years. In that context, proposals to ring-fence one or both budgets would not be realistic. All services funded by the Government are funded by the taxpayer and the Government must be free to consider competing priorities for the finite resources that are available.

### Stow-on-the-Wold Magistrates Court

31. **Mr. Geoffrey Clifton-Brown** (Cotswold): What representations he has received regarding an appeal against closure of the magistrates court in Stow-on-the-Wold, Gloucestershire. [70851]

**The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon):** I have now received three representations from local interested parties following Gloucestershire magistrates courts committee's decision to close the Stow-on-the-Wold magistrates court with effect from 1 July 1999.

**Mr. Clifton-Brown:** The Minister will be aware that the magistrates courts in Tewkesbury and in Chipping Campden have already been closed. That means that huge swathes of north and east Gloucestershire will be without a magistrates court, which will involve my constituents having to travel distances of well over 20 miles, even though the bus service is virtually non-existent. Is not that the quickest way to alienate constituents in rural areas from the summary justice system?

Will the Minister consider an appeal from Gloucestershire county council against that ludicrous decision by the Gloucestershire magistrates courts committee, which will save only £7,000 a year? The decision is utterly ridiculous—so will he overrule it?

**Mr. Hoon:** Each of the decisions to which the hon. Gentleman refers was taken locally—they were certainly taken by the local magistrates courts committee—and, I suspect, involved his own constituents. In respect of the particular appeal concerning the Stow-on-the-Wold magistrates court, as he will know, the appeal process has only just begun. Those involved in each part of the appeal will be given an opportunity to present their case and comment on the case made by the other side. A decision will not be made until both parties have confirmed that their cases are complete.

### Legal Aid Budget

32. **Mr. John Bercow** (Buckingham): If he will make a statement on the legal aid budget for 1999–2000. [70853]

**The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon):** Legal aid provision for 1999–2000 is £1.63 billion. Of that, the Government expect to spend approximately £850 million on criminal cases and £780 million on civil and family legal aid.

**Mr. Bercow:** I am grateful to the Minister for that reply. Given that the number of firms providing legal aid services is set to fall, as a direct result of Government policy, from 10,600 to only 3,000, why does he not understand that firms with block contracts to act in either the civil or the criminal courts are anxious for some reassurance about what will happen after the first round of contracts has been concluded under his Access to Justice Bill?

Will the Minister accept that, unless some such reassurance is forthcoming, people will inevitably conclude that the Government are hellbent on cutting costs, whatever the sacrifice in the quality of service or in access to justice?

**Mr. Hoon:** I want to make it clear to the House that no decision has yet been taken on precisely how many

solicitors will be granted contracts. However, the hon. Gentleman's conclusion is wrong. The whole purpose of franchising and providing contracts is to ensure that members of the public have access to specialists. Indeed, those who are eligible for franchises and contracts will be high-quality solicitors who specialise in particular areas. That will ensure access to justice; it will also ensure that ordinary members of the public have the best-quality service.

**Charlotte Atkins** (Staffordshire, Moorlands): Is it not the case that some lawyers are getting rich at the expense of the legal aid budget, while profit-free services such as citizens advice bureaux and law centres suffer?

**Mr. Hoon:** Certainly, that is part of the underlying reason why the Government intend to create a community legal service, as I said in answer to my hon. Friend the Member for Redditch (Jacqui Smith) earlier. The community legal service will be able to concentrate help where it is most needed, especially among the most disadvantaged in our society.

### Legal Aid (Personal Injury Cases)

33. **Mr. Nick St. Aubyn** (Guildford): If he will make a statement on the effects of his Department's plans to withdraw legal aid in personal injury cases. [70854]

**The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon):** The Government are determined to ensure that the best use is made of taxpayers' money used to fund legal services. We see no reason to use taxpayers' money where other suitable forms of funding exist. The vast majority of personal injury cases are suitable for funding through a conditional fee agreement and at least 50,000 such agreements have already been made. However, cases with exceptionally high investigative or overall costs, or that raise issues of public interest, may continue to receive help from public funds. Moreover, there are no present plans to remove from that scope cases of personal injury caused by clinical negligence.

**Mr. St. Aubyn:** Does that answer not demonstrate mean-mindedness, because the costs of claims are often recovered through successful prosecutions and are therefore extremely small? Does it not also show shortsightedness, because in personal injury cases, where individuals' life chances have been destroyed, those without the money to pursue their case will no longer be supported by the state and, as a result, will become a burden on the state, costing the Exchequer many more pounds in the future?

**Mr. Hoon:** Unfortunately, the statistical evidence does not bear the hon. Gentleman out. If the House will forgive me, I shall set out some figures that will instruct him and perhaps assist him in formulating his arguments in the future. In 1996–97, some 83,000 personal injury cases were funded by legal aid. Of those, nearly 12,000 were clinical negligence cases, which will remain within the scope, but, of the remaining cases, more than 81 per cent. cost £4,000 or less. That was the total cost for the case, including counsel's fees. Those disbursement costs are not beyond the means of a typical solicitor, who could fund those up-front costs to the benefit of his or her clients.

**Ms Beverley Hughes** (Stretford and Urmston): Does my hon. Friend agree that lawyers in personal injury practice constantly come across people who cannot afford to pursue personal injury cases precisely because they are not eligible for legal aid? Would not moving to a conditional fee arrangement open up the courts to those with genuine claims who cannot pursue them now because they are of modest means but just above the limit for legal aid?

**Mr. Hoon:** My hon. Friend is right. At present, many people cannot afford to fund legal cases themselves, but are not so poor that they qualify for legal aid. The success of the arrangement demonstrates that the large number of people in the middle can gain access to justice as a result of the conditional fee agreements.

### Rural Magistrates Courts

34. **Mr. Desmond Swayne** (New Forest, West): If he will make a statement on his policy on the closure of rural magistrates courts. [70855]

**The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon):** The Government's policy is that the administration of magistrates courts is best decided locally, consistent with the provisions of the Justices of the Peace Act 1997—legislation that we inherited from the previous Government. A local authority that contributes financially may appeal to the Lord Chancellor against a proposed closure. The procedure for such appeals is also set out in section 56 of the 1997 Act. In the absence of an appeal, the Lord Chancellor plays no part in the process.

**Mr. Swayne:** Magistrates courts are not volunteering for closure: these closures are a consequence of the Minister's policy. How many rural magistrates courts have closed since the hon. Gentleman took up his responsibilities?

**Mr. Hoon:** The hon. Gentleman is right so suggest that magistrates courts are not volunteering for closure. The local magistrates courts committees, which are responsible for them, are taking those decisions.

## Economic and Monetary Union

3.30 pm

**The Prime Minister (Mr. Tony Blair):** With your permission, Madam Speaker, I should like to make a statement.

On 27 October 1997, my right hon. Friend the Chancellor of the Exchequer set out the Government's policy on the European single currency. He said that he would publish details of how, should it choose to do so, Britain could join the euro. That became known as the national changeover plan. Today, we publish an outline of that plan as a basis for consultation.

I should like to thank the standing committee set up by the Chancellor to oversee preparatory work on monetary union across the economy. I am most grateful to the Governor of the Bank of England, the heads of the Financial Services Authority and the British Bankers Association, the presidents of the Confederation of British Industry and the British Chambers of Commerce and the general secretary of the Trades Union Congress for their contribution to this work. It has been a truly co-operative effort involving an unprecedented partnership between the public and private sectors. I am particularly pleased that the standing committee welcomed our intention to produce the outline plan that we are publishing today.

In his statement of October 1997, the Chancellor made clear the Government's view that membership of a successful euro would bring benefits to Britain in terms of jobs, investment and trade. He said that, in principle, the Government were in favour of Britain joining a successful single currency, and he set out the conditions necessary to satisfy our national economic interest.

Our intention is clear: Britain should join a successful single currency, provided the economic conditions are met. Our membership is conditional; it is not inevitable. Both intention and conditions are genuine. We believe that it is the right course for the country to resolve this issue for the British national interest, the future of our people and their well-being. It is that national interest that will always come first.

I do not dismiss the constitutional or political issues. They are real. Monetary union is a big step of integration, but so were the Single European Act and the European Union itself. In finance and business, the world is more and more integrated. It is moving closer together. If joining a single currency is good for British jobs and British industry, and if it enhances British power and British influence, I believe it is right for Britain to overcome those constitutional and political arguments and the fears behind them. For the very reason of the sensitivity of those arguments, we have also said clearly that the Government can recommend, but the people will decide in a referendum.

What we announce today is not a change of policy: it is a change of gear. If we wish to have the option of joining, we must prepare. The sheer nature, scale and complexity of the arrangements require considerable time for such preparation. Joining the euro is, for example, far more detailed in its consequences than decimalisation. If we do not start to face this reality now, we will simply not have the practical means necessary to make a choice.

There are those, on the Opposition Benches and elsewhere, who oppose the very idea of a national changeover plan. We can no longer afford to pretend either that the euro does not exist or that Britain should not actively prepare for it. Such a denial of reality does not promote Britain's interests; it betrays Britain's interests.

The euro is a reality. It exists. Eleven out of 15 other European Union members are in it. It represents 20 per cent. of world income—as big as the United States. It will be the currency of 290 million people.

The euro has begun and, on the whole, it has begun well. Of course, these are early days. There will be tests and strains ahead, but the launch was successful. Those who predicted that it would never happen or would launch itself in disaster have been proven wrong. And it will have a major impact on Britain, in or out: that much is obvious. That alone would rebuke those who would like to pretend that it is not there.

Fifty per cent. of our trade is with the euro zone. The launch of the euro means that an increasing number of UK firms are already starting to use the euro—and not just big business such as British Steel, Ford, Philips, ICI and Unilever; surveys by the Treasury's euro preparations unit show that some 45 per cent. of small and medium-sized enterprises in the UK have trading links with Europe, and they are already having to prepare to deal with the euro. The same surveys showed that nearly half all SMEs thought that the single currency would affect their business. Last autumn, some 14 per cent. of SMEs were already planning to use the euro, and the latest survey by APACS—the Association for Payment Clearing Services—shows that 247,000 companies intend to open euro accounts. Eighty-six per cent. of large retailers have suppliers in the euro zone, and 44 per cent. say that they are planning to pay euro zone suppliers in euros from this year. The euro, therefore, is now an everyday reality for British business, large and small.

When we came to office, we took immediate steps to help the country to prepare. Since the Chancellor's statement, the Treasury has run a major information and direct mail campaign for the 1.6 million small businesses in the UK. Some 350,000 copies of the Treasury's business fact sheets have been distributed, and there have been 750,000 requests for the fact sheet leaflet. We have established 12 regional euro forums across the UK, led by senior business people, who are making preparations at local level.

Firms can now pay taxes, file accounts, issue and redenominate shares, and receive certain grants in euros, and Customs and Excise has trained some 10,000 staff to respond to business needs. Small businesses will have the help that they need. The City of London is prepared, and is already taking a good share of euro-denominated business.

These, however, are all preparations for the euro with Britain, at present, out of that single currency. It is also necessary now to prepare for Britain being part of it. If, as we have already announced, we want to keep open the option of making a decision early in the next Parliament to join, we need to step up our practical preparations now; hence the national changeover plan.

The public sector will give a clear sign of its commitment to prepare. Each Department now has a Minister responsible for euro preparations, and each will now report regularly on the preparations that are being made. Where computer systems are being upgraded, all Departments will build in euro compatibility where that

represents value for money. In the case of the Department of Social Security, the Inland Revenue and Customs and Excise, the scale and complexity of their computer systems make advance preparations critical. Together, those Departments are the main interface between central Government and the business community, and deal with almost every individual in the UK. They may need to spend some money prior to a referendum to make their information technology systems euro compatible, so that we can maintain the flexibility for Britain to make the changeover as quickly and cost-effectively as possible.

It is right that Parliament should be asked to give explicit approval to such expenditures, which will amount to some tens of millions of pounds spread over a number of years. We will therefore include provisions in the Finance Bill and the Social Security Bill that will authorise the spending—and, of course, there will be the normal votes on the appropriation accounts. The Government will be making active preparations for the euro, in the belief that it will be in this country's interests to join in the future should our economic tests be met. Business should start to do the same.

The national changeover plan sets out the range of work involved for different sectors. For example, in the retail financial sector, the British Bankers Association and APACS are leading work with the Bank of England on how to approach the conversion of their core IT systems. The retail sector more generally will be working, with consumers and suppliers, on a detailed code of practice on arrangements for the changeover. Businesses, large and small, need to focus on the impact of the euro on their business strategies.

On the basis of that work, and after studying the experience of the first wave of participants, the outline plan that we are publishing today shows that it is possible to streamline the timetable adopted in Europe, with no disadvantage to our economy and some benefit. Overall, we believe that it should be possible to move in four months, from a Government decision to a referendum; and, in 24 to 30 months, from a positive referendum result to the introduction of notes and coins. It would be a further six months before sterling notes and coins were withdrawn.

Therefore, the whole process—from a positive referendum result to the withdrawal of sterling—could be completed in about three years, which is considerably faster than the period required for the first wave of monetary union participants. However, a great deal of further work must be done to refine and develop the timetable, and particularly to clarify how soon after a positive referendum result we could actually join monetary union. As the plan makes it clear, we are committed to taking that work forward in collaboration with business and the wider public sector, so that we can produce a further plan in about a year's time.

As for the economic tests that the Chancellor established on 27 October 1997, there is much focus—which is entirely natural—on the politics of the euro project. It is, of course, an intensely political act. However, just as the euro cannot be conceived of except politically, it cannot be made to work except economically. It is, after all, an economic union.

We have, as a Government, resolved the political issues in favour of the principle of joining, should the economic tests be met. But they must be met. The manner in which we joined the exchange rate mechanism is a standing monument to the danger of joining a monetary arrangement on purely political grounds.

There are, therefore, two ideological and absolute positions on the euro which I do not share. The first is that of "no, never", which rules out Britain's membership of the euro for always on the ground of constitutional principle. The position is perfectly principled and argues—no matter what the benefits in jobs, industry or even influence—that such a decision is simply wrong, on the ground of sovereignty.

I cannot accept that position, for the reasons that I gave earlier. In the modern world, one has only to look around to see that technology, global finance, mass communication—to say nothing of travel and culture—are coming together. The world is moving together. Sovereignty pooled can be sovereignty—or at least power and influence—renewed. I suspect that, even if we were today to rule out membership in principle and for ever, in a few years, that ruling would itself come under question. In the meantime, we would have lost all influence whatsoever in the economic future of the European Union, of which we will remain a member.

The second position is an unconditional "yes, now". It maintains that economic conditions are meaningless, and that we should join regardless. I believe that economic conditions are meaningful. It is precisely because the conditions are meaningful that we have said, to give some greater certainty to business and the country, that, barring unforeseen circumstances, we would not make a decision in this Parliament to recommend joining the euro.

It is worth, however, summarising the economic tests that the Chancellor established: sustainable convergence between the UK and countries within the euro zone; flexibility to adapt to change in the UK and in continental Europe; the impact on investment and the UK financial services industry; and whether joining the single currency would be good for employment.

Three points should be emphasised. The first is that economic convergence must not be momentary, but, as far as we can accurately foresee, sustainable. We are still at a different stage of the economic cycle from the rest of Europe. However, the difference between our official interest rates and theirs is narrowing. In October 1997, UK interest rates were at 7 per cent, with those in France and Germany at close to 3 per cent. UK interest rates are now at 5.5 per cent, compared with 3 per cent. for the euro area. The difference between our long-term interest rates and their own also is narrowing, and is now down to about 0.5 per cent. Long-term, UK interest rates are now about their lowest for 40 years. Our inflation performance also is consistent with the European central bank's definition of price stability. However, it is essential that convergence is settled and sustainable. We cannot say that yet.

Moreover, for decades we have been prone to far greater swings in the economic cycle than our continental counterparts. It has been boom and bust. That has enormously damaged investment and reduced our ability to grow without hitting an inflationary ceiling at relatively low levels of growth.

Under this Government, there is an entirely new framework for economic management in place. Bank of England independence has at long last given us credibility in interest rate decisions, as well as low interest rates.

*[The Prime Minister ]*

There are also new fiscal rules which the Chancellor has relied on to slash the £28 billion borrowing requirement and ballooning national debt which we inherited and put us on a path of fiscal prudence. The new framework is a revolution in economic management for Britain. On its foundation, we have put in place measures to boost education, skills, technology and productivity, and measures to enhance the ability of business to grow and prosper. However, we need to get through this more difficult part of the economic cycle and emerge stronger. For Britain to join the euro, it must be from a position of sustained economic strength.

The second point is that these are early days for the euro. It is sensible to see how it settles down and how the ECB steers a path consistent with both strong economic discipline and the avoidance of deflation.

Thirdly, it will take some time to make a clear judgment about whether the direction of economic reform in Europe will enable us to meet the tests that we have set out, particularly on flexibility and jobs.

Europe has a choice. Most of the countries in Europe have high and persistent levels of unemployment. The Asian crisis has brought home to all of us in the EU the fragility of the new world of globalisation. Our world economy is more interdependent than ever. The EU is competing not just with itself, but with the whole world from Asia to America. The single currency alone will not make Europe prosperous. The single currency plus fundamental reform in labour, capital and product markets and in our welfare systems can do so.

Economic reform is crucial, not just to the success of Britain's participation in the euro, but to the euro itself. I understand the worries of those who, while not ruling out the euro in principle, are none the less concerned about the type of euro zone that we might be joining. That is a real question. We must be sure that the EU is moving forwards, not backwards. There are real problems in the EU and Britain can play a part in the solution. The economic reform programme includes the action plans that we started at our Cardiff Economic Council. They require labour market reform through greater flexibility, capital market reform through a European venture capital industry and product market reform through extending competition and strengthening the single market. We are determined that these must be in place. *[Interruption.]*

**Madam Speaker:** Order. I would be obliged if hon. Members who are conducting running commentaries would desist.

**The Prime Minister:** It would be better if their running commentaries made any sense.

The way to provide social protection today is not more and more regulation or high business costs and taxes; it is through making our work force highly adaptable, more employable and better skilled, encouraging the development of technology, promoting small businesses and making our welfare systems help people off benefit and into work, with specific measures to combat social exclusion. We need a new social model for a new European reality.

I want a Britain strong, economically disciplined, with boom and bust eradicated, flexible, competitive and dynamic. I want us in a Europe that at best is moving firmly in the same direction, rather than trying to hold us back. That is a vision that lets us adapt the European social model to the new realities of global commerce; a vision that binds the EU and America closer together and lets us learn from one another.

We have stated today as a matter of Government policy that in principle Britain should join a successful single currency. That principle is real. The practical preparations that we have set out are real. The conditions—necessary so that we proceed with caution, with common sense and in our own interests—are real. We have set out a vision of Europe's future.

We have a vision, but it is a vision that is practical. We should have confidence in Britain, both in our vision and our pragmatism. I commend the statement to the House.

**Mr. William Hague** (Richmond, Yorks): Many of us have listened to many statements, but never have we heard such a long list of clichés and verbiage accompanied by so little information.

It was all so simple for the Prime Minister before the last election. Perhaps he recalls his article in *The Sun* in April 1997, which appeared under the headline,

"My love for £. Exclusive by Tony Blair.

Tony Blair last night declared for the first time he loves the pound."

He admitted:

"'I know exactly what the British people feel when they see the Queen's head on a £10 note. I feel it too.'"

*[Interruption.]* He did not think it was a joke at the time. There were, he said,

"emotional issues involved in the single currency",

and he spoke about his passion for the pound. Has it not been a remarkably short journey from this love of the pound to the plan that he is announcing today to adopt the euro and abolish the pound? Has not the Prime Minister today committed the country to a course of action that is unnecessary, expensive and time consuming, and for which the British voters have never given their consent?

The Prime Minister must know that, if Britain joins the single currency, we risk being unable to run the British economy in the interests of British business. We also risk fundamental political powers—such as the power to tax and spend—being transferred away from democratically accountable British Governments. He must know that there is no sign of the British economy becoming permanently convergent with continental economies. The evidence that he just claimed to give could be equally given for the dollar, as for the euro. That is one of the preconditions that he himself has set for joining the euro.

The Treasury's own study of the economic tests states that the UK economy has become increasingly out of step with Germany and more synchronised with the United States. The document says that, if the UK were to enter monetary union,

"the loss of domestic monetary policy and the lack of exchange rate freedom could make the UK cycle more volatile."

That means more boom and bust—the right hon. Gentleman ought to be aware of that, if anybody is.

Why are there no answers today from the Prime Minister to those fundamental questions? Is it not foolish to embark on a changeover plan without the faintest clue

about how the necessary convergence of the economies is to be achieved in the first place? Is it not foolish to do so without knowing why we should want to converge with economies in which one in eight people is out of work in any case?

The Prime Minister has given a long statement without being specific in any way about the costs involved. He referred vaguely in the middle of his statement to tens of millions of pounds of public money. Why will he not say how much money will be spent in the public sector that could have been spent on the education, health and public services that he said he would provide?

Why do the accompanying documents—which I have just seen on coming to the House—give no clue as to what is involved for the private sector? There are two pages about what it means for a corner shop under the heading, "Case Study : A Corner Shop". It begins:

"A small corner shop sells a variety of groceries and household supplies."

It will be mightily pleased to hear that. The document continues:

"on a given date the shop could simply switch over from giving change in sterling to giving change in euros."

It does not say how much that will cost. The only figure mentioned in the whole two pages on a corner shop is £1.99, on the basis that, if we convert from pounds into euros, the shop might not charge things at £1.99 any more.

What use will the document be to businesses? Are not tens of millions of pounds a huge amount for taxpayers and businesses to pay before such fundamental questions are answered? Does not the Prime Minister recognise that most businesses in the country are small and that the thousands of small businesses represented by the Federation of Small Businesses are against joining the euro and will not be persuaded unless they can see greater economic advantage?

Unless the public have decided to join, they should not be forced to spend their hard-earned money on a changeover plan. Is not the money really being spent so that the Prime Minister can show that he is doing his best to sign us up to the euro, parading in front of EU Councils as the man who would join tomorrow if only the stubborn electorate would allow him? Are not the tens of millions of pounds involved a high price to pay for his vanity?

Does not the Maastricht treaty require countries preparing to join the euro to shadow it for at least two years—not to join the exchange rate mechanism, but to shadow the euro? The Prime Minister spent 20 minutes talking about preparing to join without saying a word about the most important thing that one has to do if one wants to join.

Does the Prime Minister have any plans to shadow the euro before the next general election, with all that that means for running our economy according to conditions in other countries rather than in our own? If so, he should come clean now; and, if not, why do we need a changeover plan in the meantime? Why has he produced a changeover plan that talks about computer software and cash registers but is unable to say if or when the Government will do the most important thing?

This morning, the Prime Minister's press secretary claimed that the statement was about giving the country a choice. As he was briefing on the statement several hours in advance, it is a wonder that the Home Secretary has not slapped an injunction on him by now. Is it not the case that, instead of giving people a choice, the national changeover plan is part of a national handover plan, handing over our economic and political freedoms before we have even seen whether the single currency works for anyone, let alone for this country?

The Prime Minister wants to bounce the British people into joining the euro by spending tens of millions of pounds of their money on convincing them that it is inevitable. He says that it is not inevitable, but this whole process is designed to make it so. He wants to change the cash registers, computers and banking systems so that he can turn round and tell the British people that they have no choice but to change their currency.

Does this not all add up to a strategy of pretending to give people a choice while steadily denying and diminishing that choice? Is it not an attempt to lull people into thinking that a nation that has decided its own destiny for 1,000 years is no longer fit to do so? The Prime Minister has built his recent career on being all things to all people and reassuringly facing in one direction while heading off in another. That is the trick that he has perfected, and he has now surpassed himself: while he trumpets his love for the pound, his love for the euro is the love that dare not speak its name.

Would not a Prime Minister who really wanted to give the country a choice set out a viable alternative and show the people that there is another option and that we can choose to make a success of our own currency, as part of the European Union, trading in the euro as we trade in the dollar, in Europe but not run by Europe? Should not he make it clear that for the sixth largest economy in the world to have its own currency is a perfectly viable proposition and set out a strategy for how Britain can take the fullest advantage and make the most of the freedoms and opportunities of keeping the pound?

The Prime Minister does not want to develop such a strategy. He wants people to believe that the decision is made, that entry is inevitable and that the decision of the British people is a formality. I believe that he will find that he is very much mistaken.

**The Prime Minister:** At least the right hon. Gentleman has made it clear that he is opposed to a single currency for good, for ever.

**Mr. Hague:** No, I have not.

**The Prime Minister:** No, he has not, he says. Well, he could have fooled me. We are to protect, are we, the thousand years of British history for the next Parliament but not the one after? This is the fourth position that the right hon. Gentleman has had on the issue since the election. In May 1997, he said that he was

"against the single currency in principle."

Then he said that he was against the single currency in principle "for the foreseeable future". Then he said that he had always said that

"we intend to oppose it at the next election".

That would mean for the next Parliament. Then he said:

"I don't think it's necessary to say we are against it in principle."

Now he is saying that he is against it for the next Parliament, but not that he is against it for ever. If anyone wanted to know why he and his party are not taken seriously on this issue, they should have listened to him just now.

*[The Prime Minister]*

I shall deal with some of the points that the right hon. Gentleman made. The whole purpose of the national changeover plan is to make the preparations necessary to allow us to make a choice. If we do not make those preparations, we will not be in a position to make the choice. As he has just told me that he does not rule out joining, he would be in the same position but at a later stage. It is important to try to do what is right for this country's interests. The right hon. Gentleman says that we are going to push people into it, but we have made it clear that there will be a referendum and people will have the ultimate choice. However, to allow them to be in the position to make that choice, especially with the euro now a reality, it is important that we make those preparations.

I believe that the expenditure is right, in order to prepare us for the euro. The Chancellor pointed out to me that the expenditure will be somewhat less than the amount the Conservative Government lost in their exit from the exchange rate mechanism. However, we do not want to bring back those memories.

The truth of the matter is that the Conservatives said that it would not happen. They were wrong. They said that if it did happen, it would collapse. They were wrong. Now they say that, whatever the circumstances, our motto should be "be not prepared". Wrong again. They have been wrong on every major issue connected with this policy every time that they have opened their mouths. The ostrich strategy will simply not work.

Does the right hon. Gentleman understand that he is the first Tory leader in living memory to put himself on the opposite side from the CBI, the BBA, the British Chambers of Commerce and the City of London? We could even have the delicious irony of going into the next general election with the only fears on the financial markets being the prospect of a Tory election victory. That, I am afraid, is his contribution to the Conservative party, and he will rue the day he made it.

**Mr. Paddy Ashdown** (Yeovil): There is a rule of thumb about Government statements in the House, which is that the longer the statement, the more opaque the policy. That is a bit of what we heard earlier. I am reminded of a comment from a Minister earlier today when he was asked whether entry was a matter of when or if. He said that the Government's policy was that the two words are now interchangeable. I do not know precisely what that means.

The statement was very significant. Is not the truth simply that today the Government have crossed the Rubicon in favour of the euro? I greatly welcome that, even though the Government have crossed the Rubicon only by the tiniest millimetre. I welcome it even though the Government are trying to pretend that they have not crossed the Rubicon. I welcome it because now the Government will have to defend their position—something that they have not done before.

The statement has two levels: the level that one sees, and the level that one is supposed not to see. The level that one sees is the perfectly sensible statement about measures to be taken in preparation for the euro. We welcome those measures, which are sensible, realistic and practical. I am glad that they will be debated and voted on in the House.

The level of the statement that we are not supposed to see is the continuation of the Government's policy of leadership by stealth. They move forward a millimetre at a time, but sooner or later they arrive at a point from which they cannot go back. That point has been arrived at today.

I have a question for the Prime Minister. Today he has been attacked by the Tories, and tomorrow he will be attacked by the Tory, Euro-sceptic press. Does he then leave the position undefended, or does he leave it to others—such as the CBI and the other organisations that he has just mentioned—to defend it for him?

All those organisations have shown more leadership on the issue than the Government, but the Prime Minister cannot leave it to them. The Government will have to defend their position: they can follow a policy of stealth, but they cannot win a referendum by stealth. Unless the Government are prepared to come forward and argue the case for the euro, they risk this decision, the most important that Britain has to face, being lost by stealth. [HON. MEMBERS: "Hear, hear."] That response shows what that lot on the Conservative Benches want to happen. That is the policy that the Government are currently following.

Is it not a tragedy for Britain, as this country faces the most important decision that it will face in the next two or three decades, that the Government take the view that they want to join the euro but try to pretend that they do not, and that the Tories take the position that they want to get out of Europe but try to pretend that they do not?

I have a single, specific question for the Prime Minister, which will reveal his intentions. He has told us that he wishes there to be a referendum early in the next Parliament, which means that the necessary legislation must be passed in this Parliament. Does he understand that?

**The Prime Minister:** First, I will try to take that as a statement in support, but it is a little unfair to accuse me of acting by stealth. After all, I am all here, in the House of Commons, making the statement. As for the referendum, the position is as we have set it out.

I shall deal head on with the basic criticism made by the right hon. Gentleman. There are three positions with regard to the euro—"no, never", "yes, now" and "yes, on condition". That last position is where we are now, and it is the right position to be in. It allows us to signal our intention, to set out the proper conditions, and to say what is necessary for the euro to work for the British national interest.

I believe that that balanced, sensible course sets a direction for this country, but it makes it clear that joining the euro must be in the national economic interest and it sets out the conditions for that. I surmise that, if we were in different positions and I was asking the right hon. Gentleman questions, he would probably agree that these economic conditions have to be met. When he reflects on the matter, he is probably in the same position as we are.

**Mr. Martin O'Neill** (Ochil): Does my right hon. Friend agree that it was fair of the Leader of the Opposition to say that the position was unnecessary, expensive and time-consuming, but that the right hon. Gentleman was referring to his own position? The Tory position is unnecessary because people want to join the euro; it is expensive because the longer we stay outside,

the greater will be the problem for business; and it is time-consuming because the House has no idea when the convergence criteria would be met to the satisfaction of the Conservative party. Is it not the Government alone who are prepared to take the necessary steps and put the choice to the people in a referendum?

**The Prime Minister:** My hon. Friend makes the sensible point that it is absurd of the Conservative party—if what we have heard today is their official position—to say that it will rule out the euro in principle, but only for 10 years. That is an absurd position: one either rules out the euro in principle, or one sets out the conditions necessary for entry.

My hon. Friend is also right to say that the position of the Conservative party is contrary to our national interest in the sense that, unless we make the expenditure and the preparations, we cannot be in position to exercise the choice. We are not forcing business to spend money, but saying what it would be sensible to do if they wish to be in a position to take advantage of the single currency, should Britain join it. I think that that common-sense position will appeal to the vast majority of people in business.

**Mr. Kenneth Clarke** (Rushcliffe): The Prime Minister will recall that I have on occasion been extremely critical of his and his Government's weasel words on EMU, whether they were in articles in *The Sun* or in statements to the House. Will he therefore accept that I welcome the marked change of tone represented by today's statement? In particular, I welcome the fact that he has reached agreement with representatives of the majority of British business on the practical steps that need to be taken if we are to give reality to the policy of prepare and decide.

Will the Prime Minister undertake to continue from now on to put his mouth where he thinks our money ought to be? Will he confirm that, in the real world, the British people should be concentrating on whether the country has achieved genuine and sustainable convergence with the economies of the euro zone, whether his Government can succeed in negotiating satisfactory terms for entry, and what their decision will be in the referendum, whenever it may come?

**The Prime Minister:** I largely agree with the right hon. and learned Gentleman. This is a major debate about the future of our country, and I have set out the Government's position by making a statement to the House. I shall, of course, carry on stating why I believe our position to be in the national interest. The right hon. and learned Gentleman and I would share a view on one central point: to be pro-British, one does not need to be anti-European. We can be both, and, in a modern world, we should be.

**Mr. Giles Radice** (North Durham): Does my right hon. Friend accept that his statement represents a major step forward? Not only did he set out practical preparations that the country must take, but he made it clear that, provided the economic circumstances are right, it is the Government's intention to join. This is the first time that the Government have said that so clearly. Does he agree that the time has come for a great national debate to inform the British people about the euro, and that the British Government must lead the debate?

**The Prime Minister:** Of course, my statement and its aftermath are part of the national debate. It is important that we have set out the economic circumstances that would make joining in our national interest. We have set those circumstances out clearly and we have signalled the Government's direction. We have set out the conditions clearly, and that is the right position to take.

**Sir Edward Heath** (Old Bexley and Sidcup): The Prime Minister has been absolutely right in everything that he has said today. I welcome that, although I would have welcomed it even more if he had said it last June when the whole process began.

We risk what we suffered before for 22 years when we had no influence whatever in the policies being followed by what is now the European Union. We cannot afford to take that risk again. I urge that preparations should be made as speedily as possible. We have heard many pseudo-arguments, all of them dominated by one economic fact throughout the history of the world. That fact is this: no single market in the world has more than one currency. We cannot carry on successfully in a single market if we go for multiple currencies. That simply is not feasible. The rest of Europe knows that perfectly well, and the United States knows it too. Where would the US be if it had had more than one currency? There is no argument against that point, and I hope that the Prime Minister will act as speedily as is practically possible.

**The Prime Minister:** It is important to realise that a single currency in a single market can bring benefits in terms of jobs and investment in industry. That is why we have set out our direction today. There must be settled and sustainable economic convergence, but the direction needed to be set out, and it has been.

**Mr. Tony Benn** (Chesterfield): Will the Prime Minister make it clear when the information published by the Government is sent out that every elector will be told that, if Britain is a member of the single currency, he or she will lose the right to elect or to remove on polling day those who make the economic decisions that affect our lives? Will he also point out that, under the Maastricht treaty, he himself would be in breach of the law if he tried to influence the decisions of the central bank? Is he aware that democracy is held by many people, including me, to be a national interest? Is he also aware that, on this matter, there are divisions in all parties and there will be a free vote in the House? Will he give us an assurance that the Cabinet will have the same right to freedom that was made available in 1975 during the previous referendum campaign?

**Hon. Members:** Hear, hear!

**The Prime Minister:** It is interesting to hear what I sometimes call the Thatcher-Portillo-Benn axis. I understand why my right hon. Friend holds that view very strongly indeed, but he must understand that there are those of us who are equally in favour of people having their say, which is why we will have the referendum. We have pledged that the final decision will be that of the British people. Pooling our sovereignty in this way, if it is in the national economic interest, better for British jobs, investment and industry and enhances British influence and standing in the world, is the right thing for Britain to do. We should have the campaign on the basis that people on either side of the argument are honourably intentioned

*[The Prime Minister]*

but that we disagree, not about whether we should follow the national interest, but about what it is. I happen to believe that it remains in the course that we have set out today.

**Sir Michael Spicer** (West Worcestershire): As part of the Prime Minister's changeover plan, has he turned his mind to the collapsing value of the euro? In forcing convergence and complying with the Maastricht treaty, is it his plan to shadow the euro downwards? If so, what will that mean for his inflation target?

**The Prime Minister:** That is not our policy. The hon. Gentleman and, I am afraid, the majority of Conservative Members want the euro to fail. That is all that they have left—*[Interruption.]* Literally, that is all that they have left to hope for: that the whole thing collapses. If the euro collapsed, even if we were out of it, it would be a disaster for this country. He and other Conservative Members should get into the real world today.

**Mr. Robert Sheldon** (Ashton-under-Lyne): While I welcome this most important step in producing a changeover plan, is my right hon. Friend aware that whether we join the euro is the one crucial decision to be taken during the lifetime of this Government? Is he aware that the sooner we make that firm commitment to join, even without setting a date, the more seriously we will be taken by our partners in Europe and the more fully we will be able to participate in the crucial decisions that lie ahead?

**The Prime Minister:** The conditions are important too. As I said, this is an economic union and conditions relating to economic convergence and to the five tests that the Chancellor set out, including those relating to economic reform, are important for monetary union to work in this country's national interest. So the direction is clear, but those conditions have to remain in place and be satisfied because that also is in the national economic interest.

**Mr. Michael Heseltine** (Henley): Would the Prime Minister recognise that this country, which has proudly defended its sovereignty for 1,000 years, has been told by every Conservative Prime Minister since the late Lord Stockton that we would enhance that sovereignty and our power and influence by drawing closer to Europe? Some of us still believe what we were told and followed the House of Commons whipping procedure at that time.

Will the Prime Minister recognise that his statement—which is a marked step forward in the intention of the Government to join a successful single currency—stripped of its party political rhetoric will be widely welcomed in areas of society way beyond his political party? With that in mind and given that the conditions entrenched in his statement have to be fulfilled before a successful application is made, will he recognise that that will be possible only if there is an all-party grouping to lead public opinion on the matter? Above all else, will he give the House a categorical assurance that he will lead that all-party alignment?

**The Prime Minister:** If I were a Conservative Member, I should reflect on what a former Deputy Prime Minister and long-time member of the Conservative party has just said. I believe that the issue is one that should be dealt with across the parties and I certainly intend to be at the forefront of that campaign. I have never believed that this is a issue that can be dealt with by stealth, and I do believe that the economic conditions are important. The national economic interest must always be paramount, but I believe that that is satisfied by the course that we have set out today. I thank the right hon. Gentleman for his support.

**Mr. Bill Rammell** (Harlow): I warmly welcome my right hon. Friend's statement. Does he agree that, if we follow the advice of the Conservative party and stay out of the single currency for 10 years, not only shall we be repeating the mistakes of British history for the past 50 years, but it would represent an abdication of political leadership? Does he also agree that, if we believe that a strong single currency is in Britain's interests, striving to meet the five economic criteria set by the Chancellor should be an explicit aim of Government policy?

**The Prime Minister:** The Chancellor has already made it clear that we want to meet those tests. My hon. Friend is right about the 10 years: the two justifiable positions are to rule out joining a single currency for ever, as a matter of principle, or to set out the economic tests necessary to make joining in the national interest. The Leader of the Opposition must recognise that it is genuinely absurd to rule out joining for 10 years, for that would mean that we had absolutely no influence on decision making, but we would still have to do all the things later that we are setting out today. It is far better to make the test our national conditions and do our best to meet them.

**Sir Archie Hamilton** (Epsom and Ewell): For once, I find myself agreeing with the Prime Minister: it cannot be right for us to join the euro until we have seen convergence in the economic cycles of our economy and that of the Europeans, nor can it be right to join until we have seen the liberalisation of labour and capital markets on the continent. That will take years—so why does the Prime Minister not join my right hon. Friend the Leader of the Opposition in a policy that rules out joining for this Parliament and the next?

**The Prime Minister:** Because I do not believe that would be sensible or in the country's interests. The right hon. Gentleman is right to say that convergence and economic reform are important, but we shall achieve them far better if we set out a clear direction for the country, which is what we have done today. The purpose of the national changeover plan is to put us in the position of making preparations so that we can make a choice. If we do not do that now, we will be in the position of being able to make no choice at all, and I cannot believe that that is right for this country.

**Mr. Dennis Skinner** (Bolsover): Does the Prime Minister agree that, on any objective account, the Common Market-European Union has not been a rip-roaring success? The common agricultural policy, as he knows and agrees, has been a total failure; the common fisheries policy is not worth a hatful of crabs; and there are 18 million people out of work in the Common

Market—and no signs of improvement. When we take all that into account, as well as the fact that, in seven short weeks, the euro has fallen by 7 per cent. against the dollar and 4.8 per cent. against the pound, all I have to say to my right hon. Friend—I am sure that he will take it on board—is that he should beware of those carrying out experiments in genetically modified currencies.

**The Prime Minister:** I think that the balance sheet shows that, overall, the European Union has been immensely positive for Europe and Britain's membership of the European Union has been positive or Britain. Of course we believe that the common agricultural policy needs reform, which is precisely why we are trying to make that reform happen, and of course we also believe that levels of unemployment in Europe are far too high. However, I do not believe that either the single market or the single currency has caused those problems. I think that long-term structural reform is necessary and that we should be part of that process to make sure that we put those people in Europe back to work.

One can criticise the European Union. However, if people take a step back and consider the history of Europe since the second world war, most would say that the European Union has been a success overall.

**Mr. Archie Norman** (Tunbridge Wells): Given that the Prime Minister has today reaffirmed his intention to hold a referendum on this subject, does he agree with Lord Neill, who said that the Government who conduct a referendum of this kind should not distribute at public expense literature—even purportedly factual literature—outlining or otherwise promoting their case?

**The Prime Minister:** As we said, we shall respond in due course to Lord Neill's recommendations. Of course the rules should be fair for both sides, and we shall ensure that they are. When we respond to Lord Neill's recommendations, we shall publish that response in full so that hon. Members may see it.

**Mr. Stuart Bell** (Middlesbrough): The entire House must welcome a statement that takes us towards completing the single market under the terms of the Single European Act, which was passed under the previous Administration. That Tory Government committed us to economic and monetary union.

The Prime Minister said that a Minister from each Department would be enlisted immediately to sell the benefits of the proposal and supervise the single currency changeover. Will he give the House a commitment that those Ministers will be enlisted, with the foot soldiers of the European movement—those who support the single currency—from now until the general election?

**The Prime Minister:** The purpose is to ensure that the Government are geared up properly for the necessary preparations. My hon. Friend makes a worthwhile point by mentioning the progress that we have already made in the European Union. The Single European Act, which was agreed by the previous Government, was a substantial act of integration, involving qualified majority voting on a scale not seen hitherto and breaking down a series of barriers and securing standardisation across many areas within the European Union. It is important to view this move as part of development in Europe.

All the way through, we have set out clearly the direction that we believe is right for the country and the economic conditions necessary to make EU membership in this country's interests. That balance between the direction and the conditions necessary to make that direction viable and sustainable for this country is precisely right.

**Mr. Ian Taylor** (Esher and Walton): The Prime Minister has acted in what I believe to be the national interest by engaging first gear and moving towards preparing to join the euro. Anyone who opposes a national changeover plan must not want to have a referendum, because it can be held only if the British people are prepared. Anyone who thinks that British industry should not prepare does not understand the challenges that it faces: all businesses, whether small or large, are part of a supply chain.

Will the Prime Minister recall the words of the chief economist at ICI who said that it would not damage investment in the United Kingdom if we did not join immediately, but any signal that we would be out for a protracted time could be extremely dangerous for this country's economy and investment? I hope that the Prime Minister continues to change up gears as he moves towards the referendum.

**The Prime Minister:** There is no doubt that, if we were to follow a course of hostility to the whole concept, it would damage this country's influence and the prospects for investment in the United Kingdom.

**Mr. John Bercow** (Buckingham): What is the right hon. Gentleman's empirical evidence?

**The Prime Minister:** The hon. Gentleman asks what the evidence is. If he were to talk to most people around the world who invest in this country, he would learn that they recognise that it is important for Britain to be part of the European Union and to be positive about the single market and the single currency.

The hon. Member for Esher and Walton (Mr. Taylor) is absolutely right: there can be no referendum without a national changeover plan. If we do not start the preparations now, we will not be able to join—even if we wish to do so. The Conservative party's official position today is that, even if joining is manifestly in the country's interest—even if it is plainly in the interests of industry, jobs and investment and even if business and industry are clamouring for us to join—we cannot be in a practical position to join. That is not a sensible position for a party that used to be able to speak for a section of business.

**Mr. Denzil Davies** (Llanelli): Does my right hon. Friend recognise the irony that when a British Minister of Agriculture is, for the umpteenth time, in Brussels trying to negotiate radical reform of one common European policy—the common agricultural policy—he, as Prime Minister, is announcing to the House a plan to join another common policy, a common monetary policy? The damaging effect of that would be far greater than any effect that the wretched CAP could have.

**The Prime Minister:** I do not agree. I have set out the tests and economic conditions that have to be met for the common monetary policy. As I said, our position involves, first, seeing whether there is a period of sustained convergence; secondly, finding out whether the European Central Bank settles down, and, thirdly, dealing with the issues arising out of the Chancellor's five economic tests for flexibility and economic reform in Europe. We are perfectly placed. We can set out a direction for the country, set out the conditions and, as a result of the changeover plan, take advantage of the fact that we have made active preparations.

**Sir Peter Tapsell** (Louth and Horncastle): Will the Prime Minister appreciate, leaving aside the vital constitutional issues, that most serious economists would tell him that it will be impossible to say whether or not the five economic tests have been satisfactorily met until the completion of at least two economic cycles, which makes nonsense of the timetable that he is putting before the country?

**The Prime Minister:** We do consult industry widely. I have set out the position of the Confederation of British Industry, the British Chambers of Commerce and the British Bankers Association, and most people in the City of London disagree with the hon. Gentleman. It is not correct to say that we are not listening to business and industry; we are doing so.

**Mr. John Home Robertson** (East Lothian): This statement is all the more welcome because it has been made regardless of the ravings of unelected, offshore press barons. The Leader of the Opposition talked about costs. Since the cost to the British economy of exchanges with European currencies in recent years has been equivalent to our contribution to the European budget, I suggest that the sooner we join the European single currency, the better.

**The Prime Minister:** The extraordinary thing about the Opposition's position is that they are opposed not only to the single currency, but to preparations. The right hon. Member for Richmond, Yorks (Mr. Hague) could have said that the time scale should be different, but he said that we should not even prepare and put ourselves in the position of being able to make a choice. That is plainly wrong. Without repeating to my hon. Friend what I have already said, I think it important that the conditions be met because they will make the satisfaction of our national economic interests the paramount consideration.

**Mr. Howard Flight** (Arundel and South Downs): In his statement, the Prime Minister hedged his election commitment on the timing of the referendum and said that it would occur after the next election, except in unforeseen circumstances. Will he be gracious enough to tell the House what circumstances he envisages might lead to an earlier referendum?

**The Prime Minister:** If they were foreseeable, they would not be unforeseen. In referring to unforeseen circumstances, I was repeating precisely the words that the Chancellor used in his statement of 27 October.

**Dr. Stephen Ladyman** (South Thanet): Does my right hon. Friend accept that, as he consults business about his plans, the only criticism that he will hear is that preparation should be faster and it is essential that he picks up a gear? If he speaks to executives in Marks and Spencer, as I have done, he will hear that they have already gone a long way towards preparation. *[Interruption.]* If he speaks to people who are running small and medium enterprises, he will be told that if a Government ever came to power wedded to the sort of Europhobia that we have heard from the Leader of Opposition today, that Government would put an end to their businesses. Will he give them the assurance that they want—that what the Government should provide is leadership and help with their preparations, and that what the country needs is a clear, fact-based debate so that we can all be of one mind when we go into the euro?

**The Prime Minister:** That is exactly right. We are of course undertaking the preparations in consultation with business and industry, which again is why it is so bizarre that we are told by the Opposition that we should not even make those preparations. I would point out to those Opposition Members who now even shout at the idea of Marks and Spencer that, when the euro notes and coins come in, a lot of British companies—some of them—will be accepting them. Therefore it is sensible, surely, to make preparations.

**Mr. John D. Taylor** (Strangford): As one who identifies with Europe with ease and served in the European Parliament for 10 years, I have absolutely no doubt in my mind that the euro is driven more by politics than by economics. The promoters of the euro are people who believe in a united states of Europe—a Europe of the regions—and the diminution of the nation state. I am sorry to say it, but I think that the Prime Minister's statement could be the beginning of the end of the United Kingdom. However, he was honest when, in his statement, he said,

"I do not dismiss the constitutional . . . issues"—

they are real, and he was right when he said that. Has he drawn those real constitutional issues to the attention of the palace?

**The Prime Minister:** The position that the right hon. Gentleman outlines is the "no, never" position. It is a position that says we never, ever go in. I totally understand that position, but I personally believe that, if it is in the national economic interest, we should go in. I put my statement in the way that I did, not to dismiss the constitutional issue, but simply to say that, in the end, the only question is, "Is it an absolute barrier to joining?" and my answer to that is no; if it is in the interests of British jobs, British business, British investment, we should do so. I think that that is correct; and the answer to the last part of the right hon. Gentleman's question is no.

## Business of the House

4.37 pm

**The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett):** The business for the remainder of this week will be as follows.

WEDNESDAY 24 FEBRUARY—Until 12.30 pm, a debate on the third report from the Northern Ireland Affairs Committee on composition, recruitment and training of the Royal Ulster Constabulary, followed by a debate on the sixth report from the Agriculture Committee on flood and coastal defence, followed by debates on the motion for the Adjournment of the House.

Remaining stages of the Social Security Contributions (Transfer of Functions, etc.) Bill *[Lords]*.

Remaining stages of the Rating (Valuation) Bill.

The Chairman of Ways and Means has named opposed private business for consideration at 7 o'clock.

THURSDAY 25 FEBRUARY—Debate on Welsh affairs on a motion for the Adjournment of the House.

FRIDAY 26 FEBRUARY—Private Members' Bills.

The business for next week will be as follows:

MONDAY 1 MARCH—Remaining stages of the Sexual Offences (Amendment) Bill.

Remaining stages of the Scottish Enterprise Bill.

Motion relating to the Corporation Tax (Instalment Payments) Regulations.

TUESDAY 2 MARCH—Opposition Day [6th Allotted Day].

There will be a debate on an Opposition motion, subject to be announced.

WEDNESDAY 3 MARCH—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

Consideration in Committee of the House of Lords Bill.

THURSDAY 4 MARCH—Conclusion of consideration in Committee of the House of Lords Bill.

FRIDAY 5 MARCH—Private Members' Bills.

The provisional business for the following week will be as follows:

MONDAY 8 MARCH—Remaining stages of the House of Lords Bill.

Motion on the Implementation Bodies (Northern Ireland) Order.

TUESDAY 9 MARCH—My right hon. Friend the Chancellor of the Exchequer will open his Budget statement.

WEDNESDAY 10 MARCH—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

Continuation of the Budget debate.

THURSDAY 11 MARCH—Continuation of the Budget debate.

FRIDAY 12 MARCH—Private Members' Bills.

MONDAY 15 MARCH—Conclusion of the Budget debate.

The House will also wish to be reminded that, on Wednesday 24 February, there will be a debate on VAT fraud in intra-community trade, the Independent Fraud Office and the Court of Auditors annual report for 1997 in European Standing Committee B [*Economic Secretary to the Treasury*], and that, on Wednesday 10 March, there will be a debate on transport infrastructure charging in European Standing Committee A. Details of the relevant documents will be given in the *Official Report*.

*[Wednesday 24 February:*

*European Standing Committee B—Relevant European Community document: OJC 349, Court of Auditors report for 1997; 14031/98, Independent Fraud Office; 10786/98, VAT Fraud in intra-community trade; Relevant European Scrutiny Committee reports: HC 34-vi, HC 34-vii and HC 34-viii (1998–99).*

*Wednesday 10 March 1999:*

*European Standing Committee A—Relevant European Community document: 10778/98, Transport Infrastructure Charging. Relevant European Legislation Committee Report: HC 155-xxxvii (1997–98).]*

**Sir George Young** (North-West Hampshire): The House is grateful for this week's and next week's business and for an indication of the business the week after. Can the Leader of the House confirm that we will be reverting to the usual pattern of having business questions on Thursdays?

Will the Foreign Secretary be making a statement to the House following the expiry of the deadline for the talks at Rambouillet? In view of the interest in the subject on which the Prime Minister has just made a statement, and the large number of hon. Members who were not called, can we have a full debate in Government time on the national changeover plan? During that debate, can we have an answer to the question put by my right hon. Friend the Member for Richmond, Yorks (Mr. Hague), namely, whether the Government plan to shadow the euro or not?

The Leader of the House has confirmed the date for the Budget, but can she confirm that we have not had the normal debate on public expenditure which used to take place in the autumn? Can she assure the House that that debate will be provided in due course, in Government time?

Tomorrow, the House is expecting the report on the tragic murder of Stephen Lawrence. Can the Leader of the House find time to debate the important issues raised by Sir William Macpherson and initiate a debate, which will, I hope, avoid any witch hunt of Sir Paul Condon? On that subject, can she guarantee that the House will be told the outcome of the leak inquiry? What has happened to the Home Secretary's plans to publish the draft freedom of information Bill, which is constantly trailed but never appears?

Finally, the Leader of the House has outlined the broad dates for the Easter and Whitsun recesses. Can she give the House the actual dates, so that it can plan its future arrangements with some certainty?

**Mrs. Beckett:** I can confirm that it is normally my intention to make the business statement on Thursday, but I thought that it would be for the convenience of the House to have the statement early this week, because we were not sitting last Thursday; otherwise, hon. Members might not have had much notice of the business to come.

The right hon. Gentleman asked whether my right hon. Friend the Foreign Secretary will be making a statement on issues relating to Kosovo. Obviously that is a matter that the Government will keep under review, but the right

*[Mrs. Beckett]*

hon. Gentleman will know that, at present, those issues continue to be discussed. He asked also for a debate in Government time on the matters on which my right hon. Friend the Prime Minister has just made a statement. That statement was, of course, very full, although I recognise that many hon. Members wanted to speak. As the right hon. Gentleman will have realised from the business statement, there is time for the Budget debates; but we will bear in mind any request, made through the usual channels, for a wider debate on that matter.

The right hon. Gentleman asked about a restoration of what he called the normal debate on public expenditure. To my recollection, what used to be the normal debate on public expenditure was dispensed with by the Conservative Government when I was shadow Chief Secretary, which was a considerable time ago, and they never managed to reinstate it. However, that is certainly a matter that I will bear in mind and will discuss through the usual channels.

We obviously intend to have a full statement on matters that are raised following the outcome of the Stephen Lawrence report, although I cannot add anything to what my right hon. Friend the Home Secretary said yesterday about that document being leaked.

It remains the Government's intention to publish the freedom of information Bill; and I am afraid that I am not yet in a position to give the right hon. Gentleman the actual recess dates.

**Mr. George Galloway** (Glasgow, Kelvin): When will either the Defence Secretary or the Foreign Secretary make a statement to the House on the dramatically escalating conflict in the skies over northern Iraq? In the past few hours, two 2,000 lb bunker-busting bombs—likened by *Jane's Defence Weekly* to tactical nuclear weapons—were dropped very near the important Iraqi city of Mosul. As you know, Madam Speaker, Britain is not at war with Iraq and any pilots dropping such bombs who either fell from the sky or were shot down would not be prisoners of war. They would be in a very perilous position indeed, having wreaked such devastation on Iraqi cities, and would not be protected by the conventions of war.

**Mrs. Beckett:** All I can say to my hon. Friend is that, as he knows, the Foreign Secretary is heavily engaged in discussions on other matters at present. We endeavour to keep the House informed of major and significant developments. With regard to his final remarks, may I say to him with respect that being prisoners of war did not much protect British pilots who were shot down over Iraq in the past?

**Mr. Paul Tyler** (North Cornwall): We warmly endorse the request for a full debate in Government time on the euro changeover plan. May we have an answer to the question that my right hon. Friend the Member for Yeovil (Mr. Ashdown) put to the Prime Minister, which was not answered, about the timing of legislation for the referendum? We must ensure that it is in place before the next general election so that we can take advantage of the proper circumstances at the proper time.

On 4 February, I asked the Leader of the House whether she had taken into account the damaging statement made by her colleague, the Minister of Agriculture, Fisheries and Food, which appeared to suggest that maternal transmission was now the accepted explanation of how BSE could continue beyond the 30-month period, and she undertook to draw that to the Minister's attention. Can we now have a full statement on the Government's attitude to this matter, as the chief scientific adviser has now gone on record as saying that beef on the bone should not be banned on scientific grounds and that it is entirely a matter of politics? I appreciate that it is not possible to give a date for further debate on this issue because of time constraints over the next few weeks, but can we have an assurance that the Minister will come before the House and explain that apparent change in attitude?

**Mrs. Beckett:** On the timing of the legislation for a referendum, we are not yet at that stage. The hon. Gentleman will remember, as will the whole House, that, when the House has decided that it wants a referendum to be conducted, it does not necessarily take long to pass the legislation—I believe that it took only six weeks to deal with legislation for a referendum on the Scotland Bill.

I did take up with my right hon. Friend the Minister of Agriculture, Fisheries and Food the matter that the hon. Gentleman raised with me about beef on the bone. I recall the observations of the chief scientific adviser, although not precisely in the terms to which the hon. Gentleman alluded. He will recall that my right hon. Friend made an extensive statement on that matter in the recent past—certainly since the hon. Gentleman raised the matter with me.

**Mr. Tam Dalyell** (Linlithgow): Pursuant to the answer that my right hon. Friend gave my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway), are not few other matters more important than a parliamentary discussion of the whole question of bombing and its endorsement? Incidentally, the endorsement of the bombing of the Al-Shifa factory in Khartoum has turned out to be a huge mistake.

There should be a proper discussion in Parliament of what on earth we are up to in Iraq. Is the bombing to continue? It is all very well for my right hon. Friend to say that last time our pilots were badly treated, but if there is no declaration of war they have no legal rights, as we understand them, under the Geneva convention. Even if a shell does not hit one of the Tornados, heaven help us—if a Tornado can malfunction over Lincolnshire, it can certainly malfunction over Iraq. We are drifting into constant war. What matter could be more important for the House of Commons to discuss?

**Mrs. Beckett:** I fear that I do not share my hon. Friend's analysis of the position in which we find ourselves in Iraq. He will be as conscious as I am of the fact that those engaged in overflying, whether in the north or the south of that unhappy country, are there to prevent the free operation of Iraq's armed forces in persecuting those who live in the north and south of that country. They are there in pursuit of United Nations policy.

On the general issue of our approach to these matters and the policy that drives that approach, I am sure that my hon. Friend will recall that, only yesterday, we had questions to the Secretary of State for Defence, when these matters may have been aired.

**Mr. Nicholas Soames** (Mid-Sussex): The Government insist on giving the House of Commons these

inappropriate gift days, thereby preventing the Opposition from holding the Executive to account. If that should happen again, will the right hon. Lady procure the Prime Minister's attendance on the Tuesday before the free days, so that he can answer questions from the whole House?

**Mrs. Beckett:** I remind hon. Members that there was considerable pressure from both sides of the House—primarily from people who had not voted for us to run the experiment—to have different sitting hours on Thursdays and the possibility of some free days roughly during last week. The House took a decision on that matter, and many hon. Members who did not vote for it were foremost among those pressing for those days to be awarded. I further remind the hon. Gentleman that, although it has clearly slipped the memory of most Conservative Members, the Prime Minister attends Prime Minister's Question Time more consistently than either of his last two predecessors.

**Mr. Tony Benn** (Chesterfield): Is my right hon. Friend aware that her answer about Iraq was totally unsatisfactory? British forces are continually engaged in conflict. They may be shot down, but they are killing civilians with no legal authority. Dennis Halliday, who is in charge of the United Nations oil-for-food programme, has said that between 5,000 and 6,000 Iraqi children under five are dying every month because of the sanctions. If the House of Commons cannot discuss that, and has to rely on the "Today" programme and "Newsnight", it reflects the Government's attitude to the role of Members of Parliament in this hugely important matter.

**Mrs. Beckett:** My right hon. Friend has gone beyond the terms of our defence engagement in Iraq. I am sure that he is as conscious as the rest of us of the fact that it is not because of sanctions that children are dying for lack of food in Iraq. If anyone is dying for lack of food in Iraq—*[Interruption.]* I say to my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway), who is interrupting, that he knows that that is the truth. The Iraqi Government have the capacity to use the resources they get from selling oil to purchase food and medicines. If they do not to do so, because they choose to purchase arms, that is a tragedy—but it is not a tragedy of the British Government's making.

**Mr. Eric Forth** (Bromley and Chislehurst): May I press the Leader of the House on the matter of a public expenditure debate, which was raised by right hon. Friend the Member for North-West Hampshire (Sir G. Young)? Is the right hon. Lady hiding behind the arrangements made by the previous Government? Is she suggesting that she wants to continue those arrangements, and approves of them, or will she bring the public expenditure debate more into line with what her right hon. Friend the Chancellor is doing? The House has the impression that she is trying to hide something. Why can we not have a proper debate on public expenditure in its own right as a matter of urgency, so that we know exactly where we stand on that key issue?

**Mrs. Beckett:** I am not hiding behind anything, and I am not sure what on earth the right hon. Gentleman thinks he is saying. I remind him and other Conservative Members that, when he was a Minister, the previous Government made substantial changes to the handling of our debates on the Budget and on public expenditure. Those changes were never rectified. I agree that the matter should be looked at again, and it will be. It does not, however, lie in the mouths of Conservative Members to condemn the Government on a matter about which they did nothing.

**Mr. Richard Shepherd** (Aldridge-Brownhills): Is it not absurd that the House of Lords is now on the second day of a debate on the White Paper on Lords reform, whereas we have so far been denied such a debate, which would be forward looking? There are obviously constraints, which we have mentioned, on discussing the Government's view of how the House of Lords should be reformed by way of the Bill currently before Parliament.

Furthermore, in any debate on the arrangements that the Prime Minister has just announced, could someone answer the point made by the right hon. Member for Chesterfield (Mr. Benn) about the democratic control of the people over economic policy, and results through the ballot box?

**Mrs. Beckett:** It is true that the House of Lords is currently debating the White Paper, but the House of Lords does not have the Bill before it, because the Bill is being debated in the House of Commons. We have not ruled out a debate on the White Paper, but, as the hon. Gentleman will recognise, it and the Bill deal with somewhat different matters: the Bill deals with the changes that the Government propose to make now, while the White Paper deals with the future. The fact that the House of Lords is discussing that does not mean that we should be discussing it at this stage.

The hon. Gentleman asked about the point made by my right hon. Friend the Member for Chesterfield about what he described as the people's loss of democratic control over their affairs. I can only say that I have no doubt that these matters will be aired, and aired extensively, as they have been ever since the days when a Conservative Government took us into the European Community. I must add, however, that in my view both the hon. Gentleman and my right hon. Friend are among those who would normally be telling us that the British people do not have enough democratic control over their financing in any event, irrespective of whether we join the single currency.

**Mr. Robert Maclennan** (Caithness, Sutherland and Easter Ross): I acknowledge what the Leader of the House has said about the speed with which a Bill to implement the intention to hold a referendum may be pursued, and also what the Prime Minister said earlier about the need for fairness in the conduct of that referendum; but is the right hon. Lady in a position to say when the Government may present proposals for the establishment of an election commission with the remit of considering rules guaranteeing such fairness?

**Mrs. Beckett:** I have nothing to add to what my right hon. Friend the Prime Minister said, which was that the Government were considering the recommendations that had been made and would present proposals in due course.

**Mr. John Wilkinson** (Ruislip-Northwood): This is the fourth year running in which the European Court of

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Auditors has issued qualified accounts for the European Union. Would it not be appropriate for the debate on the EU's budget to take place in the Chamber, rather than being tucked away in Standing Committee B? The people of this country could then be made aware of the extent of the misappropriation of funds, the fraud and the endemic corruption in the organisation into which her quisling Government wish this country to integrate.

**Mrs. Beckett:** It was, in fact, the last Government who decided that such matters should be dealt with by the European Standing Committees, and their decision has been endorsed repeatedly by the House. As the hon. Gentleman will know, any Member can take part in the Standing Committees' debates. Only recently, the Government widened the remit of the Committees, enabling them to discuss the full range of issues—including legislative proposals from the European Commission—that may be relevant to European Union business. That is a major step forward. We are improving scrutiny of European business, without having to bring it back to the Floor of the House.

**Mr. Christopher Gill** (Ludlow): The Leader of the House will have observed the large number of right hon. and hon. Members who were not able to question the Prime Minister on the changeover plan. May I repeat the call for an opportunity for the issue to be debated?

May I also make a plea for a debate on Gibraltar on the Floor of the House? That might also enable us to discuss the wider issue of dispatching Her Majesty's armed forces to other regions of the world to defend or protect people who are not Her Majesty's subjects, while the livelihoods of Her Majesty's subjects in the colony of Gibraltar are threatened by the unreasonable and intolerant attitude of a so-called partner in the European Union.

**Mrs. Beckett:** I cannot say that I feel inclined to offer to find time for a debate enabling us to discuss sending the armed forces to Gibraltar, but certainly the Government want any difficulties and disputes arising there to be settled as amicably as possible, and we are turning our mind to that.

I did indeed observe the number of Members who were anxious to take part in the exchanges about the Prime Minister's statement, but, as the hon. Gentleman will have noted, I have reminded the House that the Budget debate will provide an opportunity for the issue to be aired.

**Mrs. Theresa May** (Maidenhead): Will the Leader of the House consider making time available for investigation of the procedures by which the House considers secondary legislation? Frequently, statutory instruments are available only late at the Vote Office, so that considerable time has passed before hon. Members are able to examine them and consider whether they wish to pray against them. SI 229, for example, was laid before the House on 5 February, but was not available to hon. Members until 15 February. SI 274 was laid before the House on 8 February, but was not available before 15 February. SI 337, laid on 15 February, was still not available as of this morning. Does the Leader of the House agree that the House cannot perform its proper job of scrutinising Government legislation if Departments withhold the information necessary to do that job?

**Mrs. Beckett:** I am indeed mindful of the difficulties that are caused, and I experienced for many years in opposition. The hon. Lady will find that those difficulties are not new to the House—sadly—although they might be new to her. I share her view that the situation is not desirable. The Government are doing everything that we can to improve the handling of legislation, so that such delays do not occur. However, it takes time to rectify the very many defects that we inherited.

**Mr. David Wilshire** (Spelthorne): I am sure that the right hon. Lady will know that, on Tuesday 9 February, I raised a point of order with Madam Speaker, on an apparent leak of the Foreign Affairs Select Committee's report on Sierra Leone. Subsequently—as I am sure that the right hon. Lady also will know—the Minister of State, Foreign and Commonwealth Office, the hon Member for Manchester, Central (Mr. Lloyd), provided a written answer, stating that the Foreign and Commonwealth Office first saw the report after 8 am on 9 February. Today, the hon. Member for Dundee, West (Mr. Ross) admitted that, in January, he leaked a copy of the draft report to the Foreign and Commonwealth Office. However, that statement does not tie in with the information that we received last week or with the stated events of 9 February.

Will the right hon. Lady therefore arrange for the Foreign Secretary to come urgently to the House to make a statement explaining exactly when he, his Ministers, his officials, his advisers or No. 10 Downing street first saw that leaked document, and what use they subsequently made of it? Was it that document that enabled them to rubbish a report that had not yet been published, by making statements to the media at 7 am on 9 February?

**Mrs. Beckett:** I realise, of course, that the hon. Gentleman is a member of the Foreign Affairs Select Committee. Surely, therefore, he will be aware that it is currently a matter for that Committee, and that, if there has been a leak of a Select Committee report, procedures in "Erskine May"—which I believe he will find on page 670—state what should be done if such an issue arises. Although I bow to no one in my respect for the proper handling of the procedures of the House—personally, I cannot recall that I have ever leaked anything or ever intended to do so—I should tell the hon. Gentleman, and hope that no one will take frivolous offence at it, that for him to suggest that the Foreign Secretary should abandon the talks that we all hope will bring peace in Kosovo and come to the House to deal with a question on that matter puts into perspective the very strange priorities of Conservative Members.

**Mr. Shaun Woodward** (Witney): On a point of order, Mr. Deputy Speaker. In the light of the resignation from the Foreign Affairs Select Committee of the hon. Member for Dundee, West (Mr. Ross)—

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. We cannot have a debate on that matter in business questions. I shall take the point of order after business questions have been completed.

**Dr. Julian Lewis** (New Forest, East): Will the Leader of the House find time for a debate next week on the

Government's anti-democratic arrogance and techniques in using large amounts of public money to override public opposition to the euro and in using the trade union bloc of votes to override popular opposition to Labour's crony candidate for the leadership in Wales?

**Mrs. Beckett:** No.

**Mr. Gerald Howarth** (Aldershot): The Leader of the House will know that she has a responsibility to protect the interests of Back Benchers. May I therefore add to the calls made by my right hon. and hon. Friends that there should be a full debate—not only during the Budget debate, but in Government time—so that the House may properly consider what is unquestionably the most momentous decision to be made by a British Government in decades, if not centuries: surrender of the pound sterling in favour of a foreign currency?

The right hon. Lady should not be so contemptuous of my hon. Friend the Member for New Forest, East (Dr. Lewis). We are talking about serious matters. Palming us off with the suggestion of raising them during the Budget debate is not worthy of her or her position. I advise her to reconsider, given her responsibilities to the House.

**Mrs. Beckett:** With respect, I did not palm anyone off. I shall be astonished if the Conservatives do not take the opportunity of the Budget debate to allude continually to those issues. Today's statement was about practical preparations to enable us to join the single currency should the British people decide at some point that we wish to do so. The notion that that is the most momentous announcement made in the House for centuries is extraordinary. Those of us who recall the announcement that we were to join the European Union, never mind the whipped decisions to join the European single market and give up the veto—all decisions taken by Conservative Governments—will view the hon. Gentleman's remarks with astonishment.

**Mr. Edward Garnier** (Harborough): Will the right hon. Lady bear in mind the points made by her right hon. and hon. Friends about Iraq? If she cannot find time for a full debate on that, will she ensure that the Foreign Secretary comes to the House to make a statement as soon as he gets back from the Kosovo peace talks? This is a matter of huge national importance, and I invite the right hon. Lady to pay greater attention to the comments of her hon. Friends.

**Mrs. Beckett:** I am grateful to the hon. and learned Gentleman for raising that matter, because it enables me to correct something that I said in response to heckling by my hon. Friend the Member for Kelvin. I referred to the purchase of arms, but I meant the expenditure of money on the Iraqi armed forces. I shall bear in mind the hon. and learned Gentleman's request for a statement, but I remind him that there was an opportunity to raise the issue at Defence Question Time yesterday.

**Mr. Garnier:** That is not the point.

**Mrs. Beckett:** This is business questions, when hon. Members can ask for opportunities to raise matters that there has not so far been an opportunity to raise. There was an opportunity to raise this issue only yesterday at Defence Question Time. My right hon. Friend the Foreign Secretary seeks meticulously to keep the House informed, but I suspect that, should he come to the House to make a statement in the near future, it is possible that Kosovo will be more immediately on his mind than Iraq.

**Mr. Donald Anderson** (Swansea, East): My right hon. Friend will be aware that the House always takes seriously the leaking of Select Committees or House reports. She will also be aware that our hon. Friend the Member for Dundee, West (Mr. Ross) volunteered to the Foreign Affairs Committee this morning that he had leaked an early draft of the Committee's report. Will she confirm to the House that the appropriate procedure is that adopted by the Foreign Affairs Committee this morning? The matter should be referred to the Liaison Committee, which is meeting on Thursday this week. It will report back to the Foreign Affairs Committee and thence, probably via this House, to the Privileges Committee. The report of the Privileges Committee, after evidence has been taken, will be debatable in the House.

**Mrs. Beckett:** My hon. Friend is entirely right. The proper procedure, laid down in "Erskine May", provides for his Committee to discuss the matter and for it then to go to the Liaison Committee. I think—I am speaking from memory—that the proper course is for the Liaison Committee to send any matter that it thinks should be reported to the Privileges Committee. I am not sure that it goes via this House, but I shall check that. My hon. Friend is right: there is a proper procedure to be followed. I was confident that his Committee would follow it.

**Mr. Crispin Blunt** (Reigate): Yesterday, the Home Secretary drew attention to the distinction between run-of-the-mill statements and other statements. Will the right hon. Lady be able to tell us which are run-of-the-mill statements before they are made? If not, will she ask Ministers to make their statements to this House first, with no briefing around them beforehand?

**Mrs. Beckett:** The hon. Gentleman's question is based on a false premise, because that was not what my right hon. Friend the Home Secretary said. I am sorry to tell the hon. Gentleman that I listened carefully, and my right hon. Friend said that there was a distinction—however much one might deplore it—between the leaking or other disbursement of relatively run-of-the-mill documents, such as Green Papers or White Papers, and the leaking of the report of a judicial inquiry, which is not in any way— *[Interruption.]* I suggest that Opposition Members take this seriously. A judicial inquiry is, in itself, a serious matter. The report is not a Government document, or a Government policy facing criticism. It is the report of a judicial inquiry in which the Government's only role was to set up the inquiry so that the matters could be examined. The Government have nothing to defend or to be concerned about in terms of the publication and leaking.

As for the hon. Gentleman's desire to have matters reported to the House first, I entirely share it. I would simply say that, given that the action yesterday of the right hon. Member for Sutton Coldfield (Sir N. Fowler), the Conservative spokesman, was to deplore the Home

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Secretary's action in launching an injunction in an attempt to protect the interests of the House, I take his exhortations with a pinch of salt.

**Mr. John Bercow** (Buckingham): Given the breath-taking inadequacy of the statement from the Prime Minister which the House has just endured, will the Leader of the House find time for a statement next week by the Chancellor of the Exchequer, in which he is able, once and for all, to commit the Government to publish a White Paper on the economic, political and democratic implications of abolishing the pound? Does the right hon. Lady understand that the publication of such a White Paper would enable the Chancellor to declare whether he agrees with the former Spanish Prime Minister Felipe Gonzalez that the European single currency is the greatest abandonment of sovereignty since the foundation of the European Community? Moreover, it will enable the Chancellor to explain why he believes that the control of the British economy should be given up permanently to people whom we do not elect and cannot remove.

**Mrs. Beckett:** No doubt, there will come a time when my right hon. Friend the Chancellor of the Exchequer may publish documents dealing with those issues, but, since he is supposed to be publishing his Budget in the relatively near future, I doubt whether he is working on those at the moment. As for the hon. Gentleman's reference to the breath-taking inadequacy of the statement, I have observed—as, I am sure, has the House—that there is no statement that has yet succeeded in taking away his breath.

**Mr. Andrew Lansley** (South Cambridgeshire): May I reiterate my request to the Leader of the House, made on 4 February, that she arrange for a statement by the Secretary of State for Health on the progress of the royal commission on long-term care which—she will recall from the Health Secretary's statement on 4 December 1997—he confidently expected would report within 12 months, and which is now more than two months late?

**Mrs. Beckett:** I will bear in mind the hon. Gentleman's request, which I will draw to the attention of my right hon. Friend the Secretary of State for Health, who I am confident will be anxious to publish whatever he can as soon as he can.

## Points of Order

5.13 pm

**Mr. Tam Dalyell** (Linlithgow): On a point of order, Mr. Deputy Speaker. May I raise a gentle point of order on behalf of a minority—a quartet of us? I refer to the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), my right hon. Friend the Member for Chesterfield (Mr. Benn), my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway) and me. We have no more wisdom than anyone else in this House, but it so happens that we are the four who have actually been to Iraq and have seen the holocaust. There are 560,000 dead children, and we have seen the pictures on the front of *The Tribune* newspaper. When one sees—

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. I must equally gently remind the hon. Gentleman—who has long experience in the House—that there are other opportunities to pursue a matter of argument. That is not a point of order for the Chair.

**Mr. Shaun Woodward** (Witney): Further to that point of order, Mr. Deputy Speaker. You will be aware of the resignation this morning of the hon. Member for Dundee, West (Mr. Ross), following his leak to the Foreign Secretary of a Select Committee document in January. You will also be aware of a number of written questions to the Foreign Office asking when exactly it was shown drafts or amendments of the Sierra Leone report. The answers given have at best shown grave discrepancies, and the answer given to my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) last week by the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd), could have led hon. Members to believe that the Foreign Office had no sight of any document before 8 o'clock on the day of the embargo.

In the light of the resignation, and the admission this morning by the hon. Member for Dundee, West that he had shown a copy of the draft report to the Foreign Secretary one month before publication, is it not your view that the Foreign Secretary is not only complicit but should come to the House to make a statement? Has he applied to make such a statement?

**Mr. Deputy Speaker:** On the latter point, no; but it is not a matter for the Chair to have a view on. The hon. Gentleman's point of order was presaged by a question from the hon. Member for Spelthorne (Mr. Wilshire) and, in the course of exchanges, the Chairman of the Foreign Affairs Committee, the hon. Member for Swansea, East (Mr. Anderson), set out the exact position. I understand that the matter is already being handled by the Committee and, following the due process, the matter may come before the House at some subsequent time.

**Mr. David Heath** (Somerton and Frome): Further to that point of order, Mr. Deputy Speaker. Is there not a clear distinction between the procedure that the Foreign Affairs Committee must adopt, and that has quite rightly been put in train with the Procedure Committee, to deal with the leaking of the report, and the reply to the hon. Member for Chesham and Amersham (Mrs. Gillan), which was disingenuous in suggesting that the first sight the Foreign Secretary and his Ministers had of the report

was on the morning of its publication, when it is clear from the statement by the hon. Member for Dundee, West (Mr. Ross) that the Foreign Office had sight of the report a month earlier? Have the Foreign Secretary or any of his Ministers given any indication to the Chair that they want to correct that misapprehension?

**Mr. Eric Forth** (Bromley and Chislehurst): Further to that point of order, Mr. Deputy Speaker. Accepting—you have already guided us most helpfully on the point—what the hon. Member for Swansea, East (Mr. Anderson) has said about the role of the Foreign Affairs Committee in investigating its side of the matter, which it properly must do, can you advise the House whether there is anything that we can do to find out what the role of the Foreign Office was in the matter?

The role of the Committee and its members will be properly investigated, as the Chairman has said, but how can we pursue the role of the Foreign Office, especially in the light of what my hon. Friend the Member for Witney (Mr. Woodward) and the hon. Member for Somerton and Frome (Mr. Heath) have said about the inadequacy—I put it no more strongly—of recent Foreign Office answers?

**Mr. Deputy Speaker:** Those are not points of order on which the Chair can rule. I have answered the question whether notification of any statement has been received. No such notification has been received. When Ministers make statements is entirely a matter for the Government. There are, of course, many ways open to right hon. and hon. Members to raise points of debate, and I am sure that it is not beyond their ingenuity to find those ways if there are points of argument that they want to pursue.

**Sir George Young** (North-West Hampshire): Further to that point of order, Mr. Deputy Speaker. Would it be in order for the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd), to make a statement to clarify the apparent discrepancies that have been pointed out?

**Mr. Deputy Speaker:** I am sure that the right hon. Gentleman knows that that again is not a matter on which the Chair can rule. The Leader of the House will have heard the request that was made, and—

**Mr. Forth:** Not here.

**Mr. Deputy Speaker:** It was made at an earlier stage.

The Leader of the House will have the matter drawn to her attention, but it is entirely a matter for the Government to decide when and which Ministers make statements to the House.

**Mr. Crispin Blunt** (Reigate): On a point of order, Mr. Deputy Speaker. The reputation of the House is largely in the hands of the conduct of its Members, and a more onerous responsibility falls on the senior Members, and especially the Prime Minister. In response to a question from the right hon. Member for Chesterfield (Mr. Benn) earlier today, the Prime Minister made a remark—I am not certain that it will have been picked up by the reporters—about the cracked Wedgwood argument. He then failed to address the points that were put to him. Could you draw his attention to the fact that such conduct does not do the reputation of the House any good?

**Mr. Deputy Speaker:** I did not hear the remark and I cannot make a retrospective ruling as to whether points of propriety are raised. There can be no further point of order on which I can rule. We now come to a ten-minute Bill.

## Fuel Safety

5.20 pm

**Mr. Fraser Kemp** (Houghton and Washington, East): I beg to move,

That leave be given to bring in a Bill to require the installation of carbon monoxide detectors in certain premises; to raise public and professional awareness of the dangers of carbon monoxide poisoning; to make new provision with respect to the maintenance of fuel appliances; and for connected purposes.

Thank you, Mr. Deputy Speaker, for giving me the opportunity to present this Bill. I became involved in this important subject following the death of a constituent who was 19 years old, a student at Durham university and a talented and admirable young woman. She died in a rented house in multiple occupation because of the inadequacies of the heating equipment. That was the second death of a 24-year-old student in my constituency, because two years previously another student, Glen Haliday, died.

Thank my hon. Friends and other hon. Members who are present in the Chamber, many of whom are here because they have had similar experiences in their constituencies. They have had to sit down with the parents and loved ones of those who have lost their lives through carbon monoxide poisoning. I know that there are people observing our proceedings today who have also recently lost loved ones through similar terrible tragedies.

The Bill is in memory of those who have died, as well as an attempt to prevent such deaths in future. It is a sad fact that, statistically, every Member of Parliament will at some stage in their parliamentary careers have to deal with a similar tragedy in their constituencies. Recently, in the constituency of my right hon. Friend the Member for Chesterfield (Mr. Benn), four people—a mother, father and two young sons—died of carbon monoxide poisoning.

The Bill is a reasoned, long-overdue and sensible measure. That is endorsed by the support that it has received from my hon. Friends and from Conservative Members, Liberal Members and the minor nationalist parties. I am grateful to all those who have supported the Bill.

The Bill is in three sections. The first would provide, initially, for the installation of carbon monoxide detectors in houses in multiple occupation. The second part would place a duty on the Government to raise public and professional awareness of the dangers, and the third would make new provision for the maintenance of heating equipment and introduce tougher penalties for those who abuse it.

I accept that carbon monoxide detectors are a second line of defence, but they are important. We must ensure that all equipment in the home works correctly, but detectors should be installed as a second line of defence. I would like to see in Britain the same culture for carbon monoxide detectors that we have for smoke alarms. Twenty years ago, smoke alarms were costly and rare. Today, they are relatively cheap and many houses in Britain are much safer because of their installation. We should develop the same attitude to carbon monoxide detectors. That would help to reduce their price, although they are relatively inexpensive at the moment at around £30.

Before I came into the Chamber at 2.30 pm, I talked with a Mrs. Smith whose husband tragically died 10 days after their house had been checked by an engineer. Everything appeared to be in working order, but carbon monoxide—an evil, silent and insidious killer—had crept through and killed Mr. Smith. So detectors are important.

Another case of which I am aware involves a Mr. Nigel Cullen, who had read about the existence of carbon monoxide detectors. Part of the problem is that not many people know that audible detectors can be purchased, as can other equipment that will shut down the supply if it detects the gas. Mr. Cullen read about the detectors in the *Nottingham Evening Post* and decided to buy one, which he sent to his daughter, a student at Newcastle university.

Mr. Cullen's daughter shared a house with four other people. As soon as the detector was fitted in that house, it registered carbon monoxide present at 10 times the danger level. There is no doubt that that detector at least prevented Mr. Cullen's daughter and her housemates from becoming seriously ill, and it may have saved their lives.

The press has been criticised in the House over the past couple of days, but some newspapers with which I have been involved—such as the *Nottingham Evening Post*, the *Sunderland Echo*, *The Northern Echo* and *The Journal*—have played an important part in recent months in raising public awareness and making sure that lives are saved.

My second intention with the Bill is to raise public awareness. I am grateful to this Government, and also to the previous Government, for spending some money on television advertising. A campaign is running at present, and hon. Members may have seen it over recent weeks. That is another factor in helping to raise awareness, as is the inclusion in 20 million gas bills of a leaflet with a helpline number which people can contact if they are worried about the problem. Public awareness is important, and Parliament should place a duty on Secretaries of State to ensure that major safety campaigns take place.

Professional awareness is also important, especially in the health service. We must ensure that there is good co-ordination between health service professionals. One of the problems is that carbon monoxide poisoning is very slow. Because its symptoms include headaches and sickness, it is often mistaken for influenza and can be hard to identify, even for people in the medical profession. The question of public and professional awareness is therefore very important.

Finally, the Bill would require landlords to ensure that equipment is checked annually. Such maintenance is vital: no one would get in a car that had not been MOT-ed, for fear that it was dangerous. We should have the same attitude to equipment in the home, which should be installed by qualified people. Landlords who want to install such equipment on the cheap, and play God with people's lives, should suffer the consequences.

Legislation is not tough enough, and we need to send out the message that we will not settle for anything less than the highest standards, which are needed to protect the most vulnerable people in our society. I accept that carbon monoxide poisoning does not respect class or housing tenure, but the evidence is that those at the bottom end of the housing ladder are more likely to suffer from it.

With the indulgence of the House, I should like to make a further point. When we think of carbon monoxide poisoning, we tend to think in terms it happening as a result of faulty gas equipment. However, the problem is

not confined to gas equipment. On 5 February, I received a letter from a woman with whom I used to work before I became a Member of Parliament. The letter states:

"Dear Fraser,

On January 7th 1999 my partner, Michael Price, tragically died of carbon monoxide poisoning. He was only 45 and we were looking forward to marrying and having a family. The source of the poisonous gas was a blocked flue from a stove in his sitting room, which was burning anthracite. I applaud your efforts to introduce awareness of the need for safety and the extended use of alarms to detect carbon monoxide. I would especially urge you to take this opportunity to point out very strongly that gas appliances are not the only potential source of carbon monoxide. Too many people are unaware that the burning of any fuel which creates a carbon deposit"—

**Mr. Deputy Speaker** (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Gentleman, but he has used up his time. In view of the House's crowded schedule for the rest of the day, I must ask him to finish.

**Mr. Kemp:** Thank you, Mr. Deputy Speaker. Let me simply say that carbon monoxide can come in many forms. I ask for the House's support.

*Question put and agreed to.*

Bill ordered to be brought in by Mr. Fraser Kemp, Mr. Alan W. Williams, Mrs. Llin Golding, Mr. Vernon Coaker, Mr. Neil Gerrard, Mr. Paul Keetch, Ms Jackie Lawrence, Mr. David Ruffley, Mr. John Swinney, Mr. Stephen Hepburn, Mr. Roy Beggs and Mr. John Cummings.

FUEL SAFETY

Mr. Fraser Kemp accordingly presented a Bill: And the same was read the First time; and ordered to be read a Second time on Friday 16 April, and to be printed [Bill 49].

# Orders of the Day

## Welfare Reform and Pensions Bill

[*Relevant documents: The Fifth Report from the Social Security Committee, Session 1997–98, on Pensions on Divorce (HC 869) and the Government's Response thereto (HC 146 of Session 1998–99.*]

*Order for Second Reading read.*

**Mr. Deputy Speaker (Sir Alan Haselhurst):** I should inform the House that Madam Speaker has selected the amendment in the name of the Leader of the Opposition, and that Madam Speaker has imposed a 10-minute limit on Back-Bench speeches.

5.32 pm

**The Secretary of State for Social Security (Mr. Alistair Darling):** I beg to move, That the Bill be now read a Second time.

The Bill marks another step in our modernisation of the welfare state to ensure that it can meet the needs of the next 50 years. Across Government, we are taking action to tackle the causes of social and economic failure. We are investing £40 billion extra in health and education, reforming the tax and benefit system to make work pay and tackling the scandal of poverty pay with the first ever national minimum wage. We are also helping 6.5 million families with the biggest ever rise in child benefit. In short, we are taking action today to deal with immediate problems, but our central objective is to confront the causes of social and economic failure in the future.

In this last year of the 20th century—50 years after the start of the welfare state—it is a scandal that a child can still be born poor, live poor and then die poor. We are tackling the poverty of expectation that leaves a generation of children expecting nothing better for themselves than a lifetime on benefit. We know too well the effect that years of unemployment can have on individuals. It demoralises them, and it is debilitating. That is why we need a radical change in culture, both for individuals and for Government. We are tackling the poverty of opportunity that allows people to be written off, or, sometimes, to write themselves off.

The Bill is an essential part of our strategy. Benefits alone cannot tackle this failure. It is easy for the Government to send out a giro, but a giro will not get anyone a job, or improve their skills. Benefits can, of course, treat the symptoms of poverty, but they cannot tackle its causes. Complacency—an acceptance of social and economic failure as part of the natural order of things—would be a betrayal of the generations that follow us. We are determined to act, to make a difference and to be judged on our actions.

Today, we take reform a step further in four key areas. It may be helpful to the House if I set out how I intend to deal with the Bill.

First, we are introducing a radical package of measures to keep people in touch with the labour market, including the single gateway and the new employment zones. Secondly, we are modernising disability benefits so that they will provide more help for disabled people in greatest need, as well as providing opportunities for disabled people who want to work.

*[Mr. Alistair Darling]*

Thirdly, we are modernising and extending entitlement to bereavement benefits to help families with children who need it most. Fourthly, we are starting the process of pension reform, to ensure that the system provides security in retirement for future pensioners and allows pension sharing on divorce.

In addition, the Bill provides for a number of other measures, including a new housing benefit pilot and a power to incur expenditure to enable my Department to acquire the information technology equipment that it will need if it is to deliver a modern service and to undertake preparatory work for the possible introduction of the euro, as outlined by my right hon. Friend the Prime Minister earlier this afternoon.

**Mr. Jonathan Shaw** (Chatham and Aylesford): My right hon. Friend mentioned the single gateway, which has been received by constituents whom I have consulted and representative groups in my area with considerable enthusiasm. Will people with disabilities who attend the interviews be treated with dignity and respect, so that we do not have a repeat of the approach taken under the Tory benefit integrity project? Can he also give an assurance that the staff doing the interviews will be properly trained?

**Mr. Darling:** Yes. Lest my hon. Friend and others thought that I had finished with the Bill, having gone through the four main points, and was going to talk about the euro for the rest of the afternoon—no matter how tempting that would be because of the reaction of Conservative Members—I was about to turn to the single gateway. I will deal with the points that he raised and, if I miss any of them out, I will certainly give way.

However, I do not want to be denied my pleasure on the subject of the euro. One final point is that preparation for it and the delivery of a host of other measures within the Department clearly will depend on our having the IT equipment. The reform of child support, which will come forward in the next year or so, the single gateway and so forth will all require new IT equipment. At this stage, I will merely say of the clause that not only is Treasury approval required before detailed work is undertaken, but expenditure can be undertaken only if approved by the House.

**Mr. Clifford Forsythe** (South Antrim): Will the Secretary of State give way?

**Mr. Darling:** I promise the hon. Gentleman that I will deal with the rest of the Bill, but if he wishes to intervene on this point, I will certainly give way.

**Mr. Forsythe:** It is an important point for Northern Ireland. Does the Bill in its entirety extend to Northern Ireland?

**Mr. Darling:** The hon. Gentleman will see at the end of the Bill those parts that apply to Northern Ireland. He will also be aware that, as part of the Government's settlement following the Belfast agreement last year, it is envisaged that there should be a level playing field throughout Great Britain for national insurance. That is what employers and business want.

**Mr. John Hayes** (South Holland and The Deepings): Will the right hon. Gentleman give way?

**Mr. Darling:** Not at the moment.

Large parts of the Bill, excluding the single gateway, apply to Northern Ireland. Only certain parts of pension sharing on divorce, which I will deal with later, will apply there as family law in Northern Ireland is different from that in Scotland and in England and Wales.

I am conscious of the fact that a time limit has been imposed and that a large number of hon. Members want to speak, so I will deal with the single gateway, which is in many ways one of the most important features of the Bill. It reflects a radical change in approach and culture in the benefits system.

Clause 47 introduces the new single gateway for people of working age. As I said, far too many people are written off or have allowed themselves to be written off and have resigned themselves to a lifetime on benefit. Too many children are growing up in workless households and have come to expect nothing better for themselves. The Government need to tackle that poverty of expectation.

For example, the present system assumes that in many cases lone parents will stay on benefit for 16 years or longer. If a lone parent wants to work, she is on her own—without access to training, support or advice. The new deal takes a new approach. It provides active support not merely for lone parents, but for people with disabilities, as well as for the long-term and young unemployed. It is worth noting that more than 210,000 young people are already on the new deal and that 60,000 people, who would have been on the dole if we had not taken that action, are now in paid employment.

**Mr. Eric Forth** (Bromley and Chislehurst): What will happen if the lone parent refuses to work, or does not want to do so?

**Mr. Darling:** One thing is clear: we will not compel lone parents to work—

**Mr. Forth:** Oh!

**Mr. Darling:** That should not be news to the right hon. Gentleman. He is in the House often enough, although he may not listen to what is said. We have made it abundantly clear that, as regards the gateway, everyone of working age coming through the benefits system will be required to attend an initial interview to be told their options. However, we have made it clear that lone parents and the disabled will not be compelled to take a job.

**Mr. John Bercow** (Buckingham): Will the Secretary of State give way? *[Interruption.]*

**Mr. Darling:** I am glad to have the support of Opposition Members. I shall give way in a moment. The point is that the single gateway builds on the new deal, because it provides everyone of working age with advice on their options in work, training and child care. Everyone of working age entering the benefits system will, for the

first time, get the help that they need and have the right to expect. In turn, they have a clear responsibility to take up that help, so, as a condition of receiving benefit, they will be required to take part in an interview to find out about the opportunities that are open to them.

My hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) asked whether we will be sensitive to people faced with particular difficulties. Of course we shall—we want the single gateway to work. One of the aspects of the new deal by which I am most struck is that those who have been on it speak openly about the qualitative difference between the service they receive now and the service they used to receive when the Tories were in office. There is another difference—

**Mr. Bercow:** Will the right hon. Gentleman give way?

**Mr. Tom Clarke** (Coatbridge and Chryston): Will my right hon. Friend give way?

**Mr. Darling:** I shall certainly give way, both to the hon. Gentleman and to my right hon. Friend, but let me finish my point.

Unlike what happened in the past, we now offer help through the national child care strategy; the working families tax credit, which helps to make work pay; and the minimum wage, which the Conservatives oppose and have pledged to repeal, but which will get rid of the poverty arising from low wages. There is help available now that was never available in the past, and having a personal adviser means that people can be taken through the gateway system and have their options explained to them individually. I give way to my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) first, and then to the hon. Member for Buckingham (Mr. Bercow).

**Mr. Clarke:** My right hon. Friend is embarking on a herculean task and we wish him well. However, may I pursue the point raised by my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw)? We all understand my right hon. Friend's objectives, but I am sure that he understands the situation that he has inherited. Disabled people, including some of my constituents, are extremely worried about the adjudication—often medical adjudication—that may lead to benefits being cut off. Will he give an assurance that a more professional approach will be taken to such cases? Has he made progress on the issue of the time that people wait for their appeal?

**Mr. Darling:** We are making progress on the issue of appeals. I recently met Judge Harris, who is in charge of the independent tribunal service, and the chief executive of the new agency that the Government are establishing. I impressed on them that the current delays—the average is seven months—are completely unacceptable, especially because most cases deal with people on extremely low incomes, who do not have the leeway for survival that a well-off person has. We are taking a number of steps—I am bound to say to say that some are controversial, for example, the composition of tribunals—because the current position is not satisfactory. It might be a cliché that justice delayed is justice denied, but I am genuinely concerned.

On the quality of medical examinations, I shall speak later about the ending of the all-work test and about its replacement. All of us have had brought to our attention constituency cases where matters were unsatisfactory. We are determined to address such cases, because the integrity of the system means that people have to have confidence in the decisions taken.

**Mr. Bercow** *rose—*

**Mr. Darling:** Lest the hon. Gentleman becomes over-excited, I give way.

**Mr. Bercow:** The right hon. Gentleman is in no danger, but I am grateful none the less. When someone does not give good cause for failing to attend an interview under the single work-focused gateway, how quickly will the decision be taken to deny that individual benefit, and will the denial be absolute or partial?

**Mr. Darling:** We have made it clear that, if someone enters the benefits system, one of the conditions of receiving benefit is attendance at an interview. I should have thought that the hon. Gentleman would, on behalf of his constituents, be more interested in what we are doing to help people than in focusing on the negative aspects.

**Mr. Bercow:** Answer the question.

**Mr. Darling:** I have answered it, but for the avoidance of doubt, let me repeat my answer. It will be a necessary condition of receiving benefit that a person attends an initial interview. In cases where there is good cause for failing to attend, for example, when a person has recently been bereaved, or—

**Mr. Bercow** *indicated dissent.*

**Mr. Darling:** The hon. Gentleman might not be bothered about those things, but it is important that we are sensitive to the requirements of the public. When there is good cause, the interview can be deferred so that, when the person attends the interview, he or she is in the right frame of mind to hear what options are available.

**Mr. Tony McWalter** (Hemel Hempstead): Will my right hon. Friend give way?

**Mr. Alan Simpson** (Nottingham, South): Will my right hon. Friend give way?

**Mr. Darling:** I shall give way, but hon. Members should not blame me if one or two of them are cut out of tonight's debate. I give way first to my hon. Friend the Member for Hemel Hempstead (Mr. McWalter).

**Mr. McWalter:** I have written to my right hon. Friend about this point, but I seek further clarification now. Subsection (6) of clause 47 says that people might not be asked to go for an interview, subject to various regulations. That is an important point, as some people have conditions that would be exacerbated by the offer of an interview—I refer particularly to those who suffer from manic depression or ME. I seek my right hon. Friend's assurance on that important point. In saying that everyone will be asked to present for an interview, will he emphasise that the operation of subsection (6) may mean that not quite everyone must attend?

**Mr. Darling:** My hon. Friend is correct—he has raised this matter before. Like our approach to the new deal,

*[Mr. Darling]*

we are anxious to ensure that people coming through the system view the single gateway as helpful. We know that some people are reluctant to attend interviews and are determined—for not very good reasons—not to co-operate. We must be tough with them. However, there are other people who suffer from particular disabilities—I mentioned the cases of someone who has been recently bereaved or of a lone parent who has difficulty with child care arrangements—and we must be sensitive.

The Bill gives us the power to make regulations so that we do not get into a situation where no reasonable person could justify our request. I assure the hon. Member for Buckingham and my hon. Friend the Member for Hemel Hempstead that we are determined to be reasonable in our approach because we want it to work. We know that we must take fairly firm action with some people. However, it would be unreasonable to tell others—who have perfectly good reasons for refusing—that they must present for an interview within three days. I shall give way to my hon. Friend the Member for Nottingham, South (Mr. Simpson) as he was so anxious to intervene.

**Mr. Alan Simpson:** I thank the Secretary of State for giving way; I hope that he will find my intervention helpful. Opposition Members are seeking to portray the measure as an attack on the poor and the unemployed.

I am the chair of the inter-agency monitoring group on the new deal in Nottingham, and we have discovered that compulsion is not the problem. The most important feedback that we have received is that the morass of means-tested benefits we inherited from the Tories has left people in danger not of being part of a something-for-nothing society, but of working for nothing for some time because of complications in the operation of the wage and benefit systems. In Committee, will my right hon. Friend look carefully at the changes that he is introducing to see whether they will extricate people from dependency on means-testing? Will he consider also the problems of those in low-wage employment? Unless we alter the taper, there is a danger that they will face a marginal tax rate of 95p in the pound.

**Mr. Darling:** I knew that my hon. Friend was an office bearer in several organisations, but not in the Nottingham group. I take at face value his assurance that he is being helpful.

I shall explain a number of things. My hon. Friend's most important point concerned the position of people who are on benefit and who find that work does not pay because they lose too much money for precisely the reasons that he gave. We introduced the working families tax credit—which the Conservative party opposes and has pledged to repeal, despite the fact that it will cost many people up to £17 a week in an effective tax rise—because we want to ensure that people coming off benefit and into work see increases in their pay packets. That is one of the most significant reforms of the benefit and tax systems that this country has seen in the past 25 years. I believe that it will be welcomed warmly, especially when people see it beginning to work upon its introduction in October next year.

My hon. Friend is right: we must examine many parts of the benefit system—for example, housing benefit. Some measures in the Bill will encourage work. We have much more to do and this is not the last word on welfare reform—far from it. As to means-testing—I dare say that this point will be raised in the course of the evening, if not in further interventions in my speech—there has been a growing disparity in incomes over the past 20 years, and possibly before that. The Government make no apology for the fact that, on our election, we went out of our way—especially in the Chancellor's first two Budgets—to provide additional help to those at the lowest end of the income scale: the disabled and pensioners. That involves having regard to people's income and means, and I make no apology for that because we have a lot of work to do in catching up with and helping those people who have suffered at the hands of the Tories. Conservative Members may complain about means-testing today, but they doubled it during their 18 years in power.

**Mr. Hayes:** Will the right hon. Gentleman give way?

**Mr. Darling:** Not now. I shall make some progress and then I shall give way.

The single gateway is part of a wider strategy to ensure that people have the opportunity to work. The Bill introduces two further measures to help people into work. Clause 48 requires joint claims to jobseeker's allowance from young couples who do not have children, so that both will have access to support and advice from the Employment Service and, if they have been unemployed for more than six months, to the new deal for young people. Clause 49 provides for the new £112 million programme of employment zones to cut through red tape and focus resources on areas that suffer from persistently high unemployment, such as those to which my hon. Friend the Member for Nottingham, South referred.

My right hon. Friend the Secretary of State for Education and Employment is taking steps to ensure that, using the new personal job accounts, we shall be able to help unemployed people aged 25 or over to improve their skills and get extra help in finding work.

By pioneering a different approach, we are doing far more to help people get into work. Of course, that is just one part of our overall strategy. We are determined to do more for people who cannot work, so the Bill also reforms and modernises support for disabled people.

We consulted on all our proposals. More than 300 responses were received from local and national organisations and individuals, including Members of the House. The disability benefits forum, which the Government set up in 1998, played a particularly important role in that consultation. Even though members of the forum did not agree with us in a number of key areas—which is not surprising in some cases—their advice was helpful and they have asked to meet us again during the Bill's passage through Parliament.

We are doing a great deal to improve the opportunities and support available to disabled people, but before I describe the ways in which we are doing so, I shall give way to the hon. Member for South Holland and The Deepings (Mr. Hayes).

**Mr. Hayes:** The right hon. Gentleman will know that I am, proudly, a joint chairman of the all-party disablement group. Although the forum was welcomed by all members of the group, he must surely acknowledge, and apologise to the House for, the fear and trepidation caused by a

number of ill-judged statements by those on the Government Benches, including Ministers. Those statements have severely damaged the expectations of disabled people and picked out and frightened the most needy and vulnerable. I hope that the Secretary of State will take this opportunity to dissociate himself from those remarks and apologise for them.

**Mr. Darling:** I find the hon. Gentleman's remarks a bit hard to take. He should perhaps read his deputy leader's speeches to Tory party conferences in the late 1980s and 1990s. The hon. Gentleman was not a Member of the House when the benefit integrity project was set up, but he might care to remember which Government introduced that.

We are taking measures across the board that will go a long way towards helping people with disabilities. For example, we are investing in the new deal for disabled people and introducing the disabled person's tax credit, which, from October, will provide a guaranteed minimum income of at least £150 a week for a single disabled person moving from benefit into work. The new disability income guarantee is worth at least £128 a week for the most severely disabled people under 60 who are getting income support. We are building on our commitment to comprehensive civil rights with the Disability Rights Commission.

All those reforms are an essential part of our overall approach. We want to do more to help people into work, but we are conscious of the fact that there are many people who cannot work. I make it clear today, as I did when I made my initial statement on these matters last October, that no one receiving benefit will lose their benefit entitlement as a result of the changes when they are introduced. We want to provide opportunity where once there was none.

I shall draw attention to a number of issues that I know hon. Members will want to debate. Clause 50 ends the incapacity benefit all-work test and the assumption that everyone on incapacity benefit cannot and will not work. The new assessment introduced by the Bill will consider what people can do, not just what they cannot. No disabled person will be forced into work, but together the single gateway and the new assessment will help disabled people to identify their options and plan for a return to work, where that is possible.

If we want to do more for the people who need help most, we have to ask ourselves how we use our resources, and we are making changes to the incapacity benefit regime. Clause 52 introduces a fairer partnership between the state and individuals by changing the way that occupational or personal pensions are treated for incapacity benefit.

In 1953, only 28 per cent. of people had an occupational pension. Today, 86 per cent. of men and 77 per cent. of women working full-time have one. As a result, about a third of people receiving incapacity benefit also get payments from an occupational or personal pension and some of them receive a pension of more than £150 a week—yet incapacity benefit was intended to replace lost income from work. It was never intended as a top-up to income in early retirement, which is what it has become in many cases. A quarter of men over 60 are on incapacity benefit and many of them were channelled into claiming that benefit by the Conservatives in the 1980s to hide what was happening with the unemployment figures.

We want to reward thrift and saving. People should be rewarded for making their own pension provision, so under our proposals people will be able to keep the first £50 a week of any early retirement pension paid, but their incapacity benefit will be reduced by a taper of 50p for every additional £1 of pension received. That is reasonable when one bears it in mind that people would need an income from their occupational pension of nearly £10,000 a year before they lost all their incapacity benefit.

I can tell the House also—this matter was raised during consultation—that the £50 threshold will be kept under review to ensure that it remains at a fair and reasonable level.

**Dr. Ian Gibson** (Norwich, North): First, does my right hon. Friend agree that removing the 14 physical descriptors would be major step forward in scrapping the all-work test? Descriptors that define how people can lift sacks of potatoes and cartons of milk are not consistent with the modern medical world. They must be removed if the Government are to introduce factors to determine what people can do.

Secondly, will my right hon. Friend consider the iniquity of medical doctors receiving £78 for each session, the duration of which is ill-defined and which often last for between one and five minutes? By my calculations, by doing those tests five days a week and seven months a year, they can earn about £140,000. It is always the same doctor whom clients in my surgery say they have met. Is not £140,000 a lot of money for taking a few pence away from people who are severely inconvenienced?

**Mr. Deputy Speaker:** Order. Interventions are becoming very long and many hon. Members are waiting to speak. I ask hon. Members to be brief in their interventions.

**Mr. Darling:** I shall try to be brief in my reply.

If my hon. Friend has a doctor in his constituency who is earning £140,000 a year for seeing patients for one minute at a time, I ask him to write to me and I shall deal with that. I should be interested if someone were doing so because I certainly have not come across such a case. Perhaps everyone is keeping very quiet about it, but I should be surprised if that were so. My hon. Friend raised a second point about descriptors—

**Dr. Lynne Jones** (Birmingham, Selly Oak): Will my right hon. Friend give way?

**Mr. Darling:** If my hon. Friend will contain herself, I shall give way in a moment. I am mindful of the fact that I have been speaking for nearly half an hour and I have by no means finished.

On descriptors, we have considered the medical side of the new personal capacity assessment. I have considered it on a number of occasions. My hon. Friend the Member for Norwich, North (Dr. Gibson) has a medical background and he will know that, whatever system is used for making assessments, it is always possible for someone to say that it is unsatisfactory and deficient in some respect.

We have compared the system with what happens in other parts of the world. Members of the disability benefits forum are also considering it. We want to get it right

*[Mr. Darling]*

because it is not in our interests to have a scheme that does not enjoy people's confidence. Introducing a scheme that has 100 per cent. support will be difficult, because in my experience anyone who falls foul of a scheme tends to find something wrong with it. People who get through a system tend not to think that it is too bad.

I gave an undertaking earlier that the medical test for incapacity benefit will remain the same, but we are adding the capacity test to ensure that we have a better chance of finding out what people can do rather than what they cannot do.

**Several hon. Members** *rose—*

**Mr. Darling:** I shall give way to my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) and then I shall speak for five minutes solid before I give way to somebody else.

**Dr. Lynne Jones:** My right hon. Friend's plans to means-test incapacity benefit will mean that someone who becomes disabled, let us say, in their late 40s—my age—who has saved for a pension will lose all entitlement to incapacity benefit if they have an income of about £9,300. That is about half average earnings. Will not such people feel absolutely betrayed because, even though they have paid national insurance contributions for 20 years or more, they will receive no benefit as a result of those contributions?

**Mr. Darling:** If we were starting from scratch—if there were no incapacity benefit scheme—I do not believe that we would now set up a scheme that ignored the fact that many people receiving IB have quite substantial incomes from their pensions. Perhaps my hon. Friend would ignore it, but I am afraid that I would not because, in any social security system, we must have regard to how much we can spend overall and where we spend it.

We could, and should, do far more to help people who need help, especially younger people who are disabled—I am about to outline measures that we are taking in that regard. It is scandalous that we have been paying so little to people who have been severely disabled. However, we can assist those who need our help only if, at the same time, we consider how we are spending our money overall.

I do not believe that my proposal in the Bill to create a £50 disregard so that anyone with a pension will always be £50 a week better off—the average payment is about £85—is unreasonable. There will always be a balance between what the state provides and what individuals provide. That has been a feature of our social security system for the past 50 years. I believe that the proposal for the disregard and the taper is reasonable. There is a further proposal—

**Ms Joan Walley** (Stoke-on-Trent, North): Will my right hon. Friend give way?

**Mr. Darling:** Unless I make progress, no one else will get to speak. However tempting that might be, it would not be fair. However, I will give way to my hon. Friend later.

Clause 51 restores incapacity benefit to its original intention—helping people who lose their income when illness or disability causes them to stop work. We are strengthening the link between recent work and entitlement to IB by reforming the contribution conditions. We are determined to do more for carers, so we are making special provision for those getting invalid care allowance to ensure that they can still qualify for IB. We are also protecting people who have been off IB for a short spell and have not had a chance to rebuild their national insurance contributions, to ensure that they do not lose out.

I want to say a word about the new support that we are providing for severely disabled young people and children. Clause 56 applies, for the first time, the higher rate mobility payment of disability living allowance to severely disabled children aged three and four. That reform is worth more than £35 a week extra in new support for disabled people, and gives children and their families access to the Motability scheme.

We also want to provide better help for young people disabled early in life. Clause 53 gives young disabled people who claim before they are 20 a new entitlement to IB without requiring them to meet the usual contribution conditions, which is worth up to £25.60 a week extra and provides real help for those young disabled people who need it most.

One of the strongest arguments that several disability organisations made was that it would be wrong to penalise someone who is young, who is disabled, and who has stayed on after school to go into higher education or training. I accept that, so we shall table a Government amendment to raise the age limit for claiming IB for young disabled people who begin training or higher education before they are 20 to the age of 25.

All those reforms focus help on those who need it most—disabled young people unable to work and severely disabled young children.

**Ms Walley:** Does my right hon. Friend accept that there is concern that, currently, people undergoing medical examinations are not gaining entitlement to the benefit? When he reviews the medical examinations, will he consider how to ensure that there can be public trust in the new system that he sets up? A survey undertaken by the Stoke-on-Trent citizens advice bureau found that about 68 per cent. of people who had been refused incapacity benefit in the first instance were awarded benefit later. Will my right hon. Friend consider how trust might be re-established, given the contracting out of the medical examinations?

**Mr. Darling:** I entirely take my hon. Friend's point. I attach considerable importance not only to ensuring that the medical test is fair and seen to be fair, but to ensuring that we get benefits right first time. My hon. Friend mentioned a very bad feature of the social security system, which has been growing over the years: far too many awards are overturned on appeal because they were not right first time. Some of the changes that we have made will allow officials to put things right before they have to go through the appeal procedure. That relates to the point that my right hon. Friend the Member for Coatbridge and

Chryston made. In the past, a wrong decision had to be appealed, which sometimes took months. I am very conscious of that.

**Dr. Brian Iddon** (Bolton, South-East): Will my right hon. Friend comment on the length of time between an interview when benefits have been awarded through the gateway and a recall interview? I see nothing in the Bill determining that.

**Mr. Darling:** That is not in the Bill, but regulations will be made specifying the trigger points for second interviews. It may help the House if I give an idea of the Government's thinking—as yet not finalised—on that. In any event, people should be seen after five years if they have not been in before. However, I shall give some examples. A person might be called for interview at the end of caring responsibilities; when they leave or take up part-time work; when they leave or start education or training; when we receive results of the new personal capability assessment, showing that the person is able to work; or when the youngest child of a lone parent enters primary or secondary school. At such a milestone event we could reasonably say to people, "Something has changed; come in and see what the options are."

I emphasise again that people who have been through the new deal, seeing a personal adviser, will know from experience that they are getting a qualitatively different service when they go in. The Department will be focused on how it can help people.

We are making regulations, and there will be ample time to discuss the matter in Committee—I do not know whether my hon. Friend the Member for Bolton, South-East (Dr. Iddon) has aspirations to serve on it.

**Mr. Iain Duncan Smith** (Chingford and Woodford Green): Will the Secretary of State give way?

**Mr. Darling:** This is the last time—I promise.

**Mr. Duncan Smith:** The right hon. Gentleman is talking about the amount of time that a person spends on benefit before they are likely to be seen or interviewed. Has he also considered, and will he be giving targets for, or indications of, the length of time between when a person is called for interview and when they are seen or expected to be seen?

**Mr. Darling:** The normal expectation is that, unless there is good cause of the type that I mentioned earlier, a person will come in for an initial interview within, let us say, three to four days of applying for benefit. Subsequent interviews will take place at milestones such as those that I have described. Regulations will be published and guidance issued to staff on when interviews should take place—how much notice people should get.

I emphasise to the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) that the Government want to ensure that, throughout the process, everyone's mind is focused on work, not benefit, and also focused on what help, and what additional training and skills, they might be able to get. The initial interview is therefore crucial, but the Bill makes provision for subsequent interviews to ensure that we do not prolong the present situation, where someone can be left on benefits, in effect, for a lifetime, and nothing is done to help them. It is not good for them or for anyone else.

I shall now discuss bereavement benefits. I repeat that none of the changes will affect existing widows—widows over pension age—or war pensioners, but the current system needs reform. It is out of date. If we started afresh, we would not reinvent the present system. When widow's benefit was introduced more than 50 years ago, most women—certainly after marriage—did not work, whereas today seven out of 10 married women work, almost as many as the eight out of 10 married men who work.

**Audrey Wise** (Preston): Will my right hon. Friend give way?

**Mr. Darling:** I will give way when I have finished this passage.

The system helps many women on good incomes who have no children to care for, yet it does nothing for bereaved husbands struggling to bring up children. The current system is deficient in that it spends most on those who need it least. Forty per cent. of women getting that benefit are in the top half of the income bracket. Moreover, 75 per cent. of the money that we spend goes to women without dependent children, whereas 35,000 widows see nothing at all because their widow's benefit is deducted pound for pound if they happen to be on income support.

**Audrey Wise:** My right hon. Friend says that a great many women work, but he does not seem to take account of the fact that they are still largely congregated at the lower end of the wages table and that many of them work part time rather than full-time, or are on temporary work or in other disadvantaged jobs. Will he look at that again? One job does not simply equal another.

**Mr. Darling:** We have introduced the working families tax credit, underpinned by the minimum wage, precisely to tackle that problem, which my hon. Friend rightly raised for years while the Tories were in power—and nothing happened.

The Government's strategy has to be looked at right across the board. We are trying to deal with the problems of low pay and, in some cases, exploitation, particularly of women who work for ridiculously low sums. We are also ensuring that we have fairer benefit and bereavement systems, which is one reason why we want bereaved husbands and their children to be treated on the same basis as widows, through a weekly non-means-tested benefit. That will help low-paid people more than it will help others, because we believe that the current system does not provide enough help with immediate costs, unpaid bills or funeral expenses. We are doubling the lump sum payable on death to £2,000.

We are also providing transitional help to those without children in the period immediately following bereavement. The Bill provides for non-means-tested help for widows and widowers without children for six months following bereavement and for older widows over 55 without dependent children, without income and without the prospect of work. We want to ensure that they are no worse off from these changes by providing extra help through income support.

*[Mr. Darling]*

Finally in that regard, we are also ensuring that the system does more to help the poorest widows and widowers and their children who, until now, have lost their benefit pound for pound. They will be able to get additional help worth an extra £10 a week. In respect of disability benefits and widow's benefit, our objective is to focus help where it is needed most.

These reforms look to the long term and to the needs that we know that we will face in the future; because we are looking to the long term, we are reforming the pensions system. In December, I published proposals for far-reaching reform of the pensions system, and the Bill is the first stage of our reforms. A large part of the Bill—clauses 15 to 43—delivers on our commitment to enable pension sharing on divorce. For the first time, pension rights can be shared like other assets at the time of divorce, which will provide greater flexibility and choice for divorcing couples and for the courts.

**Mr. Hilton Dawson** (Lancaster and Wyre): That change is extremely welcome, but I understand that the Government intend that provision to apply only to people who have not commenced divorce proceedings when the Bill becomes law. Surely it would be more logical, and no more retrospective, to allow the provision to apply to people who have not reached the decree absolute stage. Such people would still be married, after all.

**Mr. Darling:** The Bill will affect only cases initiated after it comes into force. Any degree of retrospection causes immense difficulties. [HON. MEMBERS: "The CSA."] My hon. Friends mutter about the Child Support Agency; it provides an example of what happens when one revisits matters that were otherwise settled. I cannot help my hon. Friend on that issue; the provision will not be retrospective.

**Miss Anne McIntosh** (Vale of York): Has the right hon. Gentleman considered the position of professional couples with no dependants, especially those couples where the lady might be the major breadwinner? The measure might cause problems on divorce that otherwise would not have arisen. Has he considered the implications of that?

**Mr. Darling:** It will be up to the courts to decide how the assets are divided, if the divorcing couple cannot decide, and the measure provides an option that is not otherwise available. It is more common to find that the man works and has a substantial pension, which he gets to keep. That is unfair to the woman, who may have contributed, if not in cash then by helping the man to build up his pension rights. The measure will give additional options, but it will be up to the court to decide what is equitable.

Clauses 1 to 7 also provide a framework for the new stakeholder pension schemes, which are central to our objective of ensuring that those who can save for their pension do so. I believe that everyone who can save has a responsibility to do so, but not everyone has that opportunity. For the third of employees who do not have the option of joining an occupational scheme at the moment, a personal pension scheme is the only option, but such schemes are not suitable for many people, especially low earners or contract workers.

**Mr. Steve Webb** (Northavon) *rose—*

**Mr. Jeremy Corbyn** (Islington, North) *rose—*

**Mr. John Greenway** (Ryedale) *rose—*

**Mr. Darling:** I will start—

**Mr. Corbyn:** There is one behind you.

**Mr. Darling:** I will start with the Liberals and then look behind me.

**Mr. Webb:** Would the Secretary of State feel that his reforms had failed if someone on a modest income—say £10,000 a year—who had taken out a stakeholder pension found that he was still dependent on income support a few years after retirement?

**Mr. Darling:** Our objective is for everybody who works during a normal lifetime to retire with sufficient income above income support. The hon. Gentleman was clearly not referring to someone who had earned £10,000 for a short period—and it is unlikely that such a person would ever have considered a personal private pension, unless badly advised—but the objective is for people who have worked throughout their lives for £10,000 a year to retire with an income above income support, either through the state second pension or through an occupational or a stakeholder pension. The objective under those options is for people to retire with an income above income support, but they will have to take advice on whether or not to go in for a stakeholder pension. I have always been clear on that point.

**Mr. Corbyn:** The Secretary of State will be aware of the pamphlet produced last year by Barbara Castle and Peter Townsend on the future of the state earnings-related pension scheme. He will also be aware that his Bill, in effect, ends SERPS. Is he not concerned that the Bill is creating a big market for private pensions, when we could be refunding the SERPS scheme to ensure that that good system, which was introduced by the previous Labour Government, is allowed to continue?

**Mr. Darling:** My hon. Friend has raised an important and interesting point, with which I want to deal. Our proposals replace SERPS with the new state second pension. SERPS is earnings related, so it does not do much for poorer pensioners. When I considered pension reform, I of course looked at SERPS and whether or not we should reinstate it, in whole or in part. A lot has happened over the past 25 years. There are many more people in occupational schemes—they have made their own pension provision—than was the case, or than was even anticipated, in the 1970s, but the group that is losing out particularly badly is the low-paid.

I urge my hon. Friend, if he has not already done so, to look at the Green Paper that we published last December and, in particular, the table about half way through that document showing how we are giving

significant help to people earning £9,000 a year or below. The system now assumes that people are earning £9,000, whether they are or not, and a considerable amount of pension can be accrued with such an income. That will benefit low-paid people in a way that SERPS could not, because it was not designed to do that.

Over the past 25 years, and gradually during the century, more people have made funded provision for themselves. Generally, they will be better off than if they had relied purely on the state. My approach to introducing pension reform was to work within the present system, but to tackle the deficiencies. One of the main deficiencies was that we were not helping people on lower incomes.

**Mr. Greenway:** I am inclined to agree with the right hon. Gentleman. There are many people who have taken out personal pensions for whom stakeholder pensions, particularly if such pensions are introduced by their employers, will be attractive. Will he reconsider the illogicality of not allowing people to invest in both? Many personal pension policyholders will lose out badly if they are advised to come out of such a scheme and go into a stakeholder pension.

**Mr. Darling:** The hon. Gentleman has a lot of experience in the industry, and I understand the point that he makes, but there are a lot of people for whom stakeholder pensions might be a better option than personal private pensions. A lot of people who were put into personal private pensions should never have gone into them in the first place.

A number of people have been critical in the pensions press of what might happen to personal private pensions, but most of them neglect to say that they make a handsome living out of selling such pensions. I have always made it clear that personal private pensions are a good option for some people, particularly the better-paid and people who change jobs, but I make no apology for saying that there are people in the middle and lower ranges who ought not to be in such schemes.

Stakeholder pensions are essentially aimed at that market and it is for the Government to ensure that people have options. We must not conduct policy as the previous Government did: the only option for people not in occupational pension schemes was to go into a personal private pension scheme. That was not right, which is why we are legislating for the new stakeholder pension scheme. It will give people without a second funded pension a better opportunity to save.

**Dr. Lynne Jones:** Will my right hon. Friend give way?

**Mr. Darling:** I am sorry, but, having spoken for 50 minutes, I must draw my remarks to a conclusion. I gave way to my hon. Friend earlier.

The Bill provides for stakeholder pension schemes to be run in ways that put members' rights and interests first. We shall require all stakeholder pension schemes to meet specified standards. They will be cheaper, with lower charges, and more flexible. For example, if someone takes a break from work to bring up children, we want to ensure that charges will not eat up all his or her savings. We also want to ensure that the schemes are simpler and more transparent.

The stakeholder provision in the Bill is only part of our pension reforms. We are consulting until the end of March on our new state second pension, to which I referred earlier. We announced earlier this month that we want to build on the stakeholder pension scheme proposals by making the rules on pension investments more flexible.

Our objective, through structural reform of the pensions system and other measures, is to ensure that more people take out a funded second pension. That will ensure that people get a better pension, a better retirement, and a better future. The Bill plans for the long term. It is designed to deliver a welfare state equipped to meet the needs of the next 50 years.

The Tory amendment, which Madam Speaker was kind enough to select, is a complete dog's breakfast. It is bereft of ideas and complacent, and it ignores the mounting problems that the previous Government neglected for 18 years. It is therefore also extremely costly. We have already cut the bills of social and economic failure by tackling the causes of poverty and social exclusion. We are making work pay with the working families tax credit and the first ever national minimum wage.

The Liberal Democrat amendment has been written in two halves—perhaps by two of the contenders in the leadership campaign. The first half is extremely sensible and welcomes what the Government are doing; the second was clearly written by somebody who takes a different tack in trying to garner support. A second pence on income tax will be needed to pay for some of the proposals.

Our objective is to provide security for today's poorest pensioners through the new minimum income guarantee. We shall spend £1 billion more on disability benefits this Parliament; we are helping 6.5 million families with the biggest ever rise in child benefit; and we are building an affordable, manageable and effective welfare state, based on our principle of providing work for those who can, and security for those who cannot.

These proposals are radical, essential, workable and right. I commend the Bill to the House.

6.23 pm

**Mr. Iain Duncan Smith** (Chingford and Woodford Green): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"this House declines to give the Bill a Second Reading because the complex and unrelated nature of some of the issues covered, which themselves should be subject to separate legislation, will have the effect of complicating pension provision, increasing the disincentive to save, fostering dependency particularly for the self-employed, widows and disabled people, and although, through the work-focused gateway, the Government seeks to make benefit conditional, the necessary conditions for success are missing since the Bill does nothing to increase job creation; and regrets the missed opportunity for lasting reform of social security and pensions."

Today's long-awaited welfare Bill should be measured against the Government's own targets. The Secretary of State is fond of quoting the Prime Minister selectively, but let us complete the quotations. On 7 May 1997, the Prime Minister clearly said:

"I have asked Ministers at the Department of Social Security to look in detail at how we can make far reaching reforms that tackle insecurity and property as well as reducing the social security bills".

It is important to get that quotation right, because that is how we judge the Government. According to their figures, and taking account of the working families tax credit, social security spending will increase by some £37 billion.

*[Mr. Iain Duncan Smith]*

Many hon. Members may be forgiven for thinking that this is a case of déjà vu, because the Government have already launched most of the proposals. They have a habit of launching, relaunching, re-relaunching and re-re-relaunching items to different sections of the media.

First, however, I want to discuss how the Bill is presented. In a sense, the Government are abusing Parliament. Given that the Bill contains 75 clauses, 10 schedules and runs to 109 pages, it could have been divided into two separate pieces of legislation—some might argue even three or four. The Secretary of State knows that. For example, the provision on pension splitting on divorce is complex and clearly should have formed a separate Bill. Both sides of the House are in favour of the measure, but serious issues need to be discussed, which should be done separately.

The other pensions sector, the stakeholder pension schemes, could also have been subject to separate legislation. After all, the Government have not yet finished their consultation process, and here we are legislating in detail. Just by looking through the Bill we can see the vast raft of Henry VIII clauses. The Bill has been put together quickly in the absence of consideration of genuine comment from many people outside.

Why cannot the Government wait until the consultation process is over, at least before launching the stakeholder legislation? They could easily have presented a separate Bill. Perhaps the Government think that the consultation process is not important, but it was they who said that it was in the first place. Furthermore, representative groups say that much of what they have said has been ignored and they are concerned about the nature of the consultation process.

The Bill has been rammed together with clauses that should not all be in the same legislation. As a result, it will not get the scrutiny that it should receive, nor will the Government be able to take account of some of the major concerns. As I said earlier, the provision on pension splitting should have formed a separate Bill. We agreed that it required close scrutiny and said that there was no ideological difference between us on the concept of the legislation or the idea that it would impart fairness to those who feel that the current system treats them unfairly.

There are some complex issues that require a lot of consideration. Pension splitting will be successful only so long as the benefits outweigh the difficulties. Clearly, it was not embarked on previously because of its complexity. We intend to approach this provision constructively, and I hope that the Government will do likewise. I hope that, if they find that there are major problems, they will acknowledge them during our scrutiny of the Bill.

**Ms Gisela Stuart** (Birmingham, Edgbaston): Will the hon. Gentleman acknowledge that pension splitting on divorce was subject to pre-legislative scrutiny by a Select Committee, which took extensive evidence? I should have thought that he would be satisfied with that.

**Mr. Duncan Smith:** I do not know whether the hon. Lady has been in the House long enough to know that nobody should be satisfied simply because somebody else has scrutinised something. The Bill must go through a Standing Committee. I do not know whether the hon. Lady will be on that Standing Committee, but, if she is and intends to keep silent throughout, she will do her constituents no service whatever. As she knows, the Select Committee on Social Security has made a number of recommendations, some of which have not been accepted by the Government. Perhaps she will advance those arguments to the Government.

The Secretary of State said that one of the main parts of the Bill was the gateway. A number of different clauses fall under that heading, so I shall deal with those in turn. The first is the provision for benefits for widows and widowers. The line that runs through much of the Bill—I have raised it before and the Secretary of State knows that I will raise it again—is the continued erosion of the contributory principle and the increasing dependency on the means test, which have become part of the Government's overall thrust. As I have always said, that will lead to an attack on the incentive to work and particularly to save. For example, clause 45 says that the new bereavement benefit will be cut off for those without dependent children after 26 weeks, whereas the current entitlement to widow's benefit is up to retirement age.

Yet again, the Government have ignored many widows' concerns. Under existing calculations, some 250,000 women who are likely to receive the benefit will subsequently lose under the scheme. The National Institution of Widows said that it

"would like to see the state contributory principle upheld for future widows"

and that it would oppose pushing those widows on to means-tested benefit. Cruse Bereavement Care said:

"These benefit proposals would as with all means tested benefits act as a disincentive to saving and encourage people to spend any life assurance benefit or savings they may have made."

Most intriguingly, those changes force those who would normally be entitled to widow's benefit on to income-based dependency.

I received a letter—completely out of the blue—from somebody who lives abroad but has made national insurance contributions for the whole of his working life. It is relevant to read part of the letter. He says:

"I am 65 years of age and a state pensioner; my wife is 50 years of age. I have made contributions for some 44 years to ensure a state pension and a widows pension. Some 20 years' contributions were on a 'voluntary basis' as I worked abroad . . . I paid voluntary contributions to ensure state and widows pension in preference to a private pension scheme, now I learn that the Government is going to renege on their pensions 'contract' with my wife and I."

He says that he feels that he and his wife are abused.

Whether the Government like it or not, that individual highlights yet another example of the strong psychological connection that the public make with the contributory principle. The right hon. Member for Birkenhead (Mr. Field) has made that point time and again. In that individual's case which I have just cited, there is also a legitimate connection, because he paid voluntary contributions. *[Interruption.]* I love the way in which Labour Members argue that the Conservative Government changed the system. I thought that the Government have said that we got everything wrong when we were in government, instead of which they now say that they want to continue aspects of our policy. It is quite remarkable. I do not know why Labour Members wanted a change of Government: perhaps, rather like the Liberal Democrats, they should have preferred to be on a Cabinet Committee and get on with it.

The Government maintain that there will be serious savings, but that there will be short-term costs of about £140 million. They say that the costs will be offset by the savings. They are wrong, because I do not believe that that will happen. If, through the disincentives, more people are forced on to means-tested benefits, the cost of such benefits will spiral, which will more than obliterate any savings that the Government think they will make. They make the most absurd calculations of the number of people who may end up on means-tested benefit.

A similar theme emerges when we consider the changes for those eligible for incapacity benefit. Those changes will discourage people from saving. For the first time, people with disabilities on incapacity benefit will be means-tested. The Disability Benefits Consortium said:

"Making disabled people rely on means-tested benefits is not the way to promote a sense of independence, nor of preventing poverty."

Clause 51 will encourage people to leave work earlier than they would have done. If they work part-time, they are likely to fall below the national insurance contributions threshold, so they will not qualify for incapacity benefit. That is a worry for them. The Royal Association for Disability and Rehabilitation is particularly concerned that people whose health is deteriorating—particularly in the latter years of their working lives—will be driven to take such action, and to take the view that it is not worth their continuing for the two-year requirement.

The terms of clause 52 are also perverse, and they are not first about means-testing. Due to the introduction of the taper, those who have saved for private health provision and have made an effort so that they are not completely reliant on the health service will be driven back to the NHS, thereby increasing the burden on the health service. I thought that the Government wanted people to save, but that is a disincentive to save.

Age Concern said:

"There is a danger that by reducing incapacity benefit for those people with a certain level of private pension, and focusing state help only on the poorest through means tested benefits, people will actually be deterred from saving."

**Dr. George Turner** (North-West Norfolk): The hon. Gentleman attacks the Government's proposals on means-testing. Is he committing his party to removing that arrangement if it ever gets the opportunity? If he is attacking means-testing, how is that consistent with his other attack on Labour for being profligate in government?

**Mr. Duncan Smith:** The Secretary of State said that it is a question of balance. I think that the Government have got the balance wrong. In answer to the hon. Gentleman—*[Interruption.]* Unlike the Secretary of State, I shall attempt to answer questions. The hon. Gentleman asked what we would do in government. If he is making up his mind about whether to vote Conservative or Labour at the next election, he will have to wait to find out. We will tell him clearly what we will do, and he can make his own decision. Most of these provisions will get through, but I believe that they will have a detrimental effect, so we shall have to make what changes are necessary to ensure that people do not suffer more than they have to.

Let us consider the gateway interviews, and the requirement for certain categories of benefit recipients to be available for interview. The Government have launched this policy six or seven times, and it was the only element of the Bill used in the attack on the "something for nothing" culture in the *Daily Mail*. I was intrigued that the Secretary of State showed no trace of irony while he announced that he was planning to extend the concept of the jobseeker's allowance, which Labour Members so heavily attacked when in opposition. His hon. Friend the Under–Secretary of State, the hon. Member for Wallasey (Angela Eagle), said during the debates in 1995:

"There is an authoritarian behavioural requirement of jobseekers".—[*Official Report*, 10 January 1995; Vol. 252, c. 109.]

The hon. Lady chirrups, but does she think that she is an authoritarian figure now, because that is the logic of extending the concept?

The Government Front-Bench team, who sit there now, trooped through the Lobby and voted against the jobseeker's allowance, which they now laud as the key to their changes. That is absurd. However, my colleagues and I are always prepared to welcome what appears to be a sinner who repenteth. Like many people who first saw the proposals in the Green Paper, we wondered how tough the Government were and whether they would see this through properly.

The Bill confirms that the Government think that it is good to talk, but where is the action? Of course, those who receive benefit have obligations, and if they are able to work, they should seek work. The Government should take the necessary measures to assist them. However, the Government have other obligations that they do not seem keen to ante up to. Most importantly, they must ensure that the cost of employing people falls rather than rises, and that costs on business are kept low, otherwise the necessary jobs will not be created and bringing people in for interview will achieve nothing but frustration and extra costs.

This is a Government whose right hand does not know what the left hand is doing. The Treasury and the Department of Trade and Industry are busy imposing extra burdens on industry. In a previous speech, I estimated that they have risen by approximately £40 billion since the Government came into office. On top of that, the Department of Social Security, through devices such as the working families tax credit, will increase spending on social security by some £37 billion over the next three years. Like everything else, that will bear directly on individuals through their tax burden, and ultimately make employing them even more expensive.

The Government also started the new deal for lone parents, which will cost £200 million over this Parliament. Frankly, it has failed. Approximately 6 per cent. of lone parents take work, and a very high proportion of them fall out of work within six months. I notice that the Government now refuse to publish the figures for the number of lone parents falling out of work because they are so bad. The Government should cancel the programme, but they continue with it.

While continuing with that programme, they talk about obligating lone parents to come in for an interview. Surely they should accept the fact that the original programme has failed. They should save the extra money that they were to spend on that programme, and put it into the gateway—the great idea lauded by the Secretary of State. The Government's stated policy is to do one thing, but they intend to do another. It is absurd.

*[Mr. Duncan Smith]*

The Government seem unsure about what they intend to achieve. At no point have we had any targets for savings to be made through welfare to work or the gateway. Bearing in mind the fact that there are about 1 million lone parents on income support, how many new jobs does the Secretary of State think will be created? I shall give way to the Secretary of State if he wants to intervene on that point, but it appears that he does not.

The Government have yet to say how they will spend the money required to interview all those who are eligible. The gateway may become a bottleneck. We see the spending, but we do not see the saving. The Secretary of State has an opportunity to clarify the situation. There will be up-front costs to interview all those people to whom he referred—he said that will happen within three to four days, which is quite a commitment—so he must spend the money required to ensure that they can all be interviewed in that time. The cost will be considerable.

On the basis of what we have learnt from the lone-parent interviews under the new deal, the costs just for lone parents could rise to £100 million. I assume that the Government will ante up to that. I saw the Secretary of State nodding, so I assume that that is the case. *[Interruption.]* He is now shaking his head, because he realises what the cost will be, but he was nodding when I referred to his commitment.

In the Bill, the Government start to wobble. The gateway is interesting, because the Government use fairly tough language, which worries a number of Labour Members. Clause 47(6) is interesting, however, because it leaves local authorities and even individuals providing services with wide discretionary powers to decide whether a person need not attend the interview.

I am aware of the guidelines that have been published. Paragraphs (a), (b) and (c) give guidance—rather simple guidance—on who should and should not be involved. Paragraph (a), to which the Secretary of State referred, allows someone to disapply the requirement. The example involving the exemption of pensioners was so specific that we have been led to believe that there is some other reason why the Government did not include it in the Bill. Why does the Secretary of State not spend a bit more time working that out? Why does he not specify exactly who should be exempted? If he does not, pensioners will begin to worry about whether they are included—a question that the Secretary of State has left to the discretion of local authorities and individual agencies.

Paragraph (b) allows for the waiving of the regulations for the terminally ill and those who have already attended interviews. That is fraught with complications; but, in my view, paragraph (c) creates the biggest problem of all, because it gives the widest scope for the deferring of an interview. All Labour Members would do well to read it. The example given is likely to affect many people, both those who are genuinely sick and those who may seek to use it as an excuse.

Many people with disabilities are taking serious medication, and would, it seems, qualify almost perpetually. Such people will be left wondering, because the Bill does not make it clear whether they will be called for an interview or the requirement will be waived. The situation will be patchy: the law will be applied differently in different areas, because there will be different views about which group should be called in. There really is a problem for the Secretary of State. The vagueness of the drafting will lead to further difficulties, and the Secretary of State has left himself open to the requirement for sweeping legislation later. The genuinely ill will worry, and others who learn about the system may say, "Well, there is a way around this." They may observe the way in which others are treated, decide to behave accordingly and make their excuses.

There is, however, another problem. Officials will be under pressure, and will not have the appropriate resources. The Secretary of State has not committed himself to spending the necessary money: he said that he was not prepared to spend it if it was as much as I suggested. Let us therefore assume—for it is just about possible: Governments have found themselves in difficulties before—that, in the absence of the appropriate resources, officials will be under pressure. Staffing numbers alone will be a problem, but the officials will be under further pressure because, according to the Secretary of State, people will have to be interviewed within three to four days.

Officials will be under pressure to ensure that people are interviewed, and they will have to deal with a backlog. Of course they will be tempted to look at the categories in the guidelines and say, "I can get rid of a few of these people." That is a huge hole in the legislation; the Secretary of State knows that, and I wonder why he has left it there.

Moreover, given that the Secretary of State has specified three to four days for those categories—the sick, the disabled and pensioners—he expects those who must make the decision to do so in that time. That will lead to yet more complications. Officials will be under further pressure, and the fact that the guidelines criss-cross will cause extra difficulties.

The more we look at the proposals, the more we see classic new Labour. It is window dressing for the sake of good headlines; behind it, all is confusion and extra cost with no savings at the end.

The Secretary of State spent some time talking about pensions. The long-awaited reform will create even more problems than it seeks to solve. The Government's attack on pensioners—their abolition of advance corporation tax dividend credit, which meant taxing pensioners £5 billion a year—has created the worst environment for many years. There has been the attack on pensioners, and there have been attacks on savings: there has been a series of stealth taxes.

Under the present Government, someone aged 35 with a starting salary of £10,000, rising to £32,000 over 30 years—that allows for about a 4 per cent. increase per annum—will find that his income on retirement is reduced by between 11 and 15 per cent., as a direct result of the Government's new tax. Instead of retiring on a pension of some £14,700, that person will retire on, at best, a pension of £12,500. Those figures are from the National Association of Pension Funds, and they provide a startling illustration of the Government's failure and the attack that they have made on pensioners and savings. This is a classic example of the way in which the Government have failed pensioners.

What have the Government done in the Bill to put the position right? In fact, they have made the position worse. Occupational pension schemes are already in difficulty as

a result of the Government's changes, and those difficulties will now increase. Clause 1 makes it clear that stakeholder pensions will be alternatives to occupational and personal pension schemes: people will have to choose between them. No one can have an occupational or personal pension, and also be a stakeholder. Clause 3(7) adds to the administrative nightmare: it will force companies to set up two separate arrangements, one for new entrants to stakeholder schemes and the other for existing occupational pensioners. There will be extra costs and extra complications.

Clause 1—along with the abolition of ACT dividend credit, and the change in national insurance rebates for contracted-out money purchase schemes, contracted-out salary-related schemes and personal pensions—will put huge pressure on employers to close their company schemes. Eventually, they will simply offer stakeholder schemes, which could ultimately lead to smaller retirement pensions for many people.

The Government are on record as saying, in their Green Paper,

"Occupational pension schemes are the great welfare success story of this country."

The Green Paper—published by the Secretary of State—continues:

"They are provided voluntarily by employers and many millions of people benefit from them now and will continue to benefit."

How hollow those words are. As ever, rhetoric and reality are detached, and the public out there who are trying to save will suffer. This is a badge of shame that the Government will wear until the next general election.

No new occupational scheme has been set up since the Government were elected. Instead, schemes are closing.

**Ms Stuart:** Will the hon. Gentleman give way?

**Mr. Duncan Smith:** No; I have already given way to the hon. Lady.

Not content with destroying occupational pensions, the Government now seem happy to dip into what is left. Let me refer to a little article in the *Daily Mail*—a paper that the Government now adore, because they like to be published in it. Indeed, the Secretary of State's right hon. Friend the Prime Minister seems to write for it exclusively. According to the article,

"The state has made a £17 million profit after a computer glitch led to pensioners being short-changed.

The £20 million windfall came about after more than £2 billion which should have been paid out in cash rebates to private pension holders was banked instead. The Government plans to set aside only £3 million to compensate the victims, with the rest going to the Treasury."

That is pretty typical: it is what we have come to expect from the Government. The Government have sticky fingers. Not only are they busy crushing occupational pensions, and creating a nightmare for those who must choose with no way of affording the proper advice; as ever, they are content to fiddle extra money for the Treasury that was not theirs to start with.

**Ms Stuart:** Will the hon. Gentleman give way?

**Mr. Duncan Smith:** No, I have done so already.

Finally, no mention is made of lifelong individual savings accounts. They are on the loose, cutting across stakeholders and complicating what was meant to be simple. There is no extra promise for advice about stakeholder pensions, enabling people to decide whether to opt for an occupational scheme or to take out a LISA. That will mean more cost, and more confusion.

**Ms Stuart:** Will the hon. Gentleman give way?

**Mr. Duncan Smith:** Yes, I will.

**Ms Stuart:** The hon. Gentleman mentioned the creation of new occupational pension schemes giving defined benefits. I understand that, apart from the restructuring of companies, nothing like that was done during 18 years of Tory government.

**Mr. Duncan Smith:** That is interesting. The hon. Lady has gone and put her foot in her mouth. She must have been eating too many genetically modified foods. In fact, her party's Government made things so bad for occupational pensions that those schemes are now closing. *[Interruption.]* The point stands. No new schemes have been opened under the present Government—and new schemes were opened under the last Government. *[Interruption.]* My point is well made. The hon. Lady is wrong. This Government set about breaking down occupational schemes. The Secretary of State sits there smiling. *[Interruption.]* The only thing that has been lost is the ability of the hon. Member for Stockport (Ms Coffey) to tell pensioners in her constituency that the Government have done anything to support pensioners. The Government have smashed occupational pension schemes and made a complex nightmare of the stakeholder scheme. Pensioners are the ones who will suffer for it. The hon. Lady should tell her pensioners—who, in the example that I gave, would lose more than £2,000—that they are better off under this Government. The fact of life is that they are not.

The Government have made a huge mess of all of it. The Treasury's LISAs, which will affect all aspects of the stakeholder scheme, were meant to help simplify pensions.

**Mr. Howard Flight** (Arundel and South Downs): Does my hon. Friend know where the hon. Member for Birmingham, Edgbaston (Ms Stuart) possibly could have found the bogus data that she quoted? Towards the end of the previous Government's tenure, I personally established an occupational scheme. I know of many other similar schemes.

**Mr. Duncan Smith:** My hon. Friend is quite right. The point that I was trying to make was that the hon. Member for Birmingham, Edgbaston (Ms Stuart) was wrong—*[Interruption.]* I said that she was wrong. I shall accept an apology from her, because she was wrong. She sits there hoping for a job, taking briefs from those on the Treasury Bench, but she should be very careful that she gets it right. I dare say that she will eventually apologise.

The point that I was making—it is most important—is that LISAs have created only more confusion. The Chancellor's original idea for stakeholder pensions was that they should be simple, and therefore cheap and easy

*[Mr. Duncan Smith]*

to understand. Instead, we have seen many variations on the stakeholder scheme—the last of which is the LISA, for which the Treasury seems to be responsible.

I ask the Secretary of State why the Bill does not deal with the LISA or any of its requirements? Why is the LISA not relevant to this Bill? We have no idea how the Government will control LISAs. We have an idea of the controls that they will impose on stakeholder pensions, but no idea about LISA controls. The final result of all the confusion and chaos that the Government are causing in the pension industry could be an accusation of mis-selling. The sad part about it is that that mis-selling will have to be dealt with by another Government, after that lot on the Labour Benches have been thrown out of office.

**Mr. John Greenway** (Ryedale): My hon. Friend has put his finger on the real problem confronting the industry and those who give advice. Even in two years, people who choose a stakeholder pension will have to buy an annuity. If people choose a LISA instead, they will be able each year to take cash from it. Which scheme will be better in the long term? Who will be responsible for giving that advice?

**Mr. Duncan Smith:** My hon. Friend, who knows something about the subject, has put his finger on the point. The Government are in a state of confusion. The two sides of the Government do not talk to each other, and the situation is a mess. Far from simplifying pension provision, they have made it much more complicated and succeeded in inflicting a final body-blow to occupational pension schemes.

A scheme that Ministers said was a great success story is likely now to be heading into the history books as something that people used to be part of, once upon a time. If we add to that attack the Government's annual £5 billion tax on general pension funds and a rising means test, in the minimum income for pensioners, we realise that Ministers have managed to do the double—providing disincentives from both ends for pensioners, who will be squeezed in the middle.

Ministers said that they would simplify pensions, but have made them more complex. They said that, ultimately, pensions would be cheaper; now, pensions will be more expensive. They said that they would support occupational pension schemes, but are now killing them off.

In this Bill—as with so much else that the Government do, with their huge majority—the Government seem petrified by the prospect of dissent and obsessed with control. We have seen such behaviour from the Home Secretary this week—but the House is used to it, as we see it every week. Ministers put together such legislation and ram it through the House, half-finished and without a variation.

A year ago, I explained the criteria for successful reform: it must first strengthen the family; it must strengthen personal responsibility and break the dependency culture; it must strengthen alternative welfare provision; and it must protect those who are in genuine need. On all four counts, the Bill fails.

**Mr. Edward Leigh** (Gainsborough): If Conservative Members are moving away from means-testing, and if we are not prepared to accept the huge taxation and public spending increases necessitated by implementation of the ideas of the right hon. Member for Birkenhead (Mr. Field), is there another way—perhaps a third way—of dealing with the matter, by requiring families, and encouraging them in the tax system, to take up more of the strain of looking after dependent children, the elderly and the disabled? Is a third way available to us?

**Mr. Duncan Smith:** My hon. Friend, too, has put his finger on it. There is only one way of addressing the issue—by involving people and by incentivising, not disincentivising them, to take responsibility for their lives. The Government are doing the exact opposite. Although they talk about incentives, all their actions—from their rhetoric, which sounds big, to their delivery, in the Bill—deliver one disincentive after another to saving or to going back into work. The Bill exemplifies the Government's approach to the issue.

The Bill will damage savings, provide disincentives for those returning to work, create chaos and confusion in the pension market and increase social security costs, without saving money at the other end. It is a bad Bill from a bad Government, and it is our pleasurable duty to oppose it today.

**Mr. Deputy Speaker (Mr. Michael J. Martin):** I remind the House that Back-Bench speeches will be limited to 10 minutes.

6.56 pm

**Mr. Tom Levitt** (High Peak): I am a trustee of the Royal National Institute for Deaf People, and shall be talking today about issues affecting the disabled. The post is unremunerated. I do not have to declare it, but wanted to make a clean breast before beginning.

The Bill will have a considerable positive impact on the lives of very many disabled people across the country. We should, however, examine carefully the context in which it will operate. I believe that the Bill will enable us to implement long overdue reform, particularly of the disability benefit system, so that it is better focused, more efficient and in tune with the parallel initiatives that will be taken by other Departments.

Since creation of the benefits system 50 years ago—when the social environment was completely different—so much baggage has been left behind, which we have inherited, that it is essential that we carefully study the current system if we are to ensure fairness for all concerned. The fact is that, 50 years ago, disabled people were primarily those who had been wounded in the war. They were young people who, because of their acquired disability, were looking forward to half a century of economic inactivity. Although they believed that the nation had a duty conscientiously to look after them, they did not have the expectation of rights and emancipation that the disabled now have the right to expect. In the years that followed, although there was fuller and more stable employment, there was not assistance for those in employment, as there is now and will be in future.

As the Secretary of State said, current incapacity benefit figures show that about one quarter of British men aged 60 are not capable of work because of incapacity. However, I do not believe that that figure can be right, especially as it is larger than the corresponding number

of 60-year-old men who were not able to work 50 years ago. I do not believe that the health of the nation has become so much worse in that sense in the past 50 years.

We had an entirely different perception of disabled people 50 years ago. We were happy to put away into asylums people with mental incapacity or a learning disability, and to leave them for year after year. It was a matter of "out of sight, out of mind". Deaf people were locked up in those same institutions, because of a failure to understand what disability is all about. The Sexual Offences Act 1956 refers to people with mental incapacity as "defectives". That shows the attitude to disabled people that existed among our legislators. I hope that, when my right hon. Friend the Home Secretary looks at that Act in his review of sexual offences, the word "defectives" will be removed from the legal vocabulary.

We have to ask what the disability benefits system is for, how it is achieving its aim and whether it can be improved. For example, why has the system denied benefits to children under five, depriving their families of compensation for the extra costs of the children's disability? The Bill addresses that, making funds available to cover three and four-year-olds with disabilities. That non-means-tested benefit will be tax free and worth £1,800 a year to the families of the 8,000 children who will be covered.

Why are 70 per cent. of those in receipt of severe disablement allowance also entitled to income support? That suggests that the SDA is not meeting the needs of those with disabilities and is not providing them with an incentive to get out of the benefit trap.

The incapacity benefit system is governed largely by fear. If someone who has been on incapacity benefit for some time knows that they are getting better, there is a disincentive to admit it. Anyone who is long-term sick and starts to get better knows that there will be an economic penalty and they will get no extra assistance to get into work. If they have given up on work or the system has given up on helping them, they get no help in the first place.

There is thus a real incentive for people to hide their developing abilities as they grow out of chronic sickness. The proposal to bring in a new 12-month linking rule for incapacity benefit will be a great relief for such people, allowing them at least to try the world of work, having previously felt alienated from it.

One of the most exciting aspects of the Bill is that it encompasses the idea of joined-up government. The Government acknowledge that disabled people have a right to quality information about the benefits and services available to them and to assistance and training in seeking work when appropriate. They also have a right to special help, after the onset of disability or age-related impairment, to stay in work when possible. Most of all, underlying the Bill is a commitment to the independence and dignity that disabled people need and should be encouraged to keep.

We have to ask why the Department of Social Security and the Employment Service are each given responsibilities for certain aspects of the system, but are refused a mechanism to work together to achieve their common and complementary aims. We cannot defend one Department not knowing what the other is doing when they are working in complementary fields. We cannot defend one officer passing the buck to another Department and officers at the sharp end of the benefits services giving confusing or incomplete advice. It is not surprising that the advice is often confusing and incomplete and people end up with the wrong benefits. Someone who knows all about the jobseeker's allowance cannot, under the present system, be reasonably assumed to be an authority on disability benefits. Higher-quality advice must be available to everyone.

Many local authorities have proved that the concept of the one-stop shop works. If it covers advice and benefits, the new deal for disabled people and carer's allowances, dealing with compassion and real concern for the disabled people who need its services, will work.

The system must treat disabled people with dignity. There will be an expectation that disabled people will take part in an interview with an adviser. The location and the information given must be accessible to the disabled person. If necessary, it should take place in the disabled person's home, so that the atmosphere is as relaxed as possible and conducive to a meaningful discussion on all aspects of work, benefits and other assistance that may be available. There should be no suggestion that force or blackmail will be used to get the disabled person into work against their will.

Training for the advisers is a major investment. It is right to pilot the proposals. We must not rush the single gateway, because the quality of training must be right. The circumstances, conditions and premises must be accessible and there should be no workhouse atmosphere—none of the screens that form a barrier between the officer and the claimant.

The experience of the new deal has often been a revelation to Employment Service staff. They have told me that it is what they came to the job for. They are able to give the quality advice that people need, instead of treating them as numbers and just trying to get on with the job. Dealing with interviewees as people is important for the new one-stop gateway.

I was going to raise some of the major issues that have been raised by the disability lobby and some of the problems—

**Mr. Deputy Speaker:** Order.

7.7 pm

**Mr. David Rendel** (Newbury): The main thrust of the Bill is to remove more than £1 billion of benefit from widows, carers and sick and disabled people. The Liberal Democrats therefore strongly oppose it. It is not what people voted for when they elected Labour to government. It is not even what most Labour Members thought they were standing for in the election. If there are still Labour Members of principle who are prepared to stand up for the ideals for which their party has stood so proudly for so many years, I hope that they will have the courage of their convictions, as 47 of them bravely did when joining us in opposing the lone-parent benefit cuts in the previous Session.

With much reluctance, we shall vote for the Conservative reasoned amendment. It is a feeble amendment, making little reference to the Bill's most obnoxious aspects—the benefit cuts. It is not even clear whether the Conservatives will oppose those cuts in Committee. We hear with an ironic laugh the Tories decrying the increased dependency on means-testing that

*[Mr. David Rendel]*

the Bill involves. Under the Conservatives, spending on means-tested benefits doubled, as did the number of people dependent on such benefits.

We welcome the chance that the single gateway will provide for many people to discuss employment opportunities. We hope that the gateway will focus on more than just employment and will provide advice on benefit take-up, child care facilities and training opportunities. We want interviews to be focused on the individual, not on the benefit that they are claiming, providing support rather than threatening disentitlement.

However, with that welcome come several warnings, some of which mirror the points made by the hon. Member for High Peak (Mr. Levitt). The Bill lists the benefit claimants who will be subject to the single gateway. There appear to be no exempted categories, although there will be some discretion in deferring interviews if they appear to be neither helpful nor appropriate. For people to have peace of mind, the Government must make it clear who will be required to attend an interview, and when.

If the interview is to be solely work-focused, it is surely unsuitable to demand that everyone attend. Severely disabled people may benefit less from a work-focused approach, and more from a service-delivery approach. The Government must be prepared to adapt the gateway to provide for individuals in their own right. By bringing in categories such as carers in receipt of invalid care allowance, the Government risk placing too heavy an emphasis on paid work. Caring for elderly people, children or the sick and disabled is often in itself a full-time job, and it is high time the Government recognised that.

We are told that interviews can take place in the home when it is not feasible or appropriate for claimants to visit an office. It is essential that that measure is interpreted generously. Jobcentres are frequently inaccessible to clients; indeed, something like one third of job centres do not have a disabled toilet. Disabled people—as well as those who live in rural areas—will benefit from the possibility of a home visit.

As for those who must attend interviews in the office, will they receive some reimbursement for the costs of attending—as that, too, would only be fair? When people do not attend an interview, there must be some investigation of why they do not before the benefit is disallowed. For example, someone might have gone into a state of deep depression just before they were called for their interview, and that sort of reason must be taken into account.

Given the climate of fear created by the benefit cuts—and following the disastrous benefit integrity project—claimants are likely to see the interview as nothing more than an attempt to refuse them benefits. The Government must strike a balance between policing claimants and supporting claimants. Both are equally important.

If the Government take only one lesson from the benefit integrity project, it must be that training of staff is essential. In my constituency, a lone parent informed the Benefits Agency that she was going back to work. She handed in her benefit books, and was told to apply for family credit. No one told her to apply for the lone-parent benefit premium. Her housing benefit was altered, and paid on the assumption that she was getting the lone-parent premium. When the housing benefit department explained the shortfall to her, it was too late for her to apply for lone-parent benefit. Such cases speak for themselves—adequate training is a must.

The gateway provides an opportunity to simplify the system, but unless the Government make clear how the gateway interviews will interact with child support interviews, new deal interviews and the host of other assessment procedures that claimants have to undergo, they are threatening to create more complexity, not less. If the gateway is to be seen as opening an opportunity, rather than closing one, it must remain open after the client has got a job. The Government must recognise that job retention is at least as important as obtaining a job in the first place.

If the Government want to end the something-for-nothing culture, as they claim, and if they want a true contract of rights and responsibilities between the claimant and the state, the gateway offers a valuable opportunity to strengthen the contract on both sides. Sadly, it seems likely, at present, that the gateway will be seen by claimants as an attempt by the authorities to strengthen their hand against that of the claimant.

The Government want an end to the something-for-nothing culture—so whom do they target? They target the recently bereaved. They target those who become incapacitated after the age of 20—or, as we now hear and welcome, after the age of 25 if they are students. They target, disproportionately, women and carers. They penalise savers.

The Bill removes more than £1 billion in benefits. The Secretary of State claims that he is not taking money from the poorest, and he is right to say that the safety net of means-tested benefits is not being removed. So keen is he on those benefits that his changes will force another 250,000 people on to means-tested benefits. The £1.2 billion has to come from somewhere. The first group to be targeted are widows. It never struck me that widows were guilty of something for nothing—yet the Government seem to believe that they are guilty to the tune of £500 million a year.

The Secretary of State was keen to stress that the money does not come from the poorest claimants, but he is wrong—the poorest are equally affected. He is targeting everyone. Widows and widowers will benefit from the increased lump sum, but that is costing the Government only £70 million a year, and is nothing more than an overdue recognition of rising costs.

Many of the poorest widows will be able to claim means-tested benefits when their bereavement allowance stops after six months. However, unless they have dependent children, all new widows and widowers will lose their state earnings-related pension scheme payments—on the basis of their spouse's contributions—altogether. These payments previously amounted to up to a quarter of widows' pensions.

Many people have contributed to their pensions, believing that their partner would benefit. The Government are treating that prudence with contempt. In one part of the Bill, the Government's pensions proposals duck the issue of compulsion in second-tier pensions. However, here we find the Government producing a disincentive to save voluntarily. What a contradiction.

What of those widows and widowers with small lifetime savings of just £8,000? They will not be eligible for means-tested benefits, and they, too, will lose out. Sadly, they are often among those who, in terms of income, are the least well-off.

The Government expect that, just six months after losing a spouse, men and women will find it easy to be back in work—in many cases, after many years out of the workplace. Have the Government no feeling or care for those people? Does the Secretary of State really believe that a woman who has suffered the trauma of losing her husband through suicide or a car accident can get straight back to work as if nothing had happened? The Government clearly know nothing about the psychology of bereavement if they think that that is how human beings behave.

In case any hon. Member thinks that six months sounds reasonable, let no one forget that a widow who knows that her bereavement allowance will run out after only six months will worry about how she will manage thereafter many months before it does run out. The restriction of the bereavement allowance to just six months is unnecessary and cruel, and an attack on human beings when they are at their most vulnerable.

The Government are right to extend widows' benefit to widowers. However, many will view that move with cynicism—after all, the Government only moved on the issue when confronted with a court case that was almost certain to force them to do what they are now claiming the credit for doing voluntarily. However, it is sheer opportunism to take the necessary reforms to widows' benefits and twist them so as to make some money for the Treasury. Having done so, the Government have done their best to portray the £100 million cost of extending benefits to widowers as the main effect of the changes, while conveniently hiding—and, apparently, forgetting—the £600 million cut in widows' pensions.

While we are on the subject of bereavement, why is the lump sum payment not paid to bereaved pensioners as well? The Government could have used the opportunity of reforming widows' benefits to remove that piece of unfair age discrimination. We believe that there is no need to seek savings in bereavement benefits. No extra money need be spent, but the £500 million net cuts could be used to increase the time limit on the bereavement allowance, to include SERPS payments and to pay the lump sum payment to the bereaved of retirement age.

Who else do the Government choose to target? They target sick and disabled people, and those who care for them. The Government now want to cut £700 million in disability benefits. Once again, those who are eligible for means-tested benefits will remain relatively unaffected, yet those with small lifetime savings will be excluded. The Government are targeting women, carers and those who have followed Government advice and saved for their retirement. I know that my hon. Friend the Member for Winchester (Mr. Oaten) hopes to speak on that point later.

The Bill is a mixed bag, and is full of contradictions. The single gateway aims to encourage work, but cuts to incapacity benefit and severe disablement allowance will prove a disincentive to take work.

The stakeholder pension aims to encourage people to save, but the shift to means-testing will pull people in the other direction. The stakeholder pension and the measures for pension splitting on divorce would seem to support women and carers, but they will simultaneously be penalised through the cuts in severe disablement allowance. The only coherent thread seems to be cutting benefits and promoting means-testing.

That is not what the electorate hoped for when the morning of 2 May 1997 dawned and they woke up to a new Government. In benefits, Labour cuts have followed Tory cuts and it has been hard to tell the difference; but there is hope: already there are signs that some Labour Members may be prepared to say that enough is enough.

After the lone-parent benefit fiasco, Labour Members who had supported the Government in the Lobby, some of them, I understand, in tears, are said to have sworn that they would never be prepared to act in that way again. Now they have the chance to show that they are prepared to stand up for their principles and to vote for a fairer, more just society in which we can reduce the gap between rich and poor. I hope that they will take that chance.

7.21 pm

**Mr. Frank Field** (Birkenhead): This is an important day for the Government and for my right hon. Friend the Secretary of State. No one who has witnessed his performance over the few months for which he has held the post could come to any conclusion other than one of admiration for the way in which he commands his brief, presents his brief to the House and regularly demonstrates the quality of humour, which is rare in politicians; it is even rarer for politicians to be able, as he is, to see the joke about themselves and to join in.

Today, we learned of another quality of my right hon. Friend—one that is a crucial quality for someone in his position—knowing when to give way before one is defeated. I very much welcome the announcement of the crucial change of raising the age limit for severe disablement allowance from 20 to 25. The position was not defensible, and it shows good sense and compassion that my right hon. Friend moved quickly to confront reality.

There is much in the Bill that Labour Members will want to support, so I will be very surprised if the enticement offered by the hon. Member for Newbury (Mr. Rendel) has any effect other than to drive us together. The extension of disability benefits to children under five is welcome, and it is a great compliment to my hon. Friend the Member for Preston (Audrey Wise) who, in every year that I have been in the House, has made the case for that reform. It must be a sweet day for her to see that important concession made. Many parents with disabled children owe her a great debt.

There is much to be welcomed in the single gateway. Not only do our constituents think that we have been lax in not operating the rule continuously since 1948, but many claimants themselves express surprise at how little interest Government officials take in them once they have registered for benefit. Before the general election, we said that we wanted to talk to people as they register for benefit and say, "This is the first day of the rest of your lives; how can we make the rest of your lives as happy and constructive as possible?" For that to work, attitudes will have to change in some local offices and staff will need to be trained in new ways; but I do not believe that there is a great deal to fear.

If this great project, the Bill, is a craft that is about to set sail, it is still in harbour. The crew on this side of the House may be anxious to catch Ministers' ears and tell

*[Mr. Frank Field]*

them of the parts of the Bill that may cause trouble on the voyage. I regret to say that there are aspects of the Bill that are weakest where one would have thought that a Labour Government would be strongest and areas in which it seems that the Government are setting out to defeat their own objectives.

The hon. Member for Newbury was right to say that he was puzzled by the Prime Minister saying that he wanted to root out the something-for-nothing society. The Bill takes much away from those who contributed in the sure faith that they would be able to draw when benefits were needed; but there is not much in the Bill that takes away from people who have contributed nothing or very little. Some of the crew may want to talk to the captain about matters of much concern before the great ship sets sail.

The Government have two policies on pensions: the proposals in the first part of the Bill, grouped around the idea of the stakeholder; and the ideas, also quite properly being promoted, about trying to guarantee today's pensioners a decent minimum income. The two policies are inconsistent.

As the hon. Member for Northavon (Mr. Webb) has demonstrated on several occasions, pensioners face a poverty trap—if their income is above a certain level, they are disqualified—and a savings chasm is opening up, so it will be impossible for people to save during their working lives sums that will allow them to breach the growing gap. There is that growing gap because, for all the good reasons in the world, the Government have said that they will index the guaranteed minimum against earnings, while most other pension incomes, if we are lucky, will be indexed against prices.

Over time, the gap will grow and an increasing number of people who have done everything that the Government have said and do not want to be part of a something-for-nothing society—and would be appalled to think that they were being so categorised—will be told, as a reward, "Well done, good and faithful servant, but you didn't try hard enough and your pension isn't big enough" or "You didn't manage to amass enough savings." Those people will not be better off, and some of them will be worse off, than other people who laughed at the Government and decided not to behave properly. We are talking not about the very poorest people but about the bedrock of Labour supporters: the people who turned out for us in abundance at the general election. Those are the people who will lose.

There is a similar problem with widows. It is not good enough for the Government to say that those who are currently widows will not be affected. Nobody, not even the Conservative party in government, came up with reforms of that kind. Many of our constituents are budgeting on the basis that, should they die, their wives will be covered by the scheme. They have had no option, because the scheme is compulsory, which I think is quite proper. They have not been able to put contributions into a private scheme to protect their wives. They now know that, if they die, the chances are that their wives will not be covered.

It is impossible to square the provisions on incapacity benefit with the despicable phrase about something for nothing. We are talking about people who, through their working lives, have persevered and struggled to get back to work, often many times, after suffering disability. They did that in the knowledge that their contribution conditions were safe—they had to make only one year's contribution in the whole of their working lives—but now that is to be changed, and they will have had to make one year's contribution in the past two years.

The message will quickly go out from doctors and others, "Please don't bother to go back to work, where you may fail, because by doing so you will probably—not inevitably—disqualify yourself. Get on to benefit straight away, because that is the only way that you can secure the contribution that you've made." That is the very opposite of what the Government said before the election, during the election, and even in presenting the Bill.

We are beginning to witness the targeting of some of our voters, who were targeted by the Conservatives and Mrs. Thatcher when they were in power. She targeted rewards such as tax concessions and council house sales, and we found that our vote was vulnerable at elections. During the passage of the Bill, I beg my hon. Friends to consider carefully how some of its provisions will strike at the best aspects of working-class decency. Our supporters look to us to protect those decencies, not to destroy them.

7.31 pm

**Mr. John Greenway** (Ryedale): It is a privilege to follow the right hon. Member for Birkenhead (Mr. Field) and I wish to contribute in the same spirit that he did. I recall my experience of 29 years working in the insurance and pensions industry, and I remind the House of my interest, especially the fact that I am the president of the Institute of Insurance Brokers and a member of the Insurance Brokers Registration Council, which is a regulator. We have had our share of work to do on the pensions mis-selling issue, about which we have had other debates.

The industry feels a great sense of déjà vu at the Government's proposals for pension reform. The Government's objectives are similar to those of the 1980s and are also laudable. They include transferring provision for income in retirement from the state to personal pensions for as many people as possible, and to encouraging a greater uptake of pension provision. We all agree that the present arrangements are capable of improvement, but we should also remember that this country has done significantly better than most other countries in the European Union. We have greater provision, but we need to extend it into lower-income groups, because many in those groups have made little, if any, provision for their retirement.

It is also clear that some lessons have been learnt from the problems that have beset the industry following the changes of the 1980s. The Government are right to concentrate their efforts on costs and charges, which were too high for many. Time does not allow an analysis of why that happened. We also have a much better regulated industry than we had in the late 1980s, and we have a more professional industry giving advice. It is to be hoped that the contracting-out arrangements will be better.

Other problems remain, and I do not believe that the Government will achieve a smooth transition to stakeholder provision. There is a real danger of paralysis for the next two years, as people do nothing while waiting for stakeholder pensions to come on stream. Those people

in the under-£18,000-a-year income group will be most affected. In an intervention in the Secretary of State's speech, I commented about the lack of provision for mixed provision, and I wish to stress the importance of providing complete portability through the stakeholder arrangements.

Stakeholder pensions have been given a positive welcome by the industry. I chair the all-party insurance and financial services group and we have had numerous meetings on the Green Paper and the Government's proposals. More meetings are likely, because major concerns remain. The benefit design of a stakeholder pension is much the same as a personal pension. It will be taxed as earned income. Yes, it will be available over a long time, between the ages of 50 and 75, and there will be an entitlement to a quarter lump sum, tax free, but the pension will still be based on an annuity purchase. The industry and many right hon. and hon. Members understand and appreciate the concern that annuity purchase currently represents poor value and is the major cause of many of the losses on personal pensions that have attracted compensation. That will cause a big headache for arrangements in the second phase. There is no compulsion to include life assurance. Nor is there any guarantee that people will be better off, because the annuity payment may not be index linked. That is the other side of the coin of the problem mentioned by the right hon. Member for Birkenhead.

The biggest problem arises from the generous provisions on contributions that the Government propose—100 per cent. of salary or £3,600, whichever is the lower. That is good for those under the figure, and it is a huge improvement on what happens now for personal pensions. However, it is incongruous and illogical that the benefit of that improved contributions limit will not apply to personal pensions. Another problem is that the five-year rule, and even the one-year rule, will be income related. It would have been better to allow everyone a flat rate contribution of £3,600 regardless of income. In an ideal world, that would apply equally to personal pensions, and I urge the Government to think seriously about that suggestion.

The low charges that are envisaged mean that commission is unlikely to be payable, but advice is important and information is not advice. The proposal for maximum charges is less of a problem for large contributions paid by cheque or by direct debit than it is for small contributions paid weekly or monthly. There is strong support in the industry for a requirement for employers to provide access to stakeholder schemes, but individuals should be free to nominate their preferred stakeholder, especially if they move between jobs. Serious practical difficulties could arise for those people whose income fluctuates either side of the threshold, at both ends of the spectrum at the interface between the second state pension and the stakeholder pension at one end, and between the stakeholder pension and personal pensions or other arrangements at the other.

I emphasise again the need for flexibility and mixed provisions. I cannot understand the logic of arguing that people who have personal pensions now but who will fall in the stakeholder income group should have to cancel those contracts to contribute to a stakeholder pension. That is illogical. I understand the Secretary of State's point about costs and charges, but there is a danger that personal pension holders will be penalised twice over. If his argument is that, in some instances, the personal pensions are poor value, why disallow the benefit improvements to personal pension holders that will be allowed to stakeholders? That, too, is illogical. It is no solution to cancel policies and turn them into stakeholder plans.

Costs are not the sole problem. No one has yet addressed the regulatory complexity that is placed on the industry by the Superannuation Funds Office and the Inland Revenue, which adds to costs. Equally, inflexibility undermines value.

In conclusion, I shall make a final, general point. Major policy changes in the pension sector must be long-term initiatives. Contributors and pensioners will invest and draw their benefit under successive Governments, and it will be in no one's interest to anticipate that there will be another major upheaval in 10 or 15 years. Therefore, it is crucial that, with the Bill, we achieve certainty and stability in pension provision, especially for people in low-income groups.

The Government published the Bill before the consultation ended. I do not quibble with that, but it behoves the Government to listen to the representations of industry. I hope that the Bill is not sent into a Standing Committee with the intention that it will emerge in precisely the same form. It is obvious that there must be some flexibility and some listening: if there is, we can get the Bill right.

7.40 pm

**Mr. Malcolm Wicks** (Croydon, North): The Bill is important and complex. It is an omnibus Bill, and deals with a wide range of items on the social policy agenda. However, one common theme is obvious—the attempt of the social security system to deal with substantial changes in our society. Those changes include aging and the implications for pensions, the approach to death and bereavement, and issues to do with disability, employment, patterns of work, and unemployment.

The modern feature with which Parliament is having to get to grips is family insecurity. There is no dodging the need for the state to get involved in personal relationships at their most raw and bloody. Hon. Members know, from our advice surgeries, the difficulties that have arisen with the Child Support Agency, and we shall see similar difficulties arise out of pension sharing on divorce. The personal has become political, and we have to meet that challenge.

As an aside to the problem of pension sharing on divorce, I think that, sooner or later, the House will have to get to grips with the related phenomenon of cohabitation. A view on marriage that is not balanced by a view on cohabitation means that there is a risk that all sorts of incentives and disincentives will be built into the system. The House needs to be aware of that problem.

With the Bill, we are dealing with very detailed questions. I hope that the House can change the culture of Standing Committees, so that the Executive's proposals can be scrutinised seriously. Under the previous Government, I got very fed up because Conservative Members were unable to say anything about the measures that went through the Standing Committees. The House of Commons must adopt a grown-up approach to scrutiny: we shall need it if we are to get this very important measure right.

*[Mr. Malcolm Wicks]*

As well as detailed scrutiny, we need an overall vision of social security. The Government have a good story to tell about the health service and education, but what is the story that we want to tell the public about social security? Where is the vision, and what are the underlying principles? It is more difficult to spread good news about social security than about other matters, because the minutiae often get in the way of the storyline.

I think that we need to ground our approach to social security in a sense of moral philosophy—not as a theoretical proposition, but as something that can translate easily into a popular message. The problem is to balance matters of citizenship, and of rights and responsibilities, in these modern and complex times. The idea is hardly new: it is one of the oldest in democratic political philosophy, but it is a rich seam. Although people often articulate the idea, the connection is seldom made between the rhetoric about rights and responsibilities and the details of social policy.

I believe that we need to make that connection so that we can explain to people about rights and duties, and build a popular cónsensus about social security reform. Much of the task is easy. Most people accept that, if they are able to do so, they have a duty to find employment. Also, most people accept that there is a duty to maintain children, even when a family splits up due to divorce or separation.

However, people also have rights with regard to children, such as a right to receive child benefit. When it comes to the care of elderly people—I expect that the royal commission report will be available shortly—we have a moral duty to help our elders when they grow frail, but we also have rights to some social policy partnership. The royal commission will tackle that, and the strategy for carers set out by the Government a week or so ago came at the problem from another angle.

In social security matters, the ethic of duties and rights, and the balance to be struck between them, finds its best expression—historically and probably for the next 50 years—in terms of contributions and benefits, and in the importance of the social insurance principle. We undermine the social insurance principle at our peril—[HON. MEMBERS: "Hear, hear."] Those who have undermined it most agree with me. It is a sight for sore eyes to see them reincarnated as opponents of the means test.

We all hope that the single gateway will turn into an Arc de Triomphe for the Government, who are right to make the connection between social security and employment. It is perfectly reasonable to tell people that they have a right to claim a benefit, but that they should go for an interview, and think about the rest of their lives. That principle was set out by my right hon. Friend the Member for Birkenhead (Mr. Field), and there can be no quarrel with it.

Although we must approach the matter of single parents with sensitivity, the Government must think it through carefully. I do not want to sound macho, but it is nonsense in this modern age that single parents can stay on income support until their youngest child is 16. I put it to the House that, if we were thinking afresh today about that rule, we would not specify an age of 16. We would not be as cruel as the people in Wisconsin, who set a limit of 12 weeks, but we might adopt the European model, which holds that the time for a parent to start thinking about work is when the child begins school.

There may be many exceptions, but the quid pro quo should be that, for people with children under five—below school age—we should be more generous in terms of the benefits that we give to the youngest children. That would mean that the difficult judgment that many parents face about when to work and when to stay at home to care for children is taken by the person who knows best. Mother knows best, not the state. I want there to be more rigour in our thinking about the obligations and rights of lone parents.

I shall end by expressing two cautions about the Bill, much of which I support. The first has to do with vocabulary. We need to be careful about how we present the Bill to a wider public, and we must be especially sensitive when we present it to the weakest and most powerless people in our society.

In the previous Parliament, the former Secretary of State for Wales, the right hon. Member for Wokingham (Mr. Redwood), was on one occasion to be seen speaking to the inhabitants of a council estate. There is something unedifying in watching powerful male Ministers in suits lecture single mothers and children, who are among the poorest and weakest members of our community. We must be aware of the language that is used. As I argued when I spoke about the balance between rights and duties, it is possible to speak about obligations and entitlements in a sensible and moderate language.

This is not weak stuff. Sometimes, there is a need for rigour: the reform of the Child Support Agency, for example, has meant that most fathers now—at long last—pay maintenance. However, we also need a sense of compassion when we deal with many of our fellow citizens. I hope that, as well the rigour that will be needed, the milk of human kindness will run through the Bill.

My second caution is also important, and it has to do with social administration. A key test is our need to be sensitive and professional in the administration of much of the Bill. If we are not careful, we may feel pessimistic about the experience of the Child Support Agency or the benefit integrity project. The best of policies fall down if their administration is not right.

We are dealing with some of the most vulnerable people. We are talking about mothers who have sometimes been victims of domestic violence and who turn up at the social security office emotionally and physically bruised. We are talking of people who have the most severe disabilities, many of whom would dearly love a job and need supportive employment schemes. Many people in emotional pain come to the state for support, and the gateway will rightly institutionalise that. The challenge for the Government lies in turning social policy, much of which I support, into sound social administration.

7.51 pm

**Mrs. Jacqui Lait** (Beckenham): It is always stimulating to follow the hon. Member for Croydon, North (Mr. Wicks), who clearly thinks deeply about social policy and usually comes up with interesting ideas. If I am lucky enough to sit on the Committee, I hope that he will be able to join us, although I suspect that that would do little for his blood pressure because he would not be able to speak as he wished.

The hon. Gentleman said that a theme ran through the Bill. I agree that there is one, but that theme was the one identified by the Secretary of State. Throughout the Bill runs a discouragement of saving and an increase in means-testing. Those two things run hand in hand, and either the Government are prepared to accept their implications or, as has happened time after time, they have failed to think them through.

If people stop saving because they will be better off on benefits, wealth creation will suffer. People will become more dependent on the state, and taxes—direct or by stealth—would have to increase. Given our demographic structure—I need not run through statistics that we all know—those increased taxes would fall on fewer and fewer working people.

We must ensure that people who can save do save for their retirement. The Bill will put them off because people on a lower or medium income will see no reason to save. If the minimum income guarantee, housing benefit and council tax benefit are combined, someone on an average wage—the national average is about £19,000 a year—would have to retire with a pension fund of £100,000 to achieve the same income. Someone on an average wage would need to save roughly £1,400 a year to manage that.

That money represents the family holiday. Should a family forgo the annual holiday? Should they forgo a new car, saved for over several years? Should they save the money so that they can end up with an income precisely the same as the income that they would receive from the state? I cannot see people making that illogical economic decision. They will decide to live on the state, and that will, dare I say it, be even easier when they receive a national insurance rebate under the Bill's proposed system.

As my hon. Friend the Member for Ryedale (Mr. Greenway) said, we must not only consider what people would save in a pension fund, but warn them that, under the current annuity system, they will not get the income that they expect. Annuities are giving rotten returns. The Government are reforming pensions in the Bill, and they should have included annuities in that reform.

If, as is foreseeable, we are about to enter a period of high growth but falling prices, incomes will fall, and annuities for people on pensions will be yet further reduced. Meanwhile, income from investments will be doing very well. We shall produce a generation of people embittered by the fact that they have not been able to maximise their income in retirement because the Government failed to take the opportunity to reform annuity law. We should ensure that people have options so that they may choose how best to ensure an income in retirement. We should ask whether maintaining the rigid rules about annuities is the best way forward for everyone.

The proposals on widow's benefit and incapacity benefits also militate against saving, encouraging people to go on to means-tested benefits. I sponsored a ten-minute rule Bill proposed by the late Judith Chaplin—then the hon. Member for Newbury—which called for equal pensions for widowers, so I have no problem with equality. As the work market develops, I believe that more and more women will build their own entitlements because they will always be in work. We must ask whether a widow's benefit is necessary in the long run. I accept the Government's argument on that point, but their proposals will militate against saving for retirement among both widows and widowers.

I would like to know how the Bill affects the working families tax credit and widowed parents who return to work. Will they keep their widowed parents allowance as well as WFTC and their income? Or will they lose the allowance? That might create a poverty trap, but it could equally be seen as a waste of the state's money.

The Government have missed another opportunity—the chance to return unfunded Government pension schemes such as those for teachers. The schemes are good for teachers, although they would probably do better in the private sector. However, because they are unfunded, they are paid out of current income. That is not the best way in which to provide for teachers in the long run, and other pension schemes within the Government's ambit should also have been reconsidered. Perhaps we may see some Government amendments along those lines.

The Bill is vague on pension splitting. I hope that our debates in Committee will allow us to change the system of scrutiny from negative resolution of statutory instruments to the affirmative procedure. That would allow important and detailed rules and regulations to be debated in the House.

There is increasing complexity as benefits move towards greater means-testing, and greater administration costs are associated with that. There is also a further weakening of the contributory principle. The Royal National Institute for the Blind has pointed out some of the problems, and the Secretary of State has amended one proposal accordingly.

Let me turn to the personal capability assessment. I want to be sure about how some cases from my constituency will be covered by the proposals. For example, how will mental illness be assessed? A constituent of mine—a paranoid psychotic—is being refused benefit. How will his case be assessed under the new arrangements?

I am glad that disability living allowance is to be extended to three and four-year-olds, but I would take it even further down the age scale because a greater number of disabled children are being born and they require extra help from the very beginning. Paediatric nurses and doctors have been lobbying me for years on that point.

We will be taking up a number of issues in Committee and I look forward to being able to press the Government even further on the matter. My general impression of the Bill is that, despite its one or two good points, fundamentally, it will reduce more people to dependency on the state, rather than on themselves, and increase means-testing, thus discouraging savings.

8 pm

**Mr. Jeremy Corbyn** (Islington, North): I have some sympathy with the view of a number of hon. Members that the Bill is far too big. It contains at least three major elements, all of which deserve detailed scrutiny. I imagine that those hon. Members who are fortunate enough—if that is the way to describe it—to be appointed to the Standing Committee to deal with the Bill will be looking towards their summer holidays by the middle of May, rather than detailed scrutiny of clause 64. If Parliament is to discuss such major legislation, it is important that it is produced in such a way that each section can

*[Mr. Jeremy Corbyn]*

be thoroughly scrutinised—pensions generally, pension splitting on divorce, disability benefits and the many other aspects of the Bill.

I am also concerned at the language used in the introduction of the Bill and the *Daily Mail* type of reporting that has surrounded it. I come from that tradition in the Labour party that believes in a universal welfare state. It is something that the party was founded to achieve and has campaigned to preserve and extend. The party was founded on a belief that society as a whole has a responsibility to insure all its members against homelessness, poverty and ignorance—all of which were envisaged in the Beveridge report and in the post-war consensus surrounding the welfare state.

Language such as the "something-for-nothing society" has been used. Many of my constituents are poor and up against it—many other hon. Members represent similar people. Often, they are unemployed or have difficulty finding a job that lasts more than six months or pays anything like the proposed minimum wage—never mind above that—and they rely on state benefits to survive. About one third of schoolchildren are relying on income support. We should be a little more careful about the language that we use. We are talking about the life blood of an awful lot of people.

My constituency is paraded weekly in *The Daily Telegraph* and *The Sunday Telegraph* as the home of the Islington set and extremely wealthy. In fact, it has the highest rate of long-term unemployment of any English constituency, a normal unemployment rate of well over 15 per cent. and many inhabitants who are very poor indeed. The black unemployment levels are far higher than the white unemployment levels. All those issues need to be tackled.

I welcome the Government's willingness, preparedness and determination to deal with those issues of multiple poverty and deprivation, but, by going away from the very principles on which the Labour party was founded, we do ourselves no good with people who have loyally supported us in election after election and who turned out in such vast numbers in May 1997 to get rid of a Government who had created massive gaps between the richest and poorest and who, despite all their attempts at reinventing themselves, had been seen as the party of the means test and of meanness in our society.

I shall concentrate on pensions. The state pension was a marvellous achievement when it was first introduced by Lloyd George. However, before the Liberals become too excited, I must point out that I have a little booklet at home, which was presented to me by a local pensioners' group, which states:

"No thanks to Lloyd George. The story of how the state old age pension was won."

He was forced into it by radical groups who met in Walworth road, where the Labour party used to have its head office—the spirit of many of us is still there.

Obviously, the introduction of the state old-age pension was a huge step forwards, as was the passage of the National Assistance Bill, which is still an important landmark piece of legislation because it envisaged the complete welfare state. That legislation saved many asylum seekers from the poverty into which the Tory Government tried to force them three years ago.

The state pension needed reform and development and the most important reforms were introduced by Barbara Castle when she was Secretary of State for Social Services in the 1970s. She introduced the state earnings-related pension scheme for people who did not have access to occupational pensions and the linking of the state pension with earnings or prices, whichever rose the fastest, in 1975. By 1980, the state pension was approaching a quarter of average earnings. The former Chancellor of the Exchequer, Lord Howe, abolished the link with earnings and linked it only to prices. As a result, it has fallen enormously in value in the past 18 years.

**Dr. Lynne Jones:** Is my hon. Friend aware that Age Concern reckons that, by 2050, pensioners who get the state retirement pension and the second pension in full and who have had an income of £9,000 a year or less will receive the princely sum of the equivalent of £82 a week, which is no more than the state pension that was created by the previous Labour Government?

**Mr. Corbyn:** I thank my hon. Friend for that intervention. Before anyone else seeks to intervene, I must say that I will not give way again as I have only four minutes left.

The National Pensioners Convention, at the request of the Labour party, made strong representations concerning future pension policy. It met the party in opposition and has met the Secretary of State and other Ministers since we came to power in May 1997. The convention has argued strongly for the linking of the state pension with earnings as a way to ensure that all pensioners share in the rising living standards of our society.

The Government introduced the pensions Green Paper, which we are not debating today. I am a little disappointed that a major part of the Bill relates to pensions, putting into legislative effect part of what is in the Green Paper. Many members of the NPC and others are concerned that a consultation process that they had thought would continue until the end of March has become part of a legislative process. The chances of changing a major Bill like this in Committee are, as everyone knows, fairly minimal.

The Government envisage a minimum income guarantee for pensioners of £75 a week. When I discussed the matter with the Islington pensioners forum, I was explaining the figure, when some disgruntled voice from the third row asked, "What's so great about £75 a week?" I thoroughly agree. The pensioners thought that that was a reasonable starting point to get the state pension to now, but that we needed more. During the previous Parliament, my right hon. Friend the Member for Birkenhead (Mr. Field), others and I were discussing in the Select Committee on Social Security the future of the secondary pension that was proposed at the time. I hope that my right hon. Friend will not mind my quoting him, but he said that, if the political will was not there to maintain the link with earnings of the existing state pension, who was to say that it would be there to maintain the value of any minimum income guarantee or secondary pension in the future? I do not understand why we cannot take this opportunity to revalue the state pension and continue with SERPS, perhaps altering it in some way to assist the poorest, instead of creating a market in which an even bigger slice of the pensions bill is to be paid by individuals into private pension schemes, which probably cost more to administer than a state scheme.

One figure out of the Green Paper that disturbs me greatly is to be found on page 14. If 100 equals the amount of Government money that is spent at present per pensioner, by 2050, under the proposals, it will be down to 58—in other words, public expenditure on pensions will be nearly halved in the next 50 years. Having been mis-sold pensions and conned in the 1996 legislation by the former Prime Minister and the right hon. Member for Sutton Coldfield (Sir N. Fowler) about the real effects of the mixture of public and private pensions, the public are prepared to support the idea of a much higher universal state pension. I wish that we were taking the opportunity to achieve that.

My hon. Friend the Member for Newport, West (Mr. Flynn) tabled early-day motion 328, which envisages an increase in the state pension, which could be funded with the existing surpluses within the national insurance fund. We should be taking this opportunity to declare ourselves in favour of the principle of a high level of state pension, of efficient and reliable public pension provision, rather than forcing an awful lot of people in middle income and middle age down the rocky road of personal private pensions, which have already been such a bad experience for so many people.

8.10 pm

**Mr. Archy Kirkwood** (Roxburgh and Berwickshire): I am pleased to be able to take part in this interesting debate. It is a shame that the many hon. Members who want to speak are limited to only 10 minutes, which prevents them from taking interventions, as the hon. Member for Islington, North (Mr. Corbyn) said. Good points have been made by hon. Members on both sides of the House.

The Bill is both immensely important and immensely complicated. I suggest to Ministers that one way of giving hon. Members who have not had the opportunity of being behind the curtain of Government secrecy a means better to understand the problems faced by Ministers would be to extend the process of pre-legislative scrutiny. When the Select Committee on Social Security, which I have the privilege to Chair, scrutinised drafts of parts III and IV of the Bill, I was amazed by the complexity of the interrelated problems that Ministers have to face. It is a source of wonder to me that anything that makes sense emerges from the Department of Social Security, if the experience of my Select Committee is anything to go by. That is a serious point: we should all be more humble about how difficult and complicated cracking the problems can be.

While on the subject of parts III and IV, about which I could speak for my entire 10 minutes without hesitation, deviation or repetition, I want to bring to Ministers' attention my belief that the implementation date of April 2000 is a year too early. To achieve the complex changes, the cultural shifts and the training that are necessary in a way that is successful and does not hurt people or cause casualties, it is necessary to consider seriously the need to take more time before the pension splitting on divorce provisions of the Bill—which should probably have appeared in separate legislation—are brought into force. I hope that the Government and the Standing Committee will give that serious consideration.

I am rather disappointed by the stakeholder pensions provisions. I thought that stakeholder pensions were a good idea, but they are likely to be overcomplicated and overregulated in their implementation, which will lead to all sorts of problems for existing occupational schemes. In addition, the Bill as it stands does not address the problems faced by the self-employed. I hope that the Standing Committee will have a chance to scrutinise that problem properly.

I should tell the hon. Member for Croydon, North (Mr. Wicks) that his ghost lingers in the Social Security Committee. We are considering the possibility of carrying out an extended inquiry into the future of the contributory principle in the hope that such an investigation will inform future debates. In the past, the hon. Gentleman argued powerfully and cogently that we should take such action. We hope to get our report out before the contributory principle is completely abolished—we shall have to be quick.

Like the hon. Member for Beckenham (Mrs. Lait) and others, I am extremely worried about the annuity problems that have arisen—how much annuities can provide and the inflexibility of annuity provision. I await on tenterhooks the outcome of the Equitable Life case, which relates to the guaranteed annuity option question. Those matters are extremely important, for they will have a dramatic impact on the future provision of pensions. The Standing Committee and the Government will have to give consideration to that problem.

I am excited about the opportunities that can be won through the introduction of gateways and I subscribe to everything that my hon. Friend the Member for Newbury (Mr. Rendel) said. There are difficulties, but gateways are a potentially revolutionary way of providing help, back-up and support to the people we want to serve. The 12 pilot projects must be considered carefully. I believe that it is necessary to bring together, in a revolutionary way, the Department for Education and Employment and the Department of Social Security if those gateways are to be introduced in a way that fully exploits their potential.

I should remind the House that jobs do not always eradicate poverty: many families in this country live in poverty even though some of their members are in work. Furthermore, I do not need to remind hon. Members who represent constituencies with higher unemployment rates than mine that there are not always jobs to be had. The Bill's provisions have to be implemented sensitively.

I have recently seen some interesting statistics relating to the issue of compulsion. According to figures from the Library, benefits sanctions and the element of compulsion in the jobseeker's allowance are brought to bear in only one in 40 cases—that is before appeals are taken into account, so the final figure could be less—because people do not respond in good faith to the rules. If we are talking only about shirkers—the pejorative term that people like to use when referring to such cases—or those who are swinging the lead, we must remember that, at most, they comprise only one in every 40 cases. We could have a whole Bill dealing with gateways, integrating the work of the DFEE and the DSS. The Standing Committee must look carefully at the details of clause 47.

Incapacity benefit is a crucial element of the Bill. The right hon. Member for Birkenhead (Mr. Field) was right to express his concerns, and I share them. I have a letter from Patricia Alexander of Currie, in Midlothian in Scotland; I do not have time to quote from it as extensively as I should have liked. She suffers from

*[Mr. Archy Kirkwood]*

rheumatoid arthritis and she is obviously scared rigid by the possibility of the interviews. She writes:

"I can't help wondering at what point the interview stops being friendly . . . I have a knot in my stomach thinking about this. You"—

she is addressing the Secretary of State, not me—

"have turned me into an insecure sponger on society where previously I was making the best of the life I have and convincing myself my life wasn't really so bad."

I shall send the letter to the Secretary of State and hope that he and his officials will look into this lady's case. I suspect that she would not be compelled to attend for interview, given that her physical condition is so bad, but she does not know whether or not that is so, and she is worried about it.

On a technical, but extremely important, point, I come to clause 67, about which the Secretary of State has written to the Chairman of the Public Accounts Committee. The clause introduces a power to incur expenditure on the basis of a simple, straightforward statutory instrument, not a Bill. Since 1932, the House of Commons has placed severe constraints on the deployment of public expenditure, but the Bill gives the Secretary of State the power to anticipate changes two years in advance and set in motion preparatory work, and it enables him to make such proposals through statutory instruments.

I admit that that utilises the same technique as local government special grant reports, whereby the reports have to come before the House for consideration. However, I have to tell Ministers that I reserve my position on that question. I hope that, if the Government go down that route, they will seriously consider publishing drafts of such orders. What does the Select Committee on Procedure think? I suspect that the procedure could become available to any Secretary of State, not just the Secretary of State for Social Security. If so, the Social Security Committee will want to see any special grant-type report dealing with preparatory expenditure.

Preparatory expenditure is justified in terms of paving the way for IT provision to be put in place—I am in favour of IT provision, as is the Minister of State. However, I have to point out that the procedure introduced in the Bill represents a dramatic departure from the way in which Parliament has controlled Government expenditure, and it should not be taken lightly. I hope that, before the Standing Committee reaches clause 67, the Secretary of State will have made clear to the PAC, the Social Security Committee and the Procedure Committee how he intends to deploy those provisions. If he does not deploy them in a constrained and careful way, he will drive a coach and horses through House of Commons control over an important area of public expenditure.

8.20 pm

**Mrs. Rosemary McKenna** (Cumbernauld and Kilsyth): Discussions about welfare reform often generate more heat than light, but tonight's debate has been reasonable and not in that vein. When we support welfare reform, we are sometimes accused of attacking the most vulnerable members of society and those in deepest poverty. Such claims are rich coming from Conservative Members who forced more people into poverty by putting them on benefit in order to massage the unemployment figures under the previous Government.

It is important to put my remarks in context. When I was a small child, my father became ill and was hospitalised for two years. He spent a further two years recovering at home and then secured a succession of poorly paid jobs. I know what it is like to live in poverty: to live from day to day. At the time, my mother was trying to raise three children and maintain some sort of dignity. I know what it is like to live on benefit. Believe me, our lives began to change only when my father began working again. He might have had poorly paid jobs, but at least he was in the labour market. That is the important principle behind welfare reform that the Government are trying to achieve.

Those whom we are trying to help back to work will at least receive a minimum wage. We did not have that. It is not a great wage but, together with access to lifelong learning and further education, it is a first step towards prosperity. It is wrong to describe any discussion about welfare reform as an attack on the poor. The current system of benefits has not released one person from poverty. It is now clear to everyone that, for those who can work, employment is the only route out of poverty.

Our country is not full of workshy individuals and families: tens of thousands of people are denied access to work and do not receive the adequate financial support that would allow them a decent quality of life and some dignity. Thousands of long-term sick and disabled people who want to return to work are denied the support and assistance that they need in order to take that vital step and seek employment. Under the current system, thousands of people with disabilities who will never be able to work do not receive adequate financial support and cannot enjoy a decent quality of life.

It is quite wrong to portray this Bill as a crackdown or a squeeze on the poorer members of society. In fact, it is quite the reverse: it seeks to ensure that those in real need are supported at a proper level. We must all accept that the present benefit system does not work. The gap between rich and poor is wider now than at any other time this century. One in three children lives in poverty—we should be ashamed of that statistic. In the main, people's health and education achievements continue to reflect the social class from which they come.

Tinkering with the present system will not impact to any degree on the social or economic inequalities in Britain today. That is why we should welcome the Bill and embrace the opportunity in Committee to discuss the real issues and the meat of the legislation. The present system traps people in poverty. It was not designed to do that, which is why the new deal has been welcomed by young people, the long-term unemployed, lone parents and the disabled. The Bill is based on the principle of work for those who can work and security for those who cannot.

I am concerned about the plight of those people who have long-term debilitating illnesses, such as ME. They struggled for years to have ME recognised: first, as an illness and, secondly, for benefit purposes. Anyone who knows ME sufferers will be aware of the appalling effect that the condition has on their lives and on their families. Access to incapacity benefit made the lives of ME sufferers less stressful, which is very important to the recovery process.

Many people, particularly the young, recover from illness. However, in the past they received no assistance in returning to work. They had to find themselves jobs and were removed from the benefit system as soon as they secured employment. Because it was a contributory scheme based on previous earnings, those who bravely tried to return to work but failed when their health deteriorated lost their benefit at a higher level. As a result, people had no incentive to try to return to work and became trapped on benefit. That is extremely distressing for people suffering from illnesses—especially when the removal of stress contributes to recovery. The system that was designed to help is delaying the recovery process.

People with long-term illnesses should derive some comfort from the measures in the Bill. As well as determining entitlement to benefit, the reform of the all-work test will provide information about people's capabilities and may be used to plan a return to work—if people are able to do so. The single gateway interview will ensure that those who claim incapacity benefit receive help in planning a route back to work or receive the benefits to which they are entitled. The creation of a single point of access, involving the Employment Service, Benefits Agency, local authorities and the Child Support Agency, should simplify the whole process and make it much less threatening.

Since the general election, the change of culture in the Employment Service has been remarkable. With the creation of the new deal, clients view staff much more positively—they are seen as providing assistance. Anyone can see that the creation of personal advisers has been a tremendous success. Ordinary people know that they are now receiving the kind of professional help that the better-off could always procure and that they are involved in making decisions about their own lives. The difference is tangible when one walks through the door of my local employment office.

We cannot ask agency employees to change without proper training. Prompted by past problems, the trade unions fought for and achieved the installation of security barriers between staff and their clients. That state of affairs was always unacceptable, but the real antagonism between staff and clients proved that the system was not working. The Government must give an undertaking that all staff will feel comfortable with the new approach and that people will have a different experience. That will involve a real commitment to training and a change in attitude that is crucial to the success of the legislation.

One of the lessons that my parents learned during my father's period of unemployment was that part of the key to future success was access to education—lifelong learning. That is how one gets out of unemployment, and the Government's commitment to that is crucial.

With the changes that the Government have already introduced, the millions of pounds being spent, the multi-agency approach to tackle our most deprived areas, the minimum wage, the working families tax credit, nursery places, help with child care, education and maintenance allowances for 16 to 18-year-olds from poor families and the changes being introduced by the Bill, we shall begin to attack the endemic poverty that exists in far too many areas in Britain. That is when we offer real equality of opportunity to the people whom we are elected to represent.

8.29 pm

**Mr. Julian Brazier** (Canterbury): The hon. Member for Cumbernauld and Kilsyth (Mrs. McKenna) will forgive me for the fact that time prevents me from following up her speech, but she seems to have been the only Back Bencher so far to see any merit in the Bill.

The balance of the debate on both sides of the House has been clear. The measure conjures up a curious picture of a stormy sea and sky, with the good ship SS Britain heading for the rocks. The crew rebel, sack the captain and officers and replace them. The new captain appoints a sturdy helmsman from Birkenhead who sets a new course, then sacks him and replaces him with the deputy purser, who puts the ship back on the original course and piles on more coal.

The central weakness of our benefits system is means-testing, which provides the strongest possible disincentive to save and, in some cases, to work. The worst features of the system were introduced in 1988 and I make no bones about that—I was new to the House then and I have since written a number of papers arguing that. As several hon. Members on both sides of the House have implied, the measure goes further down exactly the same route and it will result in a huge increase in costs and extend dependency, particularly but not exclusively among elderly people.

**Mr. Andy King** (Rugby and Kenilworth): Rubbish.

**Mr. Brazier:** The hon. Gentleman says, "Rubbish", but let us consider pensions. In 1988, pension provision in this country was on course and we had by far the highest level of occupational pensions in Europe—an achievement of which to be proud. Year by year, the proportion was rising and indeed, in 1988, already more than half the number half of pensioners had an occupational pension. At the same time, the proportion of pensioners reliant on income support progressively dropped until, in 1988, it was less than 14 per cent.

The changes made in 1988, which in many respects are copied and amplified by the pension provisions in the Bill, introduced a income support supplement for pensioners, paid on a means-tested basis. We also changed the capital rule on housing benefit. The justification given by Ministers then was exactly the same as that given by Ministers today: that we were focusing on need.

What happened? The effect on pensioners was electric. On the one hand, the proportion of people with occupational pensions continued to rise. Had those changes not taken place, one would have expected the proportion of pensioners reliant on means-tested benefit to decline further over the next four or five years from 14 per cent. to 11 or 12 per cent. Far from it. The proportion increased from 14 to 16 per cent.—a rise of one seventh.

Let me state that effect in plain English. Throughout the country, hundreds of thousands of pensioners dumped their savings. Who can blame them? They were warned that they would be punished by reductions in their housing benefit if they did not do so and rewarded by a supplement on income support if they did. That is exactly what the Government are doing with their minimum pension guarantee, which will affect a much larger number of people.

*[Mr. Brazier]*

The parallel with the Bill could hardly be closer. My hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) and other Members on both sides of the House have outlined the measures in such detail that I do not want to repeat their remarks. Not only will there be an even greater disincentive for those with modest savings to retain them but, for the first time, those who are likely to qualify for modest pensions will have a strong incentive to stop saving into their pension funds. The reasons for that have been explained carefully and at length by several Members who understand pensions extremely well, including my hon. Friend the Member for Ryedale (Mr. Greenway), who is an expert on the pensions industry.

**Mr. Duncan Smith:** Particularly pensions for the self-employed.

**Mr. Brazier:** As my hon. Friend says, my hon. Friend the Member for Ryedale is particularly knowledgeable about the self-employed.

I remember a jibe made by Labour Back Benchers in a number of social security debates. I was proud of many actions taken by the previous Government, but I was not proud of their actions on social security. I listened to the jibe of Labour Members, who asked, "How can the Conservative Government argue that the better-off need incentives to work harder but the poor do not?" I thought that there was a lot of truth in that jibe and, when it was made by those such as the right hon. Member for Birkenhead (Mr. Field), I felt embarrassed. Now, unbelievably, a Labour Government have extended means-testing for working people with 89 per cent. tapers in the working families tax credit going right up the income scale and the measure before us provides pensioners with a huge disincentive to save. Of course, colleagues have also mentioned the impact that it will have on incentives for the disabled, widowers and several other groups.

In opposition, Labour again and again made points about the weaknesses in what we were doing. We often heard the then Leader of the Opposition—now the Prime Minister—say, "Let us move from a handout to a hand up." I was one of those who were writing pamphlets in the background, saying that we needed to try to eliminate the disincentives in the system that the extension of means-testing had brought. I also heard the detailed ideas advanced by people, including the right hon. Member for Birkenhead and many colleagues far more distinguished than me—the late Sir Brandon Rhys Williams prominent among them.

I can hardly believe it. We now have a Labour Front-Bench team putting before the House measures that would extend further up the income scale all the worst features of the changes that we made, while starting to unravel the one really good thing that we did in welfare: the encouragement of the growth of occupational pensions and pensions for the self-employed. We were scoring about five out of 10; the present Government seem determined to score about nought out of 10.

That jibe is not quite fair. A few small provisions round the margins are good. I welcome the introduction of the pension for widowers. A close friend, who was a contemporary of mine at school, is bringing up a little boy. He has had mental health problems and he is struggling, and it is grossly unfair that he does not get similar treatment to a widow. I welcome the fact that several small measures in the Bill will be helpful.

The truth is, though, that this measure characterises everything that is worst about the new Labour party. It bears no resemblance to the traditional views of Labour, grounded in the Beveridge report, which is the basis for the post-war consensus. Clement Attlee would not recognise it. It bears no resemblance to the modern thinking on occupational pensions that spans so much of the political spectrum. It bears no resemblance to the pledges and aims that were so articulately outlined by Labour Front-Bench Members before the general election. It is nonsense.

I acknowledged that the problems in the process started with the mistakes that we made in 1988, but it is incredible how, month after month, at Social Security Question Time, in social security debates and when measures are brought before the House, whenever an hon. Member says, "But you are introducing more means-testing in the face of all the evidence of the damage that it does," Ministers respond by saying, "But the Conservatives did it first."

Ministers may be surprised to hear this, but actually, we lost the last general election, and I am one of those who believes that our introduction of means-testing and the impact that that had on working-class families was one reason why we did so. The British people did not vote to change the captain and officers because they wanted more coal put on, more steam got up and a faster journey towards the rocks for the benefit system—but that is exactly what the Labour Front-Bench team is delivering.

8.39 pm

**Mr. Roger Berry** (Kingswood): It is tempting to follow the hon. Member for Canterbury (Mr. Brazier). For weeks, I have observed the Tory party reinventing itself as the party that opposes means-testing and supports the contributory principle. That sits ill with all that the previous Government did, but Back Benchers have only 10 minutes each in which to speak in the debate, so I shall not spend more time on that.

I shall say a few words about the provisions in this detailed, complex and important Bill that relate to disabled people. I happen to be secretary of the all-party disablement group. We made a written submission to the Secretary of State at the end of December 1998, and I should like to place on record our gratitude for our meeting with my right hon. Friend a few weeks ago. I am pretty certain that the ink was dry on the Bill when we had that meeting; nevertheless, that was an important opportunity to put across some of the views that have been expressed by the all-party group—views that, I make so bold as to suggest, are widely reflected by other disability organisations.

I warmly welcome a number of provisions in the Bill, such as the extension of the higher rate mobility component of disability living allowance to three and four-year-olds. I also warmly welcome increased benefits for severely disabled young people, and I acknowledge in particular the extension by my right hon. Friend the Secretary of State of benefit improvements for severely disabled young people up to the age of 25. I am sure that that extension is, in part, a response to the consultation exercise.

Other measures that the Government are implementing, but are not directly the concern of the Bill, have also been widely welcomed. In the consultation document, for example, the commitment to a disability income guarantee and the expansion of specialist disability services were highlighted. Those are two examples of measures that do not require primary legislation and are therefore not in the Bill.

The all-party disablement group, and disability organisations generally, warmly welcome a great deal in the Bill, in the consultation paper and in other areas of work that the Government are undertaking. However, there are some serious areas of concern and I want to take up from my right hon. Friend the Member for Birkenhead (Mr. Field) the issue of incapacity benefit.

I urge my colleagues in the Government to show the same understanding for the arguments made by disability organisations in relation to their worries about incapacity benefit that has been shown in relation to their representations about severe disablement allowance. The Bill proposes changes to the entitlement conditions for incapacity benefit. The principle is to be established that only those who have worked recently should be entitled to that benefit. Specifically, certain contribution conditions will have to have been satisfied in respect of the previous two years.

The effect of that is that about 170,000 fewer people—about 10 per cent. of those currently eligible—will be eligible for incapacity benefit. Therefore the question needs to be asked: why should 170,000 people, who are unable to work because they are disabled or because they have a long-term illness, not receive an income maintenance benefit as a result of being unable to work and have to rely, if they qualify, on means-tested income support?

The argument which has been made, and which was alluded to by my right hon. Friend the Secretary of State, is that people have received incapacity benefit who should not have received it. Reference is frequently made to the fact that the previous Administration allegedly encouraged people to claim incapacity benefit rather than unemployment benefit. That was the first argument for this policy.

I want to make two points. First, if the Government have evidence suggesting that people who should not receive incapacity benefit will receive it, the solution is to sort out the gateway. It is quite simple: if the problem is that we fear that what may have happened in the past will happen in the future—that people who are not entitled to incapacity benefit will somehow access it—we should deal with that through the operation of the gateway for that benefit—the all-work test or whatever replaces it. That is the sensible thing to do. I urge the Government seriously to consider the implication of denying tens of thousands of genuine claimants their right to the benefit because it is assumed that some may not be entitled to it. The solution to the problem is perfectly clear.

Whenever it is said that in the past people who should not have accessed incapacity benefit have done so, it should be remembered that that is in the past. This Bill applies to new claimants. With the greatest respect to the Government, it is not good enough simply to look backwards and argue that that is why we should remove people from incapacity benefit, because we are dealing with new claimants.

Clause 51 provides for regulation-making powers to protect people who have not recently paid contributions because of caring responsibilities for which they receive invalid care allowance. However, some people cannot be protected in that way. They may have been looking after young children or combining child care responsibilities with part-time work. Some carers may not have claimed invalid care allowance. Others who have paid contributions for many years may become unemployed and then become disabled. Individuals with an extensive work record who subsequently experience a period of unemployment before becoming disabled will find that their contributions count for nothing.

There has been much reference to the "something-for-nothing problem". It is rather insulting to accuse people who have fallen on hard times of wanting something for nothing when they have paid their taxes and national insurance contributions. The people whom I have in mind have a contribution record of 10, 20 or 30 years. After a period of unemployment, they then become disabled. Their problem is not something for nothing, but rather nothing for something. Although they have made their contributions, they are to be denied benefit. That will produce some absurd outcomes. For example, somebody who has worked for 10 years, is unemployed for two years and then becomes disabled is unable to get incapacity benefit, whereas someone who has been unemployed for 10 years and worked for two years can get the benefit.

I shall try to put this tactfully—I am already in trouble anyway. This problem needs to be thought through and I desperately hope that the good sense that the Government have shown in listening to representations on the severe disability allowance will be extended to the grave concerns expressed about incapacity benefit.

My final point concerns the level of incapacity benefit and the fact that it will depend on people's occupational and personal pensions. When the Tories cut invalidity benefit, that was the reason that they used. Billions of pounds worth of savings will be made arising from the cuts made under the previous Administration, who said that they were making those cuts because people were now more likely to have personal or occupational pensions.

Will the Government please consider not using that argument for a second time? To do so would be unfair in the extreme. I very much hope that the Government will take on board my comments and those of the vast majority of disability organisations—indeed, every disability organisation whose submission I have read—and reconsider their proposals on incapacity benefit.

8.49 pm

**Mr. Edward Leigh** (Gainsborough): I am sure that the Bill is well intentioned and that the Government believe that it is the only course of action available to them. However, I firmly believe that it will be counter-productive to everything that they hope to achieve. It will compound rather than solve the problems. It will increase means-testing, not indirectly but directly. One has only to look at the proposals to end widow's benefit based on the contributory principle to realise that.

Sadly, the Bill is riddled with tokenism, such as the single gateway concept, which for many young people will be a gateway into a jobless void. Make-work schemes introduced in the past have simply made bureaucracy, not work. If they have made jobs, they have made them at a price that has not been cost-effective.

*[Mr. Edward Leigh]*

The Select Committee conducted a rigorous pre-legislative inquiry into pension sharing. However, I still believe that the proposals have been barely thought out, and I oppose them. If I am fortunate enough to be selected for the Standing Committee, I shall set out my opposition in greater detail.

There is no solution to divorce poverty. Indeed, divorce should be difficult. The only solution to divorce is some sort of judgment of Solomon which pleases no one, but that is the reality of life and divorce. We are in danger of creating a mini-CSA disaster. It is almost a cliché to say that the CSA has been a disaster. It will eventually be wound up, and these issues will be returned to the courts, whence they should never have been taken in the first place.

We are going down an extremely dangerous route. The only solution, in broad terms, is for the parties to a marriage that breaks up to keep for themselves everything they have accumulated up to their marriage, for everything accumulated during the marriage to be split down the middle, and, if children are involved, for the court to make a payment to the mother, who usually looks after them, based on a percentage of the father's salary.

I believe that pension sharing will not work. In my experience, the courts are used to dealing with property that is extant. Given the increasing number of short marriages, pension contributions will not have time to accrue to a significant extent. Pension sharing can work only for couples who have had long marriages and are close to retirement age. The courts will be required to interfere in events that will occur way in the future. I believe that chaos could result, and that many people will be beggared. Crumbs cannot be divided in two. If the pension hopes of divorcing couples have to be divided, the only way that can work is to use the Scottish system, which broadly divides everything accumulated during the marriage in half.

These issues have not been adequately debated by Parliament. This is a classic case of Members on both Front Benches walking blindly into something—as they did with the CSA. Many people will reap the whirlwind in years to come.

This is not the Bill that we should be considering. We should be discussing a Social Security (End of Dependency) Bill. We are as guilty as anyone else, and after all the bitter lessons that we have learnt in the past 10 years—my hon. Friend the Member for Canterbury (Mr. Brazier) outlined them extremely well—we should try to reach a cross-party consensus. That may or may not be possible, but we should wind down the remorseless rise in spending of the past 50 years, which has thoroughly corrupted the working classes of this country, and ensured that people on low incomes are encouraged to work on the side while drawing maximum benefits. We have institutionalised—to quote a phrase current this week—family corruption. We should all be ashamed of that. Now we are putting a vicious new twist into the doleful process that both parties have been engaged in for the past 50 years.

In a manic attempt to get single mothers into work, we are ensuring that they will be paid to look after any children but their own. What could be more cruel, senseless and pointless than that? The most sensible arrangement in life—it has been around for a long time—is two people committing themselves to marriage for life, with one working and one looking after the children. That has been deliberately eroded by Governments over the past 50 years.

It is a pity that Evelyn Waugh is dead, because we need a scathing "Vile Bodies"—type satire of the new work ethic. We are creating a ghastly 1970s Swedish perversion of the welfare state. Responsibility does not lie only with this Government: these proposals are merely the latest in a long, sad process that has continued for many years.

The time for tinkering is running out; the time for salami slicing is over. The time for palliatives is at an end. The time has come for a radical new step to be taken. We need to examine the Department of Social Security, all its benefits and all its structures, and unpick it from the foundation stones upward. That is a task for the Opposition as they prepare for government. *[Interruption.]* There is no point in the present Government's being arrogant. Sooner or later they will be the ex-Government, and sooner or later our party must try to prepare for government. We cannot return to the old days of tinkering with the system, or make the mistakes made by the present Government. We cannot indulge in short-term opposition, hoping that when we take over power the problems will somehow be solved. The problems will not be solved just by our taking power; we must have our own radical vision.

One benefit must, broadly, be retained. I refer to the basic state pension. That pension, however, should be based rigidly on the contribution principle, and should be passed to an independent body of the mutual, friendly society type. In other regards, however, radical reform is needed. At present, the Government are tinkering with the system. The introduction of stakeholder pensions, the retention of the basic state pension and the system of second pensions will merely confuse people, and I believe that the stakeholder pension will finally destroy any chance of re-creation of the occupational pension movement. Why should employers contribute, when their employees will be given rebates in return for entering the stakeholder pension system?

I believe that, eventually, poverty relief will have to be handed back to local authorities. That may sound radical, but it has happened in the past. I do not think that we can simply re-create 400 benefit agencies. We must think in terms of local action to deal with poverty.

As I said earlier in an intervention, there is a "third way", although it may not be possible. If we are now rejecting the idea of means-testing—as I believe we are—and if we believe that we cannot take the route advocated by the right hon. Member for Birkenhead (Mr. Field), there must be another way. We must try to build into our system, through tax arrangements, increased pressure on families to maintain children, the elderly and the disabled. That may sound radical and shocking, but it is happening increasingly throughout the world. In many American states, for example, as social security budgets run out of steam, Governments and state legislatures ensure that families are made responsible.

Why do we assume that that is such a ridiculous idea? Why do we hand out child benefits to everyone, irrespective of income? Why do we not make parents responsible? Why do we allow young people to become

a charge on the state? Why do we not make their parents, or close family members, responsible? Is that such an impossible idea? Is it impossible to try to re-create the sense of family responsibility, the work ethic and the concept of enterprise by telling family members, "You will be responsible"?

My time is running out. Let me just say that, if we adopted such an approach, we would re-create the system of family control and good, responsible behaviour for which the country is crying out and which the Government are not delivering.

8.59 pm

**Audrey Wise** (Preston): Let me begin by disposing of the Tory amendment, which will not take long.

The Tories complain that the Bill does nothing to increase job creation; that comes from the party that presided over a mass collapse of jobs. They complain about the missed opportunity for a lasting reform of social security; that comes from the party that, year after year and in Bill after Bill, made the social security system worse and more complicated. They complain about bad drafting; that comes from the party that frequently produced amendment papers that were more voluminous than the Bills to which they referred.

Some Conservative Back Benchers now say that they never agreed with all that. Means-testing is becoming Conservative Members' target. "Targeting" was the word that they often used. They were "targeting need", so everything was good. Now, everything is bad: it is means-testing, with which they never agreed. However, I can tell those of my hon. Friends who were elected at the most recent general election that I do not remember a single dissenting Tory voice—not one—on any social security issue. If Conservative Members were worried and embarrassed about those issues, they hid their feelings very well.

I move to the more pleasant task of welcoming the extension of mobility allowance to three and four-year-olds. I am very interested in and very concerned about children. Therefore I really do welcome the provision. Moreover, in that bit of the Bill, I do not have to say that anything is being taken back; it is an unadulterated good.

When I think about children, I think also about their parents. I think about lone parents, because they have special problems. My right hon. Friend the Member for Birkenhead (Mr. Field) said that he wants people to be interviewed and given an opportunity. I am not at all averse to the phrase that he used—"How can we help you with the rest of your life?" That is great. I do not think that such an offer will require compulsion. It will have to be made at the right time, which is not necessarily immediately after a traumatic event that causes someone to need benefit—in such cases, people need benefit very quickly—but the principle of offering help is fine.

I do not understand the need for compulsion. Particularly, I do not understand the need for compulsion for repeated interviews. If an opportunity is being offered, the word will get round. People will tell others about it, and they will flock to that opportunity. The danger of compulsion is that people think that it will lead to more compulsion. They think that it leads to compulsion to take jobs.

I believe Ministers when they say that that is not in prospect. However, I should just fire a warning shot by reminding the House that, for the duration of the second world war, when there was not only conscription but direction of labour—one not only had to work, but was told where to work—there was no compulsion on mothers with children of school age, which was then up to 14. If we could avoid such compulsion during the second world war, I do not know why we cannot do so at the beginning of the next millennium. Let us be careful. We do not want to put people off what could be a good idea by making them feel that there is a hidden threat.

A few weeks ago, I lobbied the Under-Secretary of State for Social Security, my hon. Friend the Member for City of York (Mr. Bayley), on abolition of severe disablement allowance, and have no doubt that other hon. Members lobbied similarly. I told my hon. Friend that there was absolutely no justification for a cut-off at 20, and that it would be a bit more logical if the age were 25. I am very pleased that at least that amount of sense has been seen, and that the cut-off will not be at 20, which would have been extremely damaging.

I have nevertheless to ask the original question: why abolish the allowance at all? The benefit started life as non-contributory invalidity benefit, which was introduced by the previous Labour Government. There was a need then for a non-contributory invalidity benefit, and there still is. Although I am glad that the effect of abolition of the benefit and its replacement with incapacity benefit will be greatly to increase benefit for the youngest, so that they will be better off—that is great; I am very pleased about it—I do not see the reason for preventing anyone, even those who are over 25, from claiming the benefit if they have need to qualify for it.

Let us not forget that we are talking about severe disablement. The Government apparently think that about 16,000 people—or even fewer, as now only those aged up to 25 will be able to claim—are able to claim severe disablement allowance, and that 70 per cent. of those will qualify for income support. The average loss for the other 30 per cent., whose other income disqualifies them from income support, will be £50 a week. That will apply to fewer people, but what counts is not just the other income of the person in question, but other income in the household. The disabled person might have no income, relying on that of a husband or partner. Taking that £50 a week will be a robbery of dignity as well as of cash. Both are important.

The Government predicted savings of £80 million a year in the long run. That figure will be lower now, so why not go the whole hog and accept that the previous Labour Government were right to take a great leap forward in recognising the need for a non-contributory invalidity benefit? Let us keep it available to all ages. The proposal discriminates particularly against women, because there is an assumption that if they are over 25 they will have had an opportunity to build a contributions record. That may not be the case and it is more likely not to be so for women. It would be untrue for anyone who had worked only part-time and remained under the contributions threshold, which is now about £80 a week. Many people go out to work but do not earn more than the threshold, so they never build a contributions record. I appeal to the Government to rethink the proposals.

*[Audrey Wise]*

Some of my hon. Friends have said that they are worried about changes in incapacity benefit. I echo what my hon. Friend the Member for Kingswood (Mr. Berry) said about the dangers of the proposed changes to the contribution conditions. People may well be unable to build or keep a contribution record. If they go sick, they may be able to work only part-time. Their entitlement will be killed. Some will do it, just as they rest before going for medical examinations, then have to be in bed for the next month. People are generally honest. They try. If their contribution record goes out the window because they are not able to work for long enough or for high enough wages, they suffer. That disincentive to work is against all the Government's stated aims.

Then there is the issue of incapacity benefit being a top-up for early retirement. Age Concern has pointed out that people have to qualify. They cannot just go along and say that they fancy having incapacity benefit. If they qualify, they should have it.

I have talked about non-contributory benefits. Let us remember that the essence of contributory benefits is that they are not means-tested. How can Secretaries of State refer to the means of the individual as an excuse for getting rid of people's entitlement to a non-means-tested benefit?

**Mr. Flight:** Hear, hear.

**Audrey Wise:** I can do without "hear, hears" from the Conservatives, thank you very much. The hon. Gentleman is several years too late.

**Mr. David Winnick** (Walsall, North): Take my "hear, hears", then.

**Audrey Wise:** I shall take my hon. Friend's.

The Government are urging people to make private provision. The Secretary of State will then say, "Well, you are going to be well off. You're going to have £9,000 a year. Why should you get state benefit?" People should get state benefit because they have paid for it.

**Mr. Deputy Speaker (Mr. Michael Lord):** Order.

9.9 pm

**Mr. Howard Flight** (Arundel and South Downs): Before I come to the stakeholder measures in the Bill, I should like to make some brief points on the other territories covered. As others have pointed out, the reneging on the widow's pension arrangements is outrageous. When I spoke to a group of constituents about the issue recently, they were horrified. There has been pension mis-selling in the private sector, but the proposal is downright robbery in the state sector.

I am still not clear what the gateway interviews are all about. Are they about helping people, or are they meant to be a real discipline? My hon. Friend the Member for Buckingham (Mr. Bercow) asked the Secretary of State whether people would not receive social security benefits if they did not turn up, but the Secretary of State declined to answer and ducked the issue. Bluntly, there is no point in issuing threats unless they are for real. If, on the other hand, the interviews are about genuinely helping people, they need to be approached in a much more helpful fashion.

Clause 55—which has not been mentioned—gives the Government considerable scope for regulation making in relation to attendance allowance. My fear is that the clause is there to enable the Government, in due course, to move to means-testing attendance allowance, along with everything else.

On stakeholder pensions, I am concerned that the opportunity for a real and sensible rationalisation and reform of pensions has been missed. America has a simple approach to pensions—one is either a member of an occupational scheme or a 401K, where employers are incentivised to provide 401K schemes. People understand what is on offer—it is very easy. In the UK, we are adding two further complications: the stakeholder, on top of personal and occupational schemes; and the LISA, which can apparently be used as a method of managing money by any one of additional voluntary contributions, or occupational, personal or stakeholder schemes. However, it is not clear how one will plug in from one to another, or whether the LISA is merely a money-management vehicle or—in terms of retirement—whether one can use a draw-down mechanism for what has been accumulated in the LISA.

The main objective of the stakeholder pension surely must be to address pension fund provision by the self-employed. On the Government's own figures, there are 10 million people with occupational schemes, 10.5 million with personal schemes and 7 million in SERPS. There is a work force of working age of about 35 million, with the maximum potentially in work of 31 million. Beyond the 27.5 million who are already provided for, those who are not, overwhelmingly, are the self-employed—the issue of carers being a separate territory.

I cannot see what will make the self-employed take out stakeholder pensions. For those who are in paid employment, there is no choice. They either accept SERPS2, or they take out a stakeholder scheme, if they are not already in a personal or occupational scheme. For the self-employed, there is no proposal that they should be forced to choose between the SERPS2 replacement or a stakeholder scheme. The Government may be hoping that they will be so attracted by stakeholder schemes that they will take one out automatically. I fear that this will be in vain.

The state guaranteed minimum pension now offers a pension top-up that will be approximately equal to that which the average wage earner will accrue within a stakeholder scheme, assuming capital build-up of about £85,000. The incentive for the self-employed individual to take out a stakeholder scheme is dramatically negative. He would be saving £85,000 for absolutely nothing, and would end up in the same position, free, under the state pension guarantee. Yet that is the one key area where there is cross-party agreement: that we, as a country, want as many people as possible to provide for their pensions privately.

My next objection is the limit of £3,600. What is that all about? Many people using stakeholder schemes will find, in relation to their salaries, that that is inadequate—and yet, apparently, they cannot then do a personal pension on top. They may find themselves accumulating

much less than 10, 12 or even 15 per cent. of income. Why not make the limit on stakeholders £3,600 or 15 per cent. of income? My fear is that the £3,600 is a marker for that sum being the maximum that anyone will be able to put into a pension scheme on a tax-exempt basis. In a couple of years, it will be asked why one pension scheme should allow more tax advantages than another.

I genuinely fear that we will have death by a thousand cuts for occupational schemes. Stakeholder schemes will become irresistible for new businesses, especially for covering middle management. There may still be top hat schemes for the top executives, but there is a danger of pension provision for the people in the middle worsening.

The proposals were supposed to help job mobility, but one cannot continue a stakeholder scheme if one moves to new employment where there is an occupational scheme. That seems contrary to the objectives.

The industry has not been given nearly enough detail to get the products up and running. It is keen to co-operate, but there will be a planning blight and the Bill's objectives will not be met by 2001 unless there is a lot more detail. I believe that, as with 401K schemes, people should be able to choose their stakeholder pension; but if the company provides the stakeholder pension, it chooses the manager and the product.

The question of annuities has been completely ignored. The route down which we are going will vastly increase money-purchase pension schemes. Are the Government content that the annuity market will provide adequately? There are overwhelming arguments for scrapping the compulsion to buy an annuity at 75, and reforming the draw-down rules. In the 226 schemes—personal pension schemes—one has to buy an annuity at the time of retirement.

There are some awkward tax rules in relation to equity-linked annuities, whereby, if there is success and the with-profits results exceed the return limit by 3 per cent. in a year, one could easily die and lose some of the net accumulation, after providing from the annuity profit for bad years as well as good. That puts people off using with-profits annuities.

I do not see how the country will cope with the massive proliferation of pension choices without some form of central register for individuals' pension provisions. People will need to discover what cover they have, and it will be needed to provide advice as economically as possible.

As my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) said, there has been some progress with stakeholders; and I am a great supporter of the LISA as a way of managing money; but the biggest change that the Government have introduced for pensions is the abolition of advance corporation tax recovery, thereby robbing pension funds of £5 billion a year. They have endeavoured to excuse that by saying that it was a process for the rational reform of company taxation.

Many will have seen in the newspapers that Unilever has paid a massive dividend because it could not find any investment that met its investment criteria. It was in any case always old-fashioned nonsense to argue that a tax bias in favour of retention would lead companies to reinvest, giving pension funds the benefit of capital appreciation. The—

**Mr. Deputy Speaker:** Order. I call Mr. David Lock.

9.19 pm

**Mr. David Lock** (Wyre Forest): I am grateful for the opportunity to contribute to the debate and I wish to concentrate my brief remarks on the issue of stakeholder pensions. Occupational pension funds are one of the great successes of the past 50 years, and I am pleased to serve as the secretary of the parliamentary all-party occupational pensions group. They are the principal reason why millions of pensioners have a reasonable living in their third age, enjoying retirement and living life to the full in their 60s, 70s and 80s. Anyone who thinks that an active life is over when one finishes work should look no further than the Lords and Commons rugby team, whose scrum-half last weekend was aged 69.

However, for many, an occupational pension was never an option when they were working. Today's poor pensioners are, by and large, those who never joined an occupational scheme or were not in a position to make alternative provision for their retirement. They are the 35 per cent. of employees whose employers did not have a pension scheme, those who moved from job to job, the self-employed and those in a number of other categories. Those pensioners are scraping by on a low income. I am delighted that, with the minimum pensioner income guarantee, free eye tests, winter fuel payments, concessionary travel and other measures, the Government are doing so much to target help on those pensioners who need it most. But state help is no substitute for self-reliance. Being entitled to benefits is not the same as having the confidence of one's own income. Our challenge is to ensure that those who are in work today do not become tomorrow's poor pensioners.

Confidence is essential for the pensions market to work, because we invest today and must have confidence that benefits will accrue in many years' time. The pensions industry in Britain has suffered a massive blow to confidence for those who are outside the occupational pension world, as a result of the crass mismanagement and under-regulation of the industry in the 1980s. The history of pensions mis-selling and its 2.5 million victims has been told on numerous occasions, and I shall not repeat it. However, there is an equal, if not larger, problem with personal pensions, to which the previous Government and the industry should have faced up. It is the issue of charges. I can do no better than quote the authors of the Pension Provision Group, who said:

> "Of the main forms of second-tier pension provision, personal pensions have the highest costs, and their charging structure makes them unsuitable for lower paid people who have a high risk of not being able to keep up the payments in the longer term".

There are massive introductory commissions and start-up charges. One third of people who buy a personal pension abandon contributing in the first three years and 40 per cent. do so within four years. That means that vast sums are being contributed to the financial services market with no benefit returning to the investors.

The Bill paves the way for the creation of a new vehicle that will restore confidence to the pension marketplace for those who do not have the benefit of an occupational scheme but can none the less save for their retirement through, of course, stakeholder pensions. A number of issues arise from the proposals for stakeholder pensions. The first is that of trust. No financial institution will be able to start its own stakeholder pension scheme to generate profits for its shareholders rather than benefits for the scheme members. I trust that regulations will

*[Mr. David Lock]*

ensure that the nature of all stakeholder pension schemes will be explained in plain English. Members need a clear annual statement stating exactly how much has been paid; the value of the fund to date; and what that would produce in retirement benefits.

I also look to my hon. Friend the Minister for an assurance that regulations will ensure that charges will be strictly capped, so that there is a fair balance between the costs that fall on the scheme generally and those that fall on the individual policyholder. If an individual contributes for three years or more, he should be able to point to that part of the annual statement that shows the benefit that he or she has accrued. That will be the incentive to carry on contributing.

The second issue is that of confidence. Stakeholder pensions will inspire confidence because they will be run as non-profit-making trusts, rather than designed to benefit external shareholders. The stakeholders can know that the funding to which they are subscribing will be focused on them, designed to give them benefits and not simply used—as many personal pensions have been—as a vehicle for somebody else to cream off the profits.

Who will be the trustees for the new trusts? I am delighted that many organisations have expressed an interest in setting up stakeholder pension funds. Trade unions, chambers of commerce, employers' organisations and many other bodies are in a position to offer stakeholder pensions to the people within their influence. I especially welcome the work of trade unions. Many trade union members have earnings that fall between £9,000 and £20,000. They no longer work predominantly for the public sector or for large employers: many work for smaller employers or move from job to job. Union members look to their union to look after their interests at work. It is logical that they should also look to the union to offer them the opportunity to invest in a pension for when they finish work.

Thirdly, stakeholder pensions will catch people early. When they are up and running, they will encourage employees to become involved in a pension fund when retirement is the last thing on their minds. I appreciate that retirement from work may seem a distant prospect for some hon. Members, such as my hon. Friends the Members for Shipley (Mr. Leslie) and for Watford (Ms Ward). I have just emerged from the halcyon days of youth, and can recall what a distant prospect reaching the age of 60 once seemed. However, the reality is that, if it is left solely to young people to plan and pay for pension provision at the crucial time, they will put off doing it until they "get around to it". There is always a better use for money today than saving for a distant tomorrow.

Yet, the longer money is in a savings scheme, especially a pension fund, the more it grows. It earns interest, and interest on that interest. As many people have found to their cost, they get much less if they start saving late in life.

Clause 3 imposes a duty on employers who do not operate an occupational pension scheme to select which stakeholder pension scheme should apply to their employees. That is a modest duty and employers should not be able to sidestep it. After consultation, they will be obliged to designate one or more schemes to their employees. That will be of great benefit to the 35 per cent. of employees without an occupational pension.

Finally, I strongly support the growth of ethical investment funds, which have been a remarkable and impressive development in recent years. Many people ask about the type of businesses in which their savings are invested, and they are right to do so. I would not want to invest in a tobacco firm, or in a company that improperly exploited people and natural resources in developing countries. Other people feel strongly about companies that carry out animal experiments. However, because pension savings are pooled, investors lose the right to control how their money is used.

Stakeholder pensions will provide substantial opportunities for the Churches, Greenpeace, Friends of the Earth and other organisations to create pensions with clear and transparent ethical investment strategies. The record of the ethical investment trusts to date has been most impressive, and that reflects their professionalism and the high-risk nature of the less ethical activities in which some companies get involved. Those who did not invest in the American tobacco companies are not now paying the price of settling tobacco litigation in United States.

Stakeholder pensions are a significant and welcome investment. They will offer a non-profit-making, safe and convenient investment vehicle to provide secure futures for the millions of people for whom occupational pensions are not available. They will provide the same benefits for tomorrow's pensioners that people with occupational pensions enjoy today. I hope that all hon. Members recognise our collective interest in persuading everyone who can to save for their retirement. The Bill, by making provisions for stakeholder pensions, takes a significant step in that direction.

9.28 pm

**Mr. Quentin Davies** (Grantham and Stamford): We have had a thoughtful and well-informed debate, to which many members of the Select Committee on Social Security have contributed. It has been an unusually original debate, and some very original remarks were made.

What has been most notable about the debate is the strange absence of party politics. People listening to the debate, if they were not in the Chamber or watching on television, would have had difficulty in guessing from which side a contribution came. However, they would have had no difficulty in grasping that most speakers have criticised the Government. Very few had a good word to say about the Bill.

Perhaps even more surprising is that Liberal Democrat Members, who are normally so subservient to, and so glamorised by, the Administration, decided to stand up and be counted. That may, perhaps, make the Government's business managers pause, at least for a second or two.

We have heard powerful speeches, including that of my hon. Friend the Member for Canterbury (Mr. Brazier), who spoke bravely and well in acknowledging that not all was as it should have been under the previous Administration. Serious mistakes were made then, but my hon. Friend pointed out the extraordinary irony that a Labour Government who won power by claiming to offer a different deal to the British people have in fact simply aggravated the position that they inherited. The Government have gone much further down the bad road of means-testing, and they have begun to attack the national insurance system in a way that their predecessor would not have dreamed of doing.

We heard penetrating and expert contributions from my hon. Friends the Members for Ryedale (Mr. Greenway) and for Arundel and South Downs (Mr. Flight), each of whom has long-standing professional expertise in the field. The House always listens to my two hon. Friends with great attention, and it did so again tonight. I hope that we shall defeat this extremely bad Bill in half an hour or so, but, if we cannot succeed in doing so, I hope that we shall hear from my hon. Friends again in the Standing Committee.

My hon. Friend the Member for Beckenham (Mrs. Lait) also gave us an effective indictment of the Bill and of the impact of means-testing on saving. She made a slightly different calculation from that which I made in the Chamber a couple of weeks ago, and she came up with the figure of £100,000, below which anyone who could not save that much would be better off not saving at all. To save some lesser sum would only deprive that benighted individual of the thousands of pounds of means-tested benefits to which he or she would otherwise be entitled.

My hon. Friend's £100,000 is somewhat more than the £80,000 that I calculated, but both figures are far too high. It is appalling to think of people on low or modest incomes saving all their lives for nothing at all. It is appalling that their sacrifices should be mocked and made as nothing by the new Labour Government. As each month passes, and the Government go further down the road of means-testing, the figure will rise higher and higher. It will continue to rise throughout this Parliament unless the Government see the error of their ways, and there has been little sign of that.

We heard a particularly thoughtful and frank speech from my hon. Friend the Member for Gainsborough (Mr. Leigh) who did not spare us in the language that he used. He referred to the corruption of family life, and to a deliberate increase of dependency in our culture. Such things need to be said because the House is the one place in which the wiles, deceptions and cover-ups of the Government may be revealed. Only here can we get away from the clever press spin to which we have become so used over the past two years. It is here that we can get behind that spin to see the reality of what is happening.

Perhaps the most shattering indictments of the course on which the Government have embarked have come from their own side of the House. They came from a range of right hon. and hon. Members who carry great respect in the House. As all hon. Members here would bear out, they have had a record since they have been in the House of taking a close interest in social security and welfare. They have fine personal records of compassion and concern for the disadvantaged. I think in particular of the right hon. Member for Birkenhead (Mr. Field) and the hon. Members for Preston (Audrey Wise) and for Croydon, North (Mr. Wicks), but they were joined by other hon. Members, including the hon. Member for Islington, North (Mr. Corbyn), who always speaks sincerely, even if it is—*[Interruption.]* I was about to say that it is relatively unusual that I find myself agreeing with the hon. Gentleman, but I certainly did so tonight.

After all that, Mr. Deputy Speaker, you might think that we not only had a good debate, which we certainly have had, but that the House has had a good day. In fact, the House has had not a good but a very bad day. We have had a shameful day and I trust that the Government will not try on the House another day like this.

First, the Government came to the House with three distinct Bills wrapped up in one: one on stakeholder pensions, one on pension sharing and one on their disreputable, so-called welfare reform proposals, which are designed to take money from the bereaved and widows, some of the most vulnerable people in our society. Why did they wrap those three distinct Bills in one? I will give way to any right hon. or hon. Member on the Treasury Bench who wants to intervene to offer another explanation of that extraordinary procedure. The Government thought that, by wrapping all those measures together, they could confuse the public debate and bury some of the most unpleasant proposals, which would escape the scrutiny that they so obviously require.

If that were not enough, the Government have compounded the error. Someone—no doubt, Mr. Alastair Campbell, once again—decided to be even cleverer than wrapping up three distinct Bills in one document. He decided—I say "he" advisedly, because those on the Treasury Bench are mere puppets in his hands—that he could bamboozle the British public even more effectively, first, by ensuring that the Bill, which is actually three Bills, was put before the House on the day on which we have a statement on the euro, when two hours would be taken out of the time that we might otherwise have to debate it. Secondly, he calculated that tomorrow's headlines would concentrate on the euro, so some extremely unpleasant realities for millions of people could be hidden from public view.

**Mr. Chris Pond** (Gravesham) *rose—*

**Mr. Davies:** I will give way in a moment, but, first, the hon. Gentleman will have to listen to the third reason—in some ways the most disgraceful—why the procedure tonight has been extremely disreputable. It is that the stakeholder pension Bill should not have been debated in the House today either as a separate Bill or wrapped up with a lot of extraneous legislative proposals because the consultation period set out in the Green Paper that the House received in December does not end until 31 March. If the public cannot have confidence that the Government will not formulate final proposals in the form of a Bill until a consultation period has come to an end and they have listened to what those who want to comment on the proposals have to say, they will cease to respond to consultation.

By treating Parliament and the public with such contempt, the Government are ensuring that the whole principle of consultation is devalued. By doing so, Ministers have done a terribly bad day's work, not only for their Department and for the people who depend on the national insurance system, but for the whole cause of good, effective Government—Government who listen to people and who take account of realities before drafting Bills.

The Government have been so carried away by their vast majority, which they think will allow any amount of ill-considered rubbish through the Chamber, that they have decided that they can contemptuously discard the consultation process.

**Mr. Pond:** I am grateful to the hon. Gentleman for giving way, and apologise for having caught him in mid-flow. Does he recognise that one of the reasons why Labour has such a large majority is that the Conservatives

*[Mr. Pond]*

in government caused such havoc for the poorest and most vulnerable section of our community that people lost all faith in their actions? May I also say to him—he will like this bit, I promise—that I was rather impressed that, like us, he sat through sitting after sitting of the Social Security Committee when it considered pension sharing on divorce so as to find out what it was all about? Does he not recognise that the reason why it is legitimate to put the large section dealing with pension sharing on divorce in the Bill is that there has been important scrutiny in the Select Committee, whose debates will be important in the Standing Committee?

**Mr. Davies:** The hon. Gentleman is obviously dissatisfied that he failed to catch your eye, Mr. Deputy Speaker, and so was unable to make a speech. What an extraordinarily perverse and idiotic line to take—that, because the previous Government made a few mistakes, it is a good idea for the Labour Government to make a load of colossal new mistakes in the same vein.

There is a great deal wrong with the Bill. On the subject of pension sharing, we heard some interesting suggestions on how to deal with flaws in the Bill from the hon. Member for Croydon, North and my hon. Friend the Member for Gainsborough. On stakeholder pensions, it is clear that a range of essential issues have not been thought through—the burden on employers, the heavy management and administration structure of the trust and, in particular, the utter confusion created by the Treasury having put forward its rival set of proposals for lifelong individual savings accounts. People will now need to take expensive and complex advice if they are to sort out the confusion that the Government have gratuitously created.

As I have said before, perhaps the most fundamental problem with stakeholder pensions is that, although they are supposedly designed for the less well-paid and the lowest-paid members of our society, the Government are rapidly making it clear that the less well-paid should not be investing or saving at all, whether in a pension or by any other means. That is the great tragedy of what the Government are doing to our society and to our future as a nation.

On welfare reform—so-called reform—what the Government are doing is quite unspeakable: it is a brutal attack on the most vulnerable. Suggestions have been made tonight about the line that genuine welfare reform might take—I look again at the hon. Member for Croydon, North. Far from adopting such a course, the Government, under the orders of the Treasury or perhaps of Mr. Campbell, have not been ashamed to go for the softest targets, the people who can least easily defend themselves—widows and those who qualify for incapacity benefit. They cannot get much lower than that.

So complete has the subjugation of the Department of Social Security to the Treasury become that the Ministers now sitting on the Treasury Bench, who only got there after a couple of reshuffles which were needed because their predecessors were not quite as malleable, are not prepared to do anything to stand up for the national insurance system, which ought to be their sacred charge. As we have seen clearly tonight, the disquiet among Opposition Members providing the most graphic testimony, the Government no longer have any principle that cannot be subverted for the sake of a quick political fix, or under instructions from the Treasury. There is no promise that will not be broken and no person so vulnerable that he or she will be protected from Treasury savings.

The Government have debauched their principles and devalued a great national institution—the national insurance system, which was the achievement of many generations in this century and of all political parties. They have sullied the legacy of their own forebears and betrayed the trust of their own supporters. Most unforgivable of all, they have simply defrauded millions of British working people who have contributed all their lives for the national insurance benefits that they are now to be cynically denied.

9.44 pm

**The Minister of State, Department of Social Security (Mr. Stephen Timms):** This has been a lively and interesting debate. We have enjoyed the rumbustious speech made by the hon. Member for Grantham and Stamford (Mr. Davies); it was somewhat unguided and mistargeted, but no less enjoyable for all that.

I am pleased that so many hon. Members wanted to take part in the debate, recognising as they do the central importance of the task that the Bill takes on. The Government have set out to build a new Britain that will be modern and decent—and a modern and decent Britain needs a modern and decent welfare system. That is what the Bill is for.

There can be no dispute that the system needs reforming. A constituent—a young Asian man in his late 20s—came to see me at my surgery last summer. Four years ago, he was working at one of the big London sorting offices. While off work one day, he was in a car accident and he was left with only partial use of his left arm. He was forced to give up his job, awarded a low rate of disability benefit and has not worked since. He told me that he wanted to work again, but he obviously had no confidence at all that he would be able to do so. He is married with a young child and another on the way, and he has been deeply worried about how he can bring up his family decently on the low income that he now receives.

However, there is no reason why my constituent could not work: he is a bright young man, he is right-handed and his right arm is fine. What he needs—and what he should have been offered four years ago—is some serious help to plan a return to work. Better still, he should have received help so that he did not have to leave work in the first place. That young man has been badly let down by our benefit system, and it is the system that needs to change. Too much of what the system does is out of date, or is done in an out-of-date way. The result is that far too many people are badly off when they do not need to be.

The Bill marks the start of a process of vital reform: building a system that delivers for people and that provides help to people, instead of trapping them, by applying the success that we have seen in the new deal right across our welfare system. When the Bill was published, I heard a radio interviewer on "Good Morning Wales" talking to a lone parent, Bithig Davies, about work-focused interviews for making and renewing benefit claims. She did not denounce them, but said:

"It's nice to think that somebody actually cares about single parents who want to go back to work . . . In my case it didn't happen. Nobody bothered at all."

That is the real indictment of the system that we have inherited: it has not bothered. By building on the new deals already in place, the Bill will at last start to put things right. A modern and decent Britain needs modern and decent welfare that is active, people centred, efficient and robust on fraud and that exploits new technology to the full in delivery. That is the kind of welfare system that we want.

We want to rebuild the system around work and security: work for those who can and security for those who cannot. It must be driven by principle, recognising that, for those who are able to, having a job is the best way for people to realise their full potential.

**Dr. Lynne Jones:** My hon. Friend has quoted a young woman from a radio interview. I am sure that most people support the gateway and the concept of the individual, tailored approach. However, did the Government's consultation not reveal that the majority of the 1,000 or so respondents felt that job interviews should not be compulsory?

**Mr. Timms:** Our proposals for single parents have been welcomed extremely widely, and the young woman whom I quoted from that radio interview speaks for the overwhelming majority of lone parents.

I turn to some of the points raised in this excellent debate. I shall comment first on the intervention that the hon. Member for South Antrim (Mr. Forsythe) made at the beginning of the debate about the effect of the Bill in Northern Ireland. The majority of the Bill's clauses—with the exception of those measures set out in clause 74—will not apply automatically in Northern Ireland, which has a separate system. It is anticipated that Northern Ireland will legislate to retain parity with the rest of the United Kingdom, but that will be achieved when the Assembly assumes its functions in March or April this year via a new fast-track procedure.

My hon. Friend the Member for High Peak (Mr. Levitt) rightly drew attention to the scale of the changes that have occurred in the past 50 years since the present welfare system was defined. He was absolutely right to state that disabled people, in particular, are no longer willing to be written off by the system, as has occurred in the past. Disabled people have ambitions, and the Government want those ambitions to be fulfilled.

The hon. Member for Newbury (Mr. Rendel) began an interesting contribution by denouncing the Tory party's amendment and then announced that he intended to lead his hon. Friends into the Lobby to vote for it. I lost the logic of his argument. Many people who voted for the Liberal Democrats at the general election will be surprised to learn this evening that Liberal Democrat Members are voting with the Tories on welfare.

My right hon. Friend the Member for Birkenhead (Mr. Field), in a characteristically thoughtful speech, welcomed the announcement that people who remain in education and become incapacitated before the age of 25—rather than 20, as the Bill states—will be passported on to incapacity benefit. My hon. Friend the Member for Preston (Audrey Wise) particularly welcomed that measure and the change to accessibility to the mobility component of disability living allowance for young children.

I disagree with my right hon. Friend the Member for Birkenhead in his interpretation of the effect of the changes that we are making. The Bill revitalises contributory benefits by, for example, extending bereavement benefits to widowers. That is a new contributory benefit for people who have not had access to one in the past. We are proposing new contributory rights through the state second pension, which is a new, 100 per cent. contributory scheme to be introduced by the Government.

**Mr. Forsythe:** Is the Minister telling the House that the Bill will not be introduced in Northern Ireland, except by the Assembly? If we suppose, for the sake of argument, that there is no agreement and no Assembly, are the Government saying that the legislation will never be introduced in Northern Ireland?

**Mr. Timms:** I have every confidence that the Assembly will take up its powers within the next couple of months and introduce the necessary legislation, but the Bill's provisions will not automatically take effect in Northern Ireland.

On the future of the contributory principle, I point out that nobody starting from scratch would invent the system that we have today, with all its complexities. We are improving and rationalising contributory benefits for people of working age which account for only 20 per cent. of national insurance benefit spending. We make no apology for concentrating extra help on those who need it most. That is why we are giving young disabled people a new entitlement to incapacity benefit.

We remain firmly committed to a strong contributory basis for retirement benefits, including the basic state pension, which will not be means-tested, as well as the new state second pension. That is not the death of a principle; it is the birth of a strengthened and modernised benefit system.

In response to the points made by my right hon. Friend the Member for Birkenhead, I point out that, since last October, when we greatly extended the linking rules for incapacity benefit from eight to 52 weeks, disabled people have been assured that they can try work for short periods with a guarantee that they will be able to return to the same level of benefit if they should fall ill again. That rule also means that they will be able to meet the new contribution test; so, rather than making it harder for people to try work, we are making it easier, and it is absolutely right that we should do so.

My right hon. Friend the Member for Birkenhead and my hon. Friend the Member for Kingswood (Mr. Berry) made several points about incapacity benefit. Those concerns have also been raised by members of the disability benefits forum and others. The changes that we are making are right. After the war, fewer than one third of people in work had access to a non-state pension. Today, about three quarters do. It is right to reflect that change in the rules for incapacity benefit, as we are doing, and to cut the incentive to retire early that the old system provides.

It is right also to ensure that incapacity benefit is an insurance benefit for people who become incapacitated while working, as was intended. The system should not engender in people who are unemployed for a long time an aspiration to become sick. We want a system that encourages people to aspire to work.

The changes are right, and they give us the opportunity to improve the help that we provide for the people who need it the most. I would say to the hon. Member

*[Mr. Timms]*

for Newbury in particular that it will not do, even given the notoriety of the Liberal Democrat party on this score, to applaud the extra spending in the Bill while deprecating the measures that make those improvements possible.

I had hoped to be able to respond to some of the interesting points that have been made about stakeholder pensions. Rightly, the hon. Member for Ryedale (Mr. Greenway) commented that they have been welcomed by the industry. In a well-informed speech, my hon. Friend the Member for Wyre Forest (Mr. Lock) spoke about the widespread interest in providing stakeholder pensions; I have no doubt that they will be very successful.

In one of the most effective speeches of the evening, my hon. Friend the Member for Cumbernauld and Kilsyth (Mrs. McKenna) spoke about the way in which the Employment Service had been transformed by the new deal; she was absolutely right. The Tory idea of social security was as a giro factory. The claimant went in and spoke to someone sitting behind a glass screen he or she they had never seen before and would never speak to again. If the claimant could persuade the system that he or she was entitled to benefit, it started to send giros; beyond that, it took no further interest in the person. And the cheaper the system was to operate, the better—never mind the consequences.

Our view is completely different. We want a social security system that actively helps people, not one that just sends out giros. We want a system built around not, "How little can we get away with paying you?" but "How could we best help you plan a move to independence?" We want to invest in new technology, not to cut staff but to enable our staff to provide people with the help that they need and have not been able to obtain in the past.

As has been said, the job of the Employment Service used to be to minimise the amount of jobseeker's allowance that it paid out. *[Interruption.]*

**Mr. Deputy Speaker:** Order. There is a general buzz of conversation. Hon. Members must listen to the Minister responding to the debate.

**Mr. Timms:** The staff were encouraged to think of themselves as benefits police, with targets set accordingly. However, with the new deal—I am delighted that my right hon. Friend the Secretary of State for Education and Employment is on the Front Bench with me tonight—they have a completely different task. For the first time, as a result of the windfall tax, they have the resources to do the job that most people join the Employment Service to do: helping people into work. The youngsters who have been on the receiving end of the new deal, who, after the past 18 years, have every reason to be sceptical about the whole thing, are saying that the new deal works, and that the Employment Service has been transformed into an ally.

My right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities tells of one unemployed young man visiting his local employment office for his new deal interview. As the interview went on, it dawned on the adviser that the young man had basic skills problems with reading and writing, which were preventing him from finding a job. He wondered how, tactfully, to raise that issue without appearing to be insulting, and eventually he brought into the conversation the fact that the local college was offering a basic skills course and asked whether the young man would be willing to check it out. The young man reflected for a few moments and said, "I will go if you will come with me." So the adviser went with him. The young man signed up for the course and is now on the way to finding a job. That is how the welfare system should work, and that is the transformation, throughout the welfare system, that is heralded by the Bill.

Among disabled people, there are about a million not currently in work who would like to be if they could. We want to help them to fulfil their ambitions. We also recognise that, for others, work is not a realistic option. A modern and decent society accepts that, and must ensure that everyone, including those unable to work, shares in the prosperity and security of the rest.

The Bill starts the process of building the modern and decent welfare system that Britain desperately needs. We shall no longer abandon people simply to receiving handouts, when their position could be transformed by active help and support. The Bill is a vital step forward; I commend it to the House.

*Question put,* That the amendment be made:—

*The House divided:* Ayes 172, Noes 336.

**Division No. 72]** **[9.59 pm**

**AYES**

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Ballard, Jackie
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael

Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

**Tellers for the Ayes:**
**Mr. Stephen Day and**
**Mrs. Caroline Spelman.**

**NOES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Begg, Miss Anne
Beggs, Roy
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Donaldson, Jeffrey
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Forsythe, Clifford
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony

McWilliam, John
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salmond, Alex
Salter, Martin
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Taylor, Rt Hon John D *(Strangford)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

**Tellers for the Noes:**
**Mr. Mike Hall and**
**Mr. David Hanson.**

*Question accordingly negatived.*

*Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading):—*

*The House divided:* Ayes 318, Noes 180.

**Division No. 73]** **[10.14 pm**

**AYES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Begg, Miss Anne
Beggs, Roy
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Donaldson, Jeffrey
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Forsythe, Clifford
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*

Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheffld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Taylor, Rt Hon John D *(Strangford)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

**Tellers for the Ayes:**
**Mr. Mike Hall and**
**Mr. David Hanson.**

**NOES**

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Ballard, Jackie
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cotter, Brian
Cran, James
Curry, Rt Hon David
Dafis, Cynog
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maude, Rt Hon Francis

Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

**Tellers for the Noes:**
**Mr. Stephen Day and**
**Mrs. Caroline Spelman.**

*Question accordingly agreed to.*

*Bill read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).*

## WELFARE REFORM AND PENSIONS BILL
[*MONEY*]

*Queen's recommendation having been signified—*

*Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),*

That, for the purposes of any Act resulting from the Welfare Reform and Pensions Bill, it is expedient to authorise—

(1) the payment out of money provided by Parliament of—

(a) any expenditure incurred by a Minister of the Crown or government department under the Act;

(b) any increase attributable to the Act in the sums which under any other Act are payable out of money so provided;

(2) the payment out of the Consolidated Fund of any increase attributable to the Act in the sums which under any other Act are payable out of that Fund.—*[Mr. Allen.]*

*Question agreed to.*

## WELFARE REFORM AND PENSIONS BILL
[*WAYS AND MEANS*]

*Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),*

That, for the purposes of any Act resulting from the Welfare Reform and Pensions Bill, it is expedient to authorise—

(a) payments out of the National Insurance Fund into the Consolidated Fund in respect of expenditure incurred by the Secretary of State under the Act;

(b) any increase attributable to the Act in the sums which under any other Act are payable into the Consolidated Fund.—*[Mr. Allen.]*

*Question agreed to.*

## FINANCIAL SERVICES AND MARKETS

*Resolved,*

That it is expedient that a Joint Committee of Lords and Commons be appointed to report on the consultative document on the draft financial services and markets bill presented by Her Majesty's Command on 21st December 1998 and any further draft of the bill which may be laid upon the Table of both Houses by a Minister of the Crown and to report by 30th April 1999.—*[Mr. Allen.]*

*To be communicated to the Lords, and their concurrence desired thereto.*

## DELEGATED LEGISLATION

*Ordered,*

That the Local Authorities (Alteration of Requisite Calculations) (England) Regulations 1999 (S.I., 1999, No. 228) be referred to a Standing Committee on Delegated Legislation.—*[Mr. Allen.]*

**Mr. Andrew Mackinlay** (Thurrock): On a point of order, Mr. Deputy Speaker. I wonder whether you can help me. I understand that this afternoon my right hon. Friend the Foreign Secretary gave some written replies to the hon. Member for Chesham and Amersham (Mrs. Gillan). I have been to the Library in the past 15 minutes to see them, but they are not there. I have gone to the Press Gallery, but they are not available there. All hon. Members are entitled to see written answers. I understand that answers from the Foreign Office are often the latest to arrive. I want to see those replies tonight. If they are available to some hon. Members, they should be available to the whole House.

**Mr. Deputy Speaker:** That is not a matter for the Chair. No doubt the House and those on the Front Bench will have heard the hon. Gentleman's point.

## Cornish Language

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Allen.]*

10.27 pm

**Mr. Andrew George** (St. Ives): In many ways, I wish that there had been no need for the debate. I wish that the self-evident case for the official recognition of the Cornish language was accepted for the foregone conclusion that it should be. That may still be so, but the primary point of raising the issue this evening is that the Foreign Office has not yet been informed which of the home Departments has the capacity and responsibility to assess the case. I am not apportioning blame for that, because it has been so for many years. It is not the fault of this Government.

During the debate, I should like to explain the growing interest in the revival of the Cornish language; the fact that Cornwall wants to make a small but significant contribution to the celebration of the diversity of cultures and languages throughout the British Isles and Europe; and to make the case for the official recognition of the Cornish language.

Cornish is one of the Brythonic Celtic languages, which include Welsh, Breton and, originally, Cumbrian. The related languages of Scottish Gaelic, Irish and Manx are known are known as Goidelic and are based on a different spelling system.

Even at the time of the Prayer Book rebellion 450 years ago in 1549, which was a reaction to Parliament passing the first Act of Uniformity, people in many areas of Cornwall, including most of west Cornwall, understood little English. Place names throughout Cornwall bear witness to that.

We have to keep everything in proportion. The Cornish language is not now a life and death issue, but in 1549 it was. Many Cornish people protesting against the imposition of an English Prayer book were massacred by the King's army. Their leaders were executed and the people suffered numerous reprisals.

The Cornish language is supposed to have died out in about 1800—a year after the death of Dolly Pentreath, whose native language it was and who could speak little English. However, it carried on throughout the 19th century and into the 20th century. Even in my constituency of St. Ives, fishermen were counting fish in the Cornish language into the 1940s. In the early part of the century, my grandparents on the Lizard were speaking Cornish in a dialect form at home, and a dialect form of Cornish continues to this day in some areas.

One might ask the extent to which the language is now spoken. The night before last, I was judging the finals of the Pan-Celtic song for Cornwall competition on local radio. There were 32 entries—all sung in the Cornish language—in a variety of genres from folk to classical, rock, punk, indie and rap. Many groups were young people. One of the finalists consisted of five members with an average age of 14. Some of it was fairly ordinary, but the majority was impressive, and the finalists were breathtaking.

It is estimated that there are approximately 3,000 Cornish speakers. Many thousands more are like me, and either speak some Cornish or have a knowledge of the language. The vast majority, if not the whole population, see Cornish as an emblem of pride. Cornish, of course, exists in place names, and a knowledge of the language really helps to read the landscape. Many Cornish names are adopted for children, pets, houses and boats.

Cornwall county council has an established policy to support the language, and last week passed a motion supporting it being specified within the European charter for regional or minority languages. There are at least three regular periodicals solely in the language—*An Gannas*, *An Gowser* and *An Garrick*. The two local radio stations, Radio Cornwall and Pirate FM, have regular news broadcasts in Cornish, and have other programmes and features for learners and enthusiasts.

Local newspapers such as the *Western Morning News* have regular articles in Cornish, and newspapers such as *The Packet*, *The West Briton* and *The Cornishman* have also supported the movement. The *St Ives Times & Echo* felt so confident about local knowledge of the language that it circulated Christmas messages and cards saying

"Nadelek Lowen ha Blethen Noweth da"

and offered no translation to the English version

"Wishing You a Merry Christmas and a Happy New Year".

The language has financial sponsorship from many sources, including the Millennium Commission. The Bishop's advisory committee on Cornish language services provides advice and support to churches wishing to use the language. Increasingly, churches have visitors' instructions in Cornish and English.

The take-up of the language is now becoming so widespread that organisations such as Kevas an taves Kernewek, the Cornish Language Board, are finding it difficult to keep up with demand. Others include the Cornish sub-group of the European bureau for lesser-used languages, Teere ha Tavas—or land and language—Gorseth Kernow, Cussel an Tavas Kernuack, Cowethas an [illegible], Agan Tavas and Dalleth, the last of which is the organisation promoting language to pre-school children. There are many popular ceremonies—some ancient, some modern—which either use the language or are entirely in the language.

Cornwall has many other cultural events associated with the language, including the prestigious international Celtic film festival, which we hosted in St. Ives in 1997, with the programme in Cornish, English and French. There are many films—some televised—made entirely, or significantly, in the language; the latest on the Cornish surfing culture.

Commercially, Cornish is taking off, with shops selling only Cornish material, such as An Lyverjy Kernewak, the Cornish book shop in the town of Helston in the south of my constituency. Many companies are preferring to use Cornish names, and the GP overnight service in the county is now called Kernowdoc. A great deal now goes on in our schools—more than in my day—and there are many who study Cornish at degree level in places such as Aberystwyth, Wales, and Harvard, USA.

One may ask what benefit that brings. In a world where many commercial and multinational forces are producing bland uniformity, people want to hold on to—and even develop—the fragments of cultural remains. In Cornwall, I would argue that we have more than simply fragments, and we generate significant cultural tourism not only in itself, but as an added dimension to the tourist experience.

*[Mr. Andrew George]*

That has also been significant in helping Cornwall and the Isles of Scilly to secure objective 1 status, which we hope will be secured at the end of March in the next EU funding programme. Eurostat, in its statement agreeing to the splitting of Cornwall from Devon for statistical purposes, made very specific reference to

"Cornwall's . . . distinctive cultural and historic factors reflecting a Celtic background."

Before Cornish can rightfully take its place as an officially recognised language, we need to sort out which Department is responsible for assessing Cornwall's case for being specified under part II of the European charter for regional or minority languages. It has been considered by the Department for Education and Employment, the Home Office, the Department for Culture, Media and Sport, the Department of the Environment, Transport and the Regions and the Welsh Office; I have asked the Cabinet Office to determine responsibility, but it has put the question back to the Foreign Office.

Cornwall has an unassailable case for being specified under part II, and some argue that it should also be specified under part III of the charter, but it cannot get to the starting blocks because no Department recognises its responsibility.

**Mr. Paul Flynn** (Newport, West): Before the hon. Gentleman came to the House, I tabled questions about the Cornish language; one was answered by the Secretary of State for Wales, and the next by the Minister for Sport. The Government seem to have difficulty in identifying where Cornwall is.

It is a great joy to hear the hon. Gentleman's pronunciation of Cornish. Every word that he has said in Cornish is immediately understandable to a Welsh speaker. There is great enthusiasm for his case and we hope that it will find a willing audience in the Foreign Office Minister—that gives an extraordinary view of how central Government see Cornwall—who will respond tonight.

**Mr. George:** Perhaps not so extraordinary. I am very grateful to the hon. Gentleman, and I entirely agree with him. I said earlier that the present Government are not to blame for the problem, but this needs to be sorted out and one Department must take responsibility. We need to know what other hurdles the Cornish language needs to get over to secure recognition under the charter.

The framework convention for the protection of national minorities is also often mentioned in Cornwall. The Government say that they will apply the convention to those groups that fall under the definition of a racial group as set out in the Race Relations Act 1976. As is reasonable, the Government are determined that the Cornish are not a racial group under the Act because there have not been any court rulings on whether it is possible to be discriminated against on the ground of being Cornish. That is right and proper. Cornwall is not claiming that its people are a racial group or that Cornish people, however defined, experience significant discrimination or prejudice.

The problem is whether the Home Office has interpreted the question correctly. It cannot be held that it is necessary to be discriminated against to qualify as a minority or a racial group. As the Government cannot justify defining groups by referring to national legislation, do they not accept that, in international law, the view is generally held that the existence of a minority is a question of fact, not of law?

I am concerned that article 16 of the framework convention is interpreted by a tiny and extreme minority as being usable to justify policies that control or influence population mix. I seek a reassurance that that sinister interpretation is unacceptable to all. If recognising the Cornish language and culture could be interpreted in that way, we would all oppose it. Surely, European charters and conventions are intended to contribute to a celebratory and constructive role for languages and cultures, not to narrow isolationism.

The debate about how a group is identified as a minority could lead us to a nil sum gain argument which gets everyone nowhere. I refer the Minister back to the preamble of the framework convention, which reflects its spirit. It says:

"Considering that the creation of a climate of tolerance and dialogue is necessary to enable cultural diversity to be a source and a factor not of division but of enrichment for each society".

It is exactly that enrichment, and not division, that the Cornish language and the identity of its people can contribute.

If Cornwall is to play its full part and achieve its full potential in celebrating the diversity of cultures and languages in the British isles and Europe, it should not be excluded from the European charters as that hinders and damages the emerging self-belief and confidence of the language and cultural revival.

Let me reassure the House—the movement is inclusive. It is not about the Cornish wanting to cut themselves off, but about their wanting to cut into what is going on in a wider Europe. It is not the plaintive cries of the "Stop the world, I want to get off" brigade, because Cornwall wants to get on and get involved. It is time to let Cornish take its proper place, agree a home Department to assess Cornwall's case and move it forward into the charter. After all, it would be absurd not to include Cornish in part II of the charter. Then we could get on with life.

I must emphasise that Cornwall has been going through an exciting and positive revolution in recent years, and it has seen a growing interest in things Cornish. I am particularly proud to say that that is happening in an environment of harmony and celebration. Indeed, when the Keskerdh Kernow, the Cornwall march, took place from St. Keverne in my constituency to London in 1997, the walkers included those who were Cornish born and bred and those who, without apology or explanation, claimed no Cornish ancestry but a love for and commitment to Cornwall. Although there will always be a few absurd and silly people who would prefer things otherwise, that showed the maturity of the modern Cornish community, with Cornish people and those who would not necessarily define themselves as Cornish—although I would—walking shoulder to shoulder and standing up for Cornwall.

We are concentrating on positives and looking outward. We want to contribute to the celebration of diversity, for positive reasons only. Perhaps soon Cornwall will host a festival of culture from around the British isles and, among the colour of multiculturalism, a Minister may come along and play her Northumbrian pipes. There is

an old saying in Cornwall—karensa a vynsa, covatys ny vynsa—which, roughly translated, means "love would, greed wouldn't". That is what Cornwall is trying to say. It is not self-seeking, but seeking to be included. I urge the Minister to help us to be included in the charters.

10.42 pm

**The Minister of State, Foreign and Commonwealth Office (Ms Joyce Quin):** I congratulate the hon. Member for St. Ives (Mr. George) on winning this Adjournment debate and speaking on an issue that I know is dear to his heart and to which he has drawn the attention of hon. Members and my ministerial colleagues on several occasions. As he recognised at the end of his speech, I share strongly his beliefs in the importance of regional cultures and traditions and the need to encourage and welcome diversity at the various levels of government in the United Kingdom, the European Union and other institutions, such as the Council of Europe, to which he referred. As a Geordie with a keen interest in the distinctive folk music of my own region, I sympathise with the hon. Gentleman's views, although my playing of the Northumbrian pipes might not be very tuneful to the ears of his constituents.

I am also aware of the interest shown in the subject by the presence of several hon. Members in the Chamber tonight. The Foreign Office's involvement in the debate relates to the fact that my Department has the lead on Council of Europe issues and the charter for regional minority languages, which the hon. Member for St. Ives mentioned, was set up by that body. I must apologise for the absence of my fellow Minister of State, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), who has taken an interest in this issue and recently met the hon. Gentleman, representatives of interested Cornish groups and language experts. My hon. Friend is on a ministerial visit to Africa and regrets that he is unable to be present this evening.

I wish to make clear beyond any doubt the degree of commitment that the Government have to Cornwall. In doing so, I take issue with the comments made by my hon. Friend the Member for Newport, West (Mr. Flynn) with whom I normally have much sympathy. I can tell him firmly that we are well aware of where Cornwall is on the map and, given the efforts that the Government have put in to securing objective 1 status for Cornwall, I am sure that that will be clear to all the inhabitants of Cornwall. We have a strong commitment to that part of the country and it is an important part of our overall devolution strategy that the regions of England should have greater economic vitality in a decentralised framework. Devolution ensures that many decisions affecting people's day-to-day lives will be taken locally, and that those decisions will take into account local needs, conditions and history.

The creation in the English regions of regional development agencies will benefit Cornwall. Those agencies will help to promote sustainable economic development and will co-ordinate support for business development, including inward investment, training and regeneration. In general, their work will help to develop Cornwall's economy and make Cornwall competitive.

Cornwall and the Isles of Scilly make up one of four areas scheduled to get objective 1 status as a result of the reform of the structural funds in the Agenda 2000 negotiations. The change has come about following lengthy negotiations, in which it was agreed that Cornwall should not continue to be considered as part of a single region, along with Devon, for structural fund purposes. Cornwall's gross domestic product is only 70 per cent. of the European Union average, and so we expect it to qualify for generous EU assistance designed to promote the development and structural adjustment of the area. Financing from Europe may be for as much as 75 per cent. of projects.

It will be up to the regional and local authorities to co-ordinate how the funds should be spent, but a number of sectors of the Cornish economy could get support, including small business development, rural and coastal areas, and the information and communications industries. Structural funds can also be used to promote investors in people. The designation of objective 1 status is a valuable opportunity, although careful planning will be needed to maximise the benefit. I understand that the regional authorities already have programme planning in mind.

Secondly, the hon. Member for St. Ives spoke about the framework convention for the protection of national minorities. The framework convention guarantees people belonging to national minorities equality before the law and freedom from discrimination. Signatories to the convention agree to adopt, where necessary, measures to promote full and effective equality between minority and majority groups in all areas of economic, social, political and cultural life.

The Government ratified the convention to underline our commitment to tackling racism and xenophobia, in the United Kingdom and across Europe. It is true that the Government have received representations from a relatively small number of people in Cornwall who are seeking recognition of the Cornish people as a national minority under the convention. However, as the hon. Member for St. Ives recognised, very reasonably, the Government clarified their position in response to a series of parliamentary questions in October. The Government said that, for the purposes of the convention, they would base their interpretation of the term "racial group" on the definition set out in the Race Relations Act 1976. That legislations defines a racial group as

"a group of persons defined by colour, race, nationality (including citizenship) or ethnic or national origins."

**Mr. Paul Tyler** (North Cornwall): Do other members of the Council of Europe take the same line on the definition of a racial group? I understand that they do not. If there were a divergence in the definition used by different member states, that would be unfortunate, as it could be interpreted to mean that the British Government are discriminating against the Cornish, and that other minority languages and cultures are treated differently.

**Ms Quin:** I would prefer to let the hon. Gentleman know in writing the position of other member states, as we understand it. In part, that is because my hon. Friend the Minister of State has had much more contact with the Council of Europe than I. However, the Government are not aware of any rights granted under the framework convention that are denied to people in Cornwall. Indeed, we would be very concerned to hear of any specific barriers preventing people from freely maintaining and expressing their culture and identity.

*[Ms Quin]*

Obviously, the convention aims to address the position of minorities across Europe as a whole. I can reassure the hon. Member for St. Ives that we most definitely do not intend to justify policies aimed at preventing natural changes in the racial or ethnic balance of a particular region. That would be totally perverse. Such an interpretation would clearly contravene the spirit of the convention, particularly article 2, which states:

"The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and cooperation between States."

Such an interpretation would also be contrary to human rights as defined in the European convention on human rights, and it would contravene the welcome addition made to the Amsterdam treaty when we, along with our European Union partners, introduced a non-discrimination clause. All that reinforces our understanding that the convention should not be misused in the way that the hon. Gentleman rightly raises as a danger.

The hon. Gentleman's main point related to the status of the Cornish language under the Council of Europe's charter for regional or minority languages. He asked how the Government choose to deal with the issue. The charter places legal obligations on contracting parties regarding regional or minority languages spoken in their territories. Regional or minority languages are defined as those that are

"traditionally used within a given territory of a State by nationals of that State who form a group numerically smaller than the rest of the State's population; and"

which are

"different from the official languages of the State."

Under the charter, languages can be specified in two categories. Under part II, states commit themselves to base their policies, legislation and practice in respect of minority or regional languages on specified objectives and principles. Should a state decide to specify a regional or minority language under part III of the charter, the state is required to promote its use in public life. That is done by applying several paragraphs from part III, which cover education, justice, public services, the media, cultural activities and facilities, and economic and social life. In other words, they are very wide ranging.

**Mr. Flynn:** Will my right hon. Friend give way?

**Ms Quin:** I am sorry; I must address the key points raised and I am afraid that I shall not have time if I give way.

The Minister of State, my right hon. Friend the Member for Leeds, Central, told the House last June that the Government intended to adhere to the charter. He said that, at the time of ratification of the charter, we would specify the Welsh language in Wales and the Gaelic language in Scotland. My right hon. Friend the Secretary of State for Scotland informed my Department that the lengthy process of identifying which minimum of the 35 paragraphs or sub-paragraphs are to be applied to Gaelic in Scotland has now been completed. My right hon. Friend the Secretary of State for Wales hopes shortly to be in a similar position with regard to the Welsh language.

Once the process is complete, we intend to ratify the charter. I am sure that hon. Members will agree that this is a suitable year in which to do so, as it is the 50th anniversary of the founding of the Council of Europe.

I am well aware, particularly having heard the hon. Member for St. Ives this evening, that the hon. Gentleman regrets the fact that the Government have not yet taken a position on Cornish. It is a complicated issue, and the hon. Gentleman will appreciate that consideration of regional languages in Scotland, Wales and Northern Ireland are matters for the relevant Secretaries of State. For Cornish, the charter raises issues that touch on the responsibilities of a number of Departments. There are implications for education, culture, transport, the judicial system and the whole range of public services in Cornwall.

The hon. Gentleman was given an assurance when he met my hon. Friend the Minister of State that the matter of the lead Department was with the Cabinet Office. The hon. Gentleman has written to the Prime Minister on that point, and sent copies to my hon. Friend the Minister of State and to other interested hon. Members.

Following inquiries, I am glad to be able to say that the hon. Gentleman will be given the information about the lead Department on those issues shortly—within the coming month—and he will also receive a reply from my right hon. Friend the Prime Minister. I hope that that will reassure him that, as well as taking Cornwall's general situation seriously in the way that I outlined at the beginning of my contribution, we are dealing with the specific issues that relate to the Cornish language.

I welcome the hon. Gentleman's comments. It is important to raise those issues and I am glad that interest has been shown—a number of hon. Members have attended the debate. I hope that he will feel that, in spite of the frustrations of the past, we are making some progress on the issue.

*Question put and agreed to.*

*Adjourned accordingly at four minutes to Eleven o'clock.*

# House of Commons

*Wednesday 24 February 1999*

*The House met at half-past Nine o'clock*

PRAYERS

[MADAM SPEAKER *in the Chair*]

## Royal Ulster Constabulary

*[Relevant documents: The Third Report from the Northern Ireland Affairs Committee, Session 1997–98, on the Composition, Recruitment and Training of the RUC (HC 337) and the Government's Response thereto (HC 1142).]*

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Kevin Hughes.]*

9.32 am

**Mr. Peter Brooke** (Cities of London and Westminster): I am delighted to introduce this debate on the Northern Ireland Affairs Committee's third report of last Session on the composition, recruitment and training of the Royal Ulster Constabulary, which was published on 27 July 1998. I am grateful to colleagues on the Liaison Committee for recommending this report for consideration by the House today. The Government's response was published as the Committee's third special report of last Session on 11 November 1998.

When the Select Committee first met in July 1997, we agreed that we would at all times have one inquiry in progress on a controversial subject and one on a more standard and general issue. This report falls into the former category. Our purpose was to evaluate the ways in which the RUC recruits and trains its members and how those processes can foster the widest possible community trust in the police force. The RUC has been at the centre of the fight against terrorist violence for the past 30 years. In the course of their duty, the officers of the RUC have borne the brunt of the danger and many have lost their lives or suffered horrific injuries. I pay tribute, as did the Committee in its report, to the sacrifices made by members of the RUC, and their families, over this difficult period. The Belfast agreement is intended to lead to an end to the sustained terrorist campaigns that have dominated life in Northern Ireland for a generation or more. Success in that will undoubtedly have a significant impact on the role of the police.

As a result of the Belfast agreement, the Independent Commission on Policing for Northern Ireland has been established, under the chairmanship of Chris Patten, to make recommendations for future policing arrangements in Northern Ireland. That is required to report no later than autumn 1999. One of the aims of the Committee's report is to contribute to the commission's work by setting out some of the relevant issues raised in evidence. As part of its work, the commission is required to include means of encouraging widespread community support for the arrangements that it recommends. Recruitment and training have a key role in fostering such support.

The Committee came to 33 principal conclusions and recommendations. They are listed at the end of the report and I do not propose to go through them all on this occasion. I will, however, mention that we visited both Madrid and Bilbao to examine the policing of the Basque country in the context of general Spanish policing, and likewise The Hague to examine Dutch experience in lower-tier policing. Today, I propose to comment briefly on each of the three principal areas covered in the report and to conclude with a few remarks about possible future developments.

On composition, the RUC is, and always has been, disproportionately short of Roman Catholic officers. Roman Catholics make up more than 40 per cent. of the economically active population of Northern Ireland, but in August 1997 constituted only about 7.5 per cent of the RUC. It is also short of women officers: only about an eighth of RUC officers are women and they tend to be clustered in the lower ranks. Even if 40 per cent. of new intake were Catholic and 50 per cent. women, it would take a generation to eliminate those imbalances. The Committee considered that the long-standing shortage of Roman Catholic officers in particular could only make the task of building understanding between communities and the police much harder and would encourage a "them and us" mind set to develop both outside and inside the force. Such a mind set can only exacerbate the deep divide that currently exists between the police in Northern Ireland and many of those they are there to serve. As the Committee said, that must be tackled urgently.

Recruitment is the key to resolving the compositional difficulties of the RUC. Many elements combine to hinder greater recruitment of Roman Catholic officers. Intimidation and fears over personal safety have undoubtedly played their part over the past 30 years in particular. However, that factor alone cannot by itself explain low Catholic numbers: the Committee concluded that that is a symptom of the present lack of acceptance of, or confidence in, the RUC among a significant part of Northern Ireland's community.

What can be done to improve acceptance of the force and to remove disincentives to Catholic recruitment? The Patten commission will, of course, be addressing this question too, following extensive consultation in Northern Ireland. The Committee recommended two particular practical steps as having a contribution to make: ending the flying of the Union flag over police stations on 12 July and placing restrictions on RUC officers' membership of organisations or exclusive groups that generally prohibit membership on religious grounds. It is perhaps worth mentioning in tribute to my colleagues on the Committee that, in the four reports that it has so far published, despite the wide spectrum of opinion on the Committee from five different political parties, those two recommendations are the only two on which it has divided. All other recommendations in all four reports have been unanimous, without the reports becoming bland.

In the Government's response to the recommendations, the Government reported that the Chief Constable had issued instructions that the Union flag would not be flown on any public holiday, including 12 July. That goes beyond the Committee's recommendation. On membership of organisations, the Secretary of State accepted the Committee's recommendations that police officers who already belong to organisations such as the loyal orders and the Ancient Order of Hibernians should

*[Mr. Peter Brooke]*

register their membership of such organisations. The Secretary of State also envisages that members of the Freemasons, which is not a sectarian organisation, should do so. Registration will initially be on a voluntary basis, and will be private, as the Committee suggested. We recommended that new recruits to the RUC should not be permitted to be members of such organisations. The Government rejected that proposition, pending the findings of the Patten commission, but accepted that

"there should be a more vigorous system in place for new recruits".

Perhaps the Minister can expand on that somewhat opaque statement, if he catches your eye, Madam Speaker,

The Government have also established a working group to co-ordinate implementation and consider further the implications of the Committee's conclusions concerning membership of private organisations in the context of membership of public service organisations in general, not just the RUC. The details were set out in the Government's response and I hope that the Minister can describe today the progress made to date by the group in that important area.

A greater level of Roman Catholic and female recruitment will bring no long-term benefits unless the new recruits can be retained. The Committee found that the proportion of Roman Catholics in the higher ranks was encouraging, but the proportion of women was less so. The Committee received considerable evidence about the corrosive effects of sectarian and sexual harassment, which can lead to unfair discrimination and, in extreme cases, resignation from the force. The Committee pointed out the crucial role of those in supervisory ranks in changing inappropriate behaviour. The Government's response states that eliminating those pernicious practices is a priority area for the Chief Constable, and rightly so.

The Committee made a number of recommendations designed to improve the operation of the recruitment process itself. One element to which it attached importance was that the process should not only be fair, but should be seen to be fair. As part of the process, the Committee recommended an appeal for unsuccessful candidates to the new police ombudsman. In their response, the Government note that the Chief Constable is devising a formal appeal procedure. It is vital to confidence in its findings that it is not simply an intra-RUC procedure but that it includes, as the Committee recommended, a respected independent element. I welcome the Chief Constable's acceptance of the Committee's recommendation that there should be a greater civilian contribution to the recruitment process.

One benefit from a stable peace process will be that Northern Ireland will not require so large a police force. The RUC envisages an establishment more than one third smaller than at present in those circumstances. It will be a major challenge to manage such a reduction while at the same time maintaining the necessary level of recruitment both to ensure the long-term effectiveness of the force and to improve its balance.

On the evidence available to the Committee, it would be a mistake to try to engineer any reduction in numbers in a way designed to redress partially the present imbalance. Instead, the Committee believes that the way forward must be through the recruitment process.

The Committee rejected positive discrimination in favour of Roman Catholic applicants. Such discrimination is unlawful and we could see no case for making an exception for the RUC. However, the law does not rule out positive action to encourage good candidates from under-represented groups to apply to join the RUC. That, combined with a clear goal of bringing the proportion of Roman Catholics in the force up to the proportion of Roman Catholics in the population as a whole, should provide an effective way of redressing the present imbalance within a reasonable time scale.

A fair employment report is due very shortly. Further goals and timetables will be agreed with the Fair Employment Commission, and published in the summer. I hope that they will be ambitious but realistic, and will send out an unequivocal message of equality and opportunity.

The Committee made a number of recommendations on training. It received evidence that some aspects are old fashioned, with a perhaps undue emphasis on drill, given the skills that are required of modern police officers in normal circumstances. The community awareness programme has made a useful start towards addressing training needs in the modern ethos of multiculturalism. Its scope should be widened and there should be greater involvement of outside trainers.

There is a need to enhance the present low consciousness among RUC officers of all ranks of the need to acknowledge community differences. A greater involvement of outside influence in RUC training will help to modernise the outlook of recruits and serving officers, and greatly enhance the public image of the police.

Finally, I should like to look to the future for a few moments. The RUC has faced with great fortitude the challenges of the past. It will face new challenges in the future, not least in responding to the changes that will undoubtedly come in the light of the report of the independent commission.

The Committee's report concluded by stating:

"A lasting peace will offer many opportunities for Northern Ireland, but the changes that will result will be profound. Officers of all ranks, but especially those in senior positions, will need to display considerable leadership in developing the role of the RUC in the future."

I commend the report to the House.

9.43 am

**Mr. Steve McCabe** (Birmingham, Hall Green): I was not a member of the Select Committee when the investigation took place, but I should like to begin by paying tribute to the work of past and present members of the Committee. I pay particular tribute to the Chairman, the right hon. Member for Cities of London and Westminster (Mr. Brooke), for his dexterity in steering a way through what were clearly difficult matters. That difficulty is shown by the fact that the Committee was divided on two issues, but the right hon. Gentleman was right to point out that there were only two.

One of the things that the report makes clear is that the tradition of policing in Northern Ireland is remarkably different. It is much more akin to what John Alderson, the former chief constable of Devon and Cornwall, once called the colonial tradition of policing, than to British community policing.

There are understandable reasons for that and, when I read the report, I was struck by the section referring to the dangers involved. It stated that it is more dangerous to be a police officer in Northern Ireland than it is to be one in El Salvador, and that police officers in Northern Ireland, rather than being killed as a byproduct of their activities, have been specifically targeted. We must all acknowledge the context in which policing takes place.

However, what comes through strongly in the report is that we must also recognise that it is almost inconceivable that a peaceful Northern Ireland will be achieved with the existing sort of police force. In particular, it is unacceptable that 40 per cent. of the population should be represented by only 8 per cent. of the police force. However much people might not want to engineer change or pursue a specific recruitment policy, it is inconceivable that there can be lasting confidence in the police without radical surgery as part of a settlement to transform that police force.

The report recognises questions of balance and the incompatibility of membership of organisations such as the Ancient Order of Hibernians with membership of the police service. As the right hon. Member for Cities of London and Westminster noted, it also refers to the unacceptability of flying the Union flag on 12 July. Therefore, I was surprised that the report concludes that there is no argument for changing the name, uniform or symbols of the force.

People who have served in the force may be proud of its name, uniform and symbols, but they are part of a tradition that is unacceptable. So, too, are officers who belong to organisations that the Committee considered to be incompatible with membership of the police force and activities such as flying the Union flag on 12 July, which the Committee explicitly regarded as offensive and said should not continue.

If we are to change the police force and make it more acceptable, its symbols—name, uniform, and all the other elements that people associate with it—will also have to be changed. I find it strange that the Committee should have fallen short of making that recommendation.

Also, although the work of the community awareness programme is to be welcomed, the programme is very limited. It is interesting that the response to the questionnaire on harassment, which was cited in the report, was so poor. We are asked to believe that officers will be influenced by a programme to make them aware of their potential prejudices or even bigotry. However, the fact that that was not evident in their responses to the questionnaire suggests to me that the programme is extremely tentative.

In addition, the programme has not been subject to any reliable evaluation. The force may have good intentions with regard to drawing people's attention to the problems of prejudice and religious intolerance in Northern Ireland, but it is clear that the programme is not achieving that.

As we have seen in connection with the Lawrence inquiry report here, it is not enough to say that a member of a serving police force, in this country and in this day and age, will be aware of prejudice. We need to know that there are clear steps to change behaviour and to ensure that all members of the public are treated fairly and even-handedly.

There is nothing in the community awareness programme to suggest that it is going that far. I acknowledge the intent, but we are entitled to say that the programme must go much further if it is ever going to be possible to create a police force in Northern Ireland that will be acceptable to the whole community. The difficulties of recruitment, because of the existing imbalance between Protestants and Catholics, raise the likelihood that it could take a generation to change the imbalance if we proceed with the present, or even an enhanced, recruitment policy. Because of that, it seems to me that the Committee may too lightly have dismissed the idea of a two-tier police force.

The RUC has developed around its security role almost a pseudo-military role at times. It will not be easy for the force to transform into what is more commonly understood to be a civilian police force. If we are serious about wanting a force acceptable to the whole community, creating a second tier of policing based more in traditional, civilian, community policing might offer a way forward. Perhaps some of the work that the Committee witnessed in the Basque country could be taken on board.

However much of a debt we owe to the Chief Constable of the RUC and his predecessors for their work in difficult circumstances, it is clearly wrong that any police force today should vest so much power in an individual, and that a force should be so little influenced by the community that it seeks to serve. If we genuinely want a force acceptable to the whole community, we must move significantly towards creating greater accountability. The people of Northern Ireland must genuinely be able to say that their police force belongs to all of them, and not just to one section of the community. I hope that the report will prompt urgent action to broaden accountability, and, in that sense, to weaken the power of the Chief Constable, which seems far in excess of what is tolerable today.

9.52 am

**Mr. Lembit Öpik** (Montgomeryshire): Some reports show that four out of five nationalists or republicans feel that the Royal Ulster Constabulary must be radically reformed or even scrapped. I want to suggest a link with some undesirable behaviour in Northern Ireland, and to outline two suggestions of what we might do about it.

There is a direct link—at least in the justifications given—with paramilitary beatings, and with exiles, of whom we have not spoken much in the House. Exiles are individuals who have effectively been banned by paramilitary organisations, under threat of violence or death, from living in the Province. If we consider the connection between those two things and the RUC, we may see a link in that the paramilitaries justify their vigilante behaviour on the grounds that the RUC is not maintaining law and order in certain communities.

We would all agree that that is a weak argument for operating outside the remit of the law. However, if we are to tackle the issue, we must understand the difficulties in communities and the feelings of local people. We should challenge head on the assumptions underlying the vigilante behaviour of the paramilitary groups. One assumption of those groups and their apologists is that the RUC cannot operate effectively in some communities. Often, the low percentage of Roman Catholics in the RUC is cited as a reason for that.

My first point, therefore, is that we need to recognise the link within the logic used to justify outrageous and barbaric acts by those who perpetrate them. What can we do? My main concern is that Catholics, by and large, do

*[Mr. Lembit Öpik]*

not feel that they are part of the RUC. There is anecdotal evidence that good Catholic applicants are overlooked for relatively poor reasons, such as minor traffic offences. We should be able to show that that is discriminatory against Catholics. There may also be some coercion to dissuade Catholics from entering what some communities regard as a Unionist organisation.

Secondly, we do not fully understand what may dissuade Catholic applicants from putting their names forward. We should consider the proposal to conduct a comprehensive professional research project so that we can understand exactly the attitudes and opinions of potential Catholic recruits who do not apply for a career in the RUC. We must also tackle the connected question of underlying attitudes in the communities that could supply those recruits. A project could throw up some interesting and previously unseen linkages involving the paramilitary beatings and the exiles.

Finally, we must be clear that the RUC is the established organisation for maintaining law and order. A name change alone will not fix the problems. A more comprehensive review of the type suggested in the Select Committee report would go a long way to beginning to tackle underlying attitudes that make it difficult for many people in the Province to take the RUC's role seriously.

9.56 am

**Mr. Roy Beggs** (East Antrim): It was a privilege to participate in the investigation into the composition, recruitment and training of the Royal Ulster Constabulary under our distinguished chairman. The RUC and its reserve have served Ulster well. I pay tribute to the courage and dedication of the force, and I do so on behalf of the greater number, by far, of Northern Ireland's law-abiding citizens. We owe the RUC a great debt of gratitude for the sacrifices that it has made, especially during the past 30 years. The RUC has provided protection to persons and property irrespective of class, creed or ethnic origin.

I also record my admiration and sincere appreciation of the support given by wives, husbands, fathers, mothers and family members to their relatives who have served Ulster in most difficult times. They have faced vicious and brutal terrorist onslaughts. The RUC has earned the respect and admiration of the vast majority of people in Northern Ireland, and that admiration goes worldwide.

Those who call for the complete disbandment of the RUC and for its replacement with a new force are, by and large, from that sector of Northern Ireland society that has endeavoured to destabilise and overthrow the lawful authority of that region of the United Kingdom since the first day that Northern Ireland was established. Let us not encourage the anti-RUC element whose evil deeds over the past 30 years and before have caused unlimited misery, created widows and orphans, mutilated bodies and damaged minds. Those people should not be rewarded with the satisfaction of destroying the RUC.

For as long as terrorists masquerade as politicians, and until there is evidence that the terrorist war is over—the destruction of explosives and weapons, the cessation of brutal mutilations, the break-up of structures of paramilitarism and an end to protection rackets and drug smuggling—the law-abiding in Northern Ireland will need the protection of all those who serve in the RUC. The force's numbers cannot be reduced before all those things have happened.

Most people in Northern Ireland wish and pray for permanent peace. The law-abiding have never had anything to fear from the police force, and they should have nothing fear from future policing arrangements. Permanent peace will enable the RUC to become more representative of the whole community. I refute the insinuations and allegations that the RUC belongs to the Unionist community. I have never had any favours from the RUC: I have paid my fines and my debts, I have been prosecuted and I have been to prison. I have been deliberately made an example of in order to show the world that there is no favouritism—not even for Ulster Unionist politicians. So I do not want my colleagues to fall into the trap of repeating allegations that are intended to damage and discredit.

I believe that the report identifies the historic and particular reasons why there has been imbalance in the past and present composition of the RUC. We cannot minimise the targeting of Roman Catholics serving within the RUC as a deliberate means of dissuading others from applying. It is a great credit to the RUC that Roman Catholics' chances of senior promotion within the force are about twice that of Protestants. That reflects the fact that those who have joined the RUC from the Roman Catholic community have been dedicated in their service, have wished to be part of all that is good in Northern Ireland, and have received promotion on merit alone.

The report emphasises the need for a police force to reflect the religious, gender and ethnic balances of the community that it serves. We all agree with that aim, and I believe that genuine peace will enable that to happen in the case of the RUC. In the report's 33 summarised conclusions and recommendations, the Northern Ireland Affairs Committee has sought to assist the RUC to become a police force whose composition will command the respect, confidence and support of all citizens in Northern Ireland. We hope also that recruitment will come more readily from those sectors that are presently under-represented in the RUC. I commend the RUC for its self-examination, and do not dismiss the benefits that will flow from further development of the community awareness training programme and other on-going professional development within the RUC.

However, I caution Mr. Patten and his commission against pandering to those who seek to destroy the RUC because that will not make the police force any more acceptable. Permanent peace will assist in creating balance within the RUC and enable it to gain wider acceptance throughout the community.

10.4 am

**Mr. Martin Salter** (Reading, West): I, too, am delighted that the report of the Northern Ireland Affairs Committee has been selected for debate—I wish that more Select Committee reports would receive this treatment. Like my colleagues, I pay tribute to the right hon. Member for Cities of London and Westminster (Mr. Brooke) for the enigmatic way in which he chaired the Committee's deliberations. Our Select Committee must be one of the most diverse in the House of Commons. There are strongly held views on all sides—from Belfast, East to Brent, East—yet the vast majority of our deliberations are

conducted in a friendly and co-operative manner. That is certainly a tribute to the way in which the Committee is chaired, managed and, dare I say, directed by the right hon. Member for Cities of London and Westminster—although I wish that he would represent a constituency with a shorter title.

To some extent, I believe that our report has been overtaken by events. We have witnessed the signing of the Belfast agreement and the establishment of the Independent Commission on Policing for Northern Ireland, whose terms of reference are remarkably similar to our own. The terms of reference state:

"Proposals will be designed to ensure that policing arrangements, including composition, recruitment, training, culture, ethos and symbols, are such that in a new approach Northern Ireland has a police service that can enjoy widespread support from, and is seen as an integral part of, the community as a whole."

I believe that the report makes a significant contribution to the debate about policing—and a range of views have been expressed this morning. Furthermore, I believe that the report provides a signpost for the work of the commission and highlights issues that were thrown up by the Committee's extensive and beneficial evidence sessions.

Perhaps the main issue is to ask: how do we achieve widespread community support for a police service and ensure that that police service is representative of the community? This is a significant day upon which to discuss policing. We shall hear later from the Home Secretary about the Macpherson report—and there are some parallels with this report. It is regrettable that a report of the Foreign Affairs Select Committee has been leaked. I am also sorry that some of our more controversial recommendations were leaked to sections of the media in advance. That aside, I put on record my tribute to all those who are working for peace and fighting against terrorist violence in Northern Ireland and elsewhere.

The key question is: does composition and religious affiliation really matter in the context of a police force? The answer must be an overwhelming yes. If people do not believe me or other Labour Members, they should read the evidence provided by Colin Smith, Her Majesty's inspector of constabulary. He was asked:

"Should the RUC be concerned about the religious affiliations of its members? If so, why?"

Mr. Smith's answer was unequivocal. He replied:

"Yes. It is a basic precept of policing in a democracy that the composition of forces should reflect the composition of the communities they serve. 'Policing by Consent' requires the police to have the respect and trust of all sections of society, and in a divided society it is essential the police officers and civilian support staff reflect both sides of the divide. Policing inevitably involves intervention in conflicts between individuals and groups, therefore adherence to this principle is an important way of demonstrating impartiality and securing universal confidence and support."

I hope that we can ignore the argument that this issue does not matter—because it does.

In a society where there is a split in religious affiliations—there is some argument about the figures, but it is about 55 per cent. Protestant and 45 per cent. Roman Catholic—some 93 per cent. of RUC members come from the majority tradition. That clearly means that, in terms of composition, the Royal Ulster Constabulary fails the most basic test. There is no doubt about that. In the course of taking evidence, we observed examples of what I would call institutionalised sectarianism. It exists—let us not deny that—from the level of canteen culture bigotry through to systematic religious harassment.

However, we also heard clear and significant evidence about intimidation of members of the Roman Catholic community who wish to pursue careers in the Royal Ulster Constabulary. I had the privilege of speaking to several people who wish to pursue such careers but who have been prevented from doing so by intimidation and threats of violence. We cannot ignore such behaviour. There are those in both communities who have a vested interest in creating no-go areas for the police force. I had the opportunity to discuss those issues in the terrorist mutilations debate on 27 January, so I shall not go into them now.

There is a clear link between gangsterism and paramilitary activity dressed up as political protest. A few months ago in west Belfast, I had a private meeting with a former inspector there who highlighted a poignant situation. He wants to send officers to discuss personal safety with schoolchildren but cannot because picket lines prevent the pursuit of that basic tenet of community policing. He wants to provide home security advice for pensioners but cannot because officers might be at risk. That is clear evidence of a systematic campaign to prevent the RUC is from doing its job. It is not only nationalist areas; this occurs in many of the more front-line loyalist areas. Let us return to some of the internal problems.

**Mr. William Thompson** (West Tyrone): If the RUC achieved this proper balance, would the situation change in west Belfast when police wish to visit some schools?

**Mr. Salter:** I believe that it would. If we signed up to the principle of policing by consent, it would be difficult to get community support for making areas ungovernable.

The hon. Member for West Tyrone (Mr. Thompson) will not like hearing about the evidence not of a propagandist but of the RUC's own internal survey of religious harassment in the work place. Some 63 per cent. of Roman Catholics have been subject to religious and political harassment in the RUC during the course of their careers. I do not want to expand on that at length but let us not deny the facts. There is intimidation of people who wish to join the RUC and, within the RUC, there is intimidation of people from the minority community. What are we going to do about it?

I suggest, especially to Opposition Members, that one of the first things that we must do is accept that there is an issue. We must accept that the people who call for reform and want to achieve policing by consent in Northern Ireland are not rebels. They are not all insurrectionists trying to overthrow the British state.

**Mr. David Trimble** (Upper Bann): The hon. Gentleman is right to draw attention to the fact that there is some harassment within the RUC of Roman Catholics, which, of course, we deplore. Does he accept that it is not institutional to the force but an example of what might be called the canteen culture, which exists in all police forces, and that the RUC is trying to address that? I acknowledge that he mentioned the intimidation of Catholics to dissuade them from joining. Does he also accept that there is a chill factor, which is not addressed in the report, in the nationalist community, quite distinct

*[Mr. David Trimble]*

from the intimidation and criminality that he mentioned? Does he agree that we will not succeed in changing the RUC's composition until the chill factor, which is reflected in the social ostracism of Catholics who join it, in the Gaelic Athletic Association ban and in the failure of the Catholic hierarchy to appoint chaplains, is changed?

**Mr. Salter:** Yes and no. Yes, I believe that religious harassment is institutionalised. Careful reading of the evidence shows that. I accept that there is a significant chill factor. Members of the right hon. Gentleman's party were at almost every evidence-taking session of the Select Committee and had ample opportunity to explore the issue but chose not to. I suggest that he talks to them.

We addressed some of the significant issues involving flags, symbols and the loyal orders. Let me highlight something that needs to be praised. I disagree with my hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe). I do not believe that the RUC community awareness programme at Garnerville road is limited. If he had had the chance to visit it, I am sure that he would have been as impressed as we were. I pay tribute to the members of the nationalist and Roman Catholic community who were taking part at some personal risk. Like us, they have reached one simple conclusion: the achievement of policing by consent and a police force that tries to represent the community that it serves is a precondition for a peaceful democratic society. I believe that there is no case for revolution but there is a clear case for gradual reform. I hope that this report is a significant contribution to that process.

10.15 am

**Mr. Andrew Hunter** (Basingstoke): I wish to address a controversial issue that emerged from the report: the membership of exclusive organisations. I was advised when the Committee met that, as a member of the Loyal Orange Institution of England, I have a non-pecuniary interest to declare. I have some doubts about that advice because I have no involvement whatsoever in the Orange Order of Ireland or any of its constituent lodges. Nevertheless, I make the declaration.

I strongly agreed with the Secretary of State's response to the report when she wrote:

"the overriding principle is that those who hold positions of public responsibility should be, and should be seen to be, impartial in the discharge of their duties."

I believe that that goes to the heart of the issue. The argument that membership of the exclusive orders runs counter to that lacks any evidence.

Some may love it to be otherwise, but the impartiality of the RUC, with members of the loyal orders in its ranks, cannot be seriously or significantly challenged. It is evident from the higher arrest and conviction rate for loyalist terrorists and from the fact that the RUC has been on the receiving end of loyalist terrorism. Most recently, PC Greg Taylor was kicked to death by loyalists in Ballymoney. PC Frank O'Reilly was critically injured by a blast bomb during loyalist rioting in Portadown last August. Most especially, the RUC's impartiality is evident in the continuing and sometimes ugly saga of Drumcree, where it demonstrates exemplary courage, valour and discipline in its confrontation with loyalists, some of whom, no doubt, are members of the loyal orders. The fact is that the RUC, with many members of the loyal orders in its ranks, has served both sides of Northern Ireland's divided community with magnificent heroism and restraint.

In her response, the Secretary of State, pending the findings of the independent commission, chose not to challenge the assertion of the Apprentice Boys that there is nothing incompatible in membership of their organisation and of the RUC. Nor did she challenge, again pending the findings of the independent commission, their opposition to any move that would prevent police officers from following their religion and culture. I agree with that approach, which is why, in Committee, I tabled an amendment to the effect that RUC officers, both current and new recruits, should be allowed to belong to private societies such as the Ancient Order of Hibernians or the loyal orders, but be required to register their membership. That view is shared, according to the Secretary of State's response, by the police authority. I still believe that that is the right approach. If we were to deny members of those groups the right to be, or to become, police officers, we would be guilty of bigotry and prejudice comparable with that which we condemn in others.

10.19 am

**Mr. Tony McWalter** (Hemel Hempstead): In the five minutes available to me, I shall concentrate on paragraph 37 of the report. I associate myself with the many speeches of praise of the bravery of those who have sought to implement peace in Northern Ireland.

There is in England a gipsy camp known to me. In it, there are a number of young people who would be best described as hooligans. Despite that, that gipsy camp is an exemplary neighbour. Local people have no difficulties with the hooligans, because the person who is in charge of the gipsy camp says to the neighbours, "If any of my lads do anything which, in any way, invades your peace or your ability to enjoy your premises, let me know, and I'll deal with them"—and deal with them he does.

**Mr. William Ross** (East Londonderry): By what means?

**Mr. McWalter:** By the strap or other such means, as families have done for hundreds of years; I do not commend that. In England, such a different source of authority from the law and the police force is very rare. In Northern Ireland, the number of people who regard themselves as appealing to some other authority or law is very much greater than in England.

The Select Committee report took seriously the plight of those who regard themselves as alienated. Although we of course dealt with the issue of under-representation of women in the RUC, the report specifically deals with the issue of under-representation of Catholics in the force. Some will see the report as pro-Catholic, some will see it as pro-nationalist, some will even see it as pro-republican.

I draw attention to paragraph 37, which establishes unanimously that the Committee took seriously the problem of under-representation, and recognised that some things could be done, within approved legal structures, to try to minimise the extent to which there is a law and a force other than that of the state. It states that one of the things that we must do is to say that the cause

of low Roman Catholic membership is not merely a result of intimidation. Even if intimidation contributes to the cause—how we quantify such a contribution, I do not know—and even if an element in the Catholic community is saying, "You will not join that; if you do, you are a traitor", there are nevertheless things that we can do to improve the situation.

I agree very strongly with the observations of my hon. Friend the Member for Reading, West (Mr. Salter) on the community awareness programme that the RUC has inaugurated. It is fantastic. It recognises the Catholic community's problems, and has made an enormous effort to understand why so many people in the Catholic community feel alienated from the normal processes of law. The programme is doing its best to try to address that issue.

Although exemplary in its content, the community awareness programme is not sufficiently extended. How much of the process of training is devoted to such problems of alienation? The answer is comparatively little. How many RUC members, such as those who have been in post for 10 or 15 years, or are members of the canteen culture that the right hon. Member for Upper Bann (Mr. Trimble) described, have access to the programme? The answer, again, is comparatively little. The community awareness programme is not sufficiently distributed throughout the RUC, and is not sufficiently taken on board, even in training recruits.

One of the things that I discovered as a lecturer in philosophy was that it is very difficult to address people's reluctance to take seriously ideas which their culture has treated as nugatory. It takes an awful lot of effort, training, essay writing and discussion. Just being given a relatively small snapshot of what life might be like on the other side is not sufficient.

Paragraph 37 says that confidence in the RUC must be achieved among a much wider number of people in the Northern Ireland community. The report begins that debate, takes that issue seriously, and does so with the approval of all members of the Committee, from Belfast, East to Brent, East.

10.26 am

**Mr. Jeffrey Donaldson** (Lagan Valley): I echo the comments of my colleagues on the Committee on the chairmanship of the right hon. Member for Cities of London and Westminster (Mr. Brooke). We have all enjoyed working under him. It was a remarkable achievement to reach the level of consensus that is borne out in the report in a Committee comprising quite a diverse range of political opinion. I also pay tribute to the Royal Ulster Constabulary, which has suffered greatly during the past 30 years of terrorist violence. We ought to recall the level of sacrifice that its members have made in defending and protecting all of the community in Northern Ireland.

The main thrust of the report deals with the imbalance of membership of women and Roman Catholics in the RUC. It proposes improvements in training and recruitment procedures to deal with that imbalance, which I welcome.

I and some other colleagues dissented from two aspects of the report. One was the issue of flying the Union flag. It is worth bearing in mind that the Union flag is our national flag, and that Northern Ireland is part of the United Kingdom. It is appropriate, on occasions, for the RUC to fly the national flag. Equally, I welcome the Committee's conclusion that there is no clear reason for making a special case for changing the name of the RUC. Members of that police force carry the name with pride. The name is also very important to the widows and orphans of RUC members who have lost their lives serving the community.

There is no case to be made against other aspects of RUC symbolism either. Considering that the force's badge shows the harp, the crown and the shamrock, nobody could reasonably argue that it does not fairly reflect both traditions in Northern Ireland. Similarly, I find it unconvincing that nationalists argue against a police force whose members wear a green uniform.

I and other colleagues also dissented from prohibition of the recruitment to the RUC of members of certain organisations. Such a prohibition would raise a number of issues, not least the question of fair employment. I am not convinced that existing laws on fair employment in Northern Ireland would permit such a prohibition. I believe firmly that recruitment to the RUC should be on merit, and merit alone.

I support the proposal for the registration of membership of such organisations. I welcome the fact that the Government, in their response, rejected the Committee's recommendation on prohibition of membership. It would be foolish to deny a sizeable proportion of the community in Northern Ireland access to membership of the Royal Ulster Constabulary, bearing it in mind that the organisations mentioned in the report represent a large proportion of the population. We are seeking inclusivity in our police service in Northern Ireland, and such a prohibition would mitigate against that.

If the Minister has time, will he clarify exactly the organisations which officers of the RUC will be encouraged to register their membership of? Will they include, for example, membership of organisations such as the Knights of St. Columbanus and Opus Dei, as well as the Ancient Order of Hibernians, the loyal orders and the Freemasons?

In his intervention, my right hon. Friend the Member for Upper Bann (Mr. Trimble) mentioned the chill factor. It is not correct for the hon. Member for Reading, West (Mr. Salter) to suggest that the wider chill factor was not addressed in the report. Paragraph 4 of the conclusions and recommendations refers to intimidation, peer group pressure and so on. Those are symptoms of the wider chill factor towards the RUC within the nationalist community, which expresses itself in a number of ways. My right hon. Friend the Member for Upper Bann mentioned the Gaelic Athletic Association's ban on members of the RUC belonging to its organisation.

There have also been problems with members of the SDLP—the largest nationalist party—refusing to serve on local police liaison committees. That, too, sends out the wrong signal to the nationalist community about the acceptability of the RUC and creates and adds to the wider chill factor.

Impartiality has also been mentioned. I echo the comments of my hon. Friend the Member for East Antrim (Mr. Beggs). I add that one only has to visit the Maze and Maghaberry prisons to see that their number of loyalist prisoners equates to—indeed, in proportionate terms, is greater than—the number of republican prisoners.

*[Mr. Jeffrey Donaldson]*

We must accept that it was the RUC who put those men behind bars and in that respect it has been highly impartial.

It is ironic that we are having this debate on the day on which we anticipate the publication of a report on the investigation by the Metropolitan police into the murder of Mr. Stephen Lawrence. Without anticipating the findings of that report, it is fair to say that no police service in the United Kingdom or anywhere in the world is perfect. The RUC does not pretend to be perfect, but when we bear in mind what that police service has had to endure in the past 30 years of terrorist violence and the difficult conditions in which it has had to work, we realise that it has acted honourably and professionally. I hope that the RUC will continue to be the police force that provides an excellent service to the people of Northern Ireland.

10.33 am

**Mr. Harry Barnes** (North-East Derbyshire): I want to deal with aspects of the problem of recruitment of Catholics to the RUC. The leader of the Ulster Unionist party, the right hon. Member for Upper Bann (Mr. Trimble), has recognised and condemned the canteen culture that exists, and that is important. However, paragraph 37 of the report, which deals with those matters, stresses that

"a picture does emerge: intimidation; peer group pressure; losing contact with family and friends",

and expresses concern for the safety of Roman Catholic officers. That obviously provides a tremendous bar to recruitment to people from Roman Catholic areas.

One of the factors behind that is the intimidation and beatings perpetrated by the IRA. If we were discussing other matters, I might want to talk about loyalist paramilitary activity, but it is sufficient in this debate to refer to IRA activity. It has sought to operate as a crude police force, judge, jury and executioner in the most barbaric fashion to contain and control its own communities. In those circumstances, it is difficult for people to contemplate a career in the RUC, yet the IRA can change its policy, as it did during Clinton's visit and in the run-up to the Belfast agreement. Recent publicity from the House and elsewhere means that during the past fortnight republican violence has ended, apart from perhaps one incident.

Sinn Fein is sufficiently worried about the violence to have thought of an alternative that it calls restorative justice, in which it brings together victims and those who have committed a crime to sort out matters. I am not against restorative justice if it is operated by officialdom, but I am not in favour of it being operated by a political party.

Responses to the beatings, such as that by the leader of the Ulster Unionists—who suggested that Amnesty International should monitor the situation; and the organisation responded to that—mean that the violence seems to have been called off for the time being. As long as the publicity is kept up, that situation will continue.

We now need to tackle the problem of people being forced into exile from Northern Ireland or particular communities. Several hundred people have been chased out of Northern Ireland by paramilitary groups. In January, Families Against Intimidation and Terror assisted 15 families to leave Northern Ireland and has dealt with about 80 people this year. In Manchester, the Christian group Maranatha is dealing with 14 cases. It assists one family a week, but before the ceasefire it was dealing with only one family a month. That is a serious matter that could be tackled by 10 March.

The Peace Train organisation and New Dialogue, of which I am joint president, are calling for action by the IRA to stop exiling people. That could be done in two stages. The first is to ensure that no more people are placed in exile, then we must tackle the problem of returning people to Northern Ireland, which obviously is linked to ending violence and intimidation because people cannot return unless the circumstances are favourable.

Those approaches are hugely important for putting in place arrangements for people in Catholic communities to feel secure in applying for membership of the RUC. Our immediate situation is therefore highly relevant to the problems that we are discussing this morning.

10.38 am

**Mr. Andrew MacKay** (Bracknell): My party warmly welcomes the fair and well-balanced report produced by the Select Committee on Northern Ireland Affairs under the distinguished chairmanship of my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke).

The debate has been useful and well balanced, and has proved timely because we have discussed the issues being considered by the Patten commission under the Belfast agreement. Many of the Select Committee's arguments and conclusions are reflected in our submission to the Patten commission, which we published last September. We look forward to the commission nailing the lies and distortions of those who wish to discredit the RUC and those such as Sinn Fein-IRA which would like it to be disbanded.

I want to take this opportunity to pay tribute to the RUC. My party is unstinting in its admiration and praise for that force. We shall do everything to uphold the integrity and reputation of the most courageous police force in the United Kingdom. For 30 years it has been in the front line against terrorism, protecting democracy. It has stood between the rule of law and the descent into anarchy in a part of the United Kingdom.

The RUC has paid a terrible price: 302 of its members have been murdered and nearly 9,000 have been injured. Intimidation continues, with many families driven from their homes. In 1998 alone, 71 families of past or serving RUC officers were rehoused owing to intimidation. Only a few weeks ago when I visited South Armagh, I learned of another police man and his family who have had to be moved under extreme circumstances.

Responsibility for that lies mainly with the Provisional IRA and other republican terror groups, although officers have suffered also at the hands of so-called loyalists. All hon. Members have seen the disgraceful scenes at Drumcree, where members of the RUC have been attacked and brutalised in quite unreasonable circumstances.

When Sinn Fein calls for the RUC to be disbanded, it is pursuing a long-held republican ambition that the IRA should be allowed to police nationalist areas. That would mean replacing the rule of law with knee-cappings and

beatings with baseball bats, as we have seen in recent months. In carrying out its duties, the RUC has never been above or outside the law, but always subject to it.

It is important that there should be change, and every hon. Member who has contributed to the debate has confirmed that. Let us not forget that the RUC has been a willing instigator of change. The force is unrecognisable from the force of 30 years ago, when the present troubles started. In recent years there has been a fundamental review of policing, the adoption of an annual policing plan, a three-year strategic plan, local strategic plans, the creation of local community police liaison committees—I was pleased to hear of the evidence that the Select Committee collected from those committees—and the setting of targets for sub-divisions and sub-departments.

In a survey carried out in September 1997, 78 per cent. of the people thought that the RUC does a good or a very good job. Significantly, 55 per cent. of the nationalist community came up with that response. That must be underlined and not forgotten.

The greatest change that the RUC requires is a permanent end to terrorism. That will allow the flak jackets, the guns and the armoured vehicles to go. It will allow the RUC to develop into a police force truly working in partnership with the community. No organisation would welcome that more than the RUC.

At the heart of my party's approach to policing is a belief that change should not be made for its own sake, and certainly not for political reasons. Conservatives believe that nothing should be done that undermines the effectiveness of the RUC in protecting the public and upholding the rule of law.

There should be no question of disbanding the RUC. It should remain the legitimate police force in Northern Ireland and it should remain a united force. The proposal to establish local forces or to separate the anti-terrorist function from what we would call normal policing would be inefficient, lead to two-tier policing and encourage those who wish to supplant the RUC.

The operational independence of the RUC must be retained at all costs to prevent the police ever becoming the operational tool of politicians of whatever political party—a problem that nationalists will recall from the Stormont period. That is not to say that accountability does not exist. The Chief Constable is accountable to Parliament, to the Police Authority and, above all, to the law. The Police Act 1998 introduces a police ombudsman and clarifies the tripartite relationship between the Secretary of State, the Police Authority and the Chief Constable. It should be given time to work.

With regard to control of the police, once the Assembly is working thoroughly, there is a case for transferring responsibility to Stormont for some matters currently carried out by the Secretary of State, but with strong safeguards, especially of operational independence. No change should be made to the tripartite structure without the consent of the House. No transfer should take place until the decommissioning of illegally held weapons has been completed, and until the routine support of the Army is no longer needed.

The crucial and sensitive issue raised by so many hon. Members in the debate is composition and recruitment. The RUC, as we have regularly been told, is 92 per cent. Protestant. We all want a police force that more accurately reflects the make-up of society, but the Minister and I know that there are no quick fixes. The biggest deterrent to Catholics joining the force, as has been said in all parts of the House today, has been intimidation and threats from the IRA and other republicans.

Peace will help, but it will not bring results overnight. Merit must remain the basis of recruitment. The goal should be to recruit a much higher proportion of Catholics than exists in the population as a whole. I hope that that will happen.

The other sensitive issue is symbols, culture and ethos in the force. Like the Select Committee, we see no justification for changing the name of the RUC. It is a name granted by royal charter of which the force is justly proud. As the Chief Constable has pointed out, there is no evidence that the name is a significant barrier to Catholic recruitment. If there were, we would be prepared to be more flexible, to stamp that out. There can be no place in the RUC for religious or sexual discrimination. We applaud the efforts of the Chief Constable to stamp out that evil.

We support the view of the Select Committee that the Union flag should not be flown on 12 July. The Chief Constable's decision that flags should not be flown at all from police stations in the Province seems sensible, sensitive and the correct way forward.

The size of the force will be a problem. Any reduction in size from the present 13,000 members must be gradual. Even when peace is established, there will still need to be a larger force than the forces serving a comparable population in other parts of the United Kingdom. We strongly support the Chief Constable's estimate that owing to exceptional demands, the RUC should in future be, in his words,

"in the order of less than 8,000 strong".

It would be remiss of me not to conclude by condemning—I know that I do so on behalf of every hon. Member—the dreadful incident in Bessbrook in the early hours of the morning. It is another example of mutilation, beating, torture and intimidation in the Province. A young woman was attacked by eight hooded psychopaths. When they could not find the man whom they were looking for, and with her four young children lying in bed, they inscribed a death threat across her arms and legs. That is a vivid illustration of the dreadful problem of those who have not renounced violence, as the hon. Member for North–East Derbyshire (Mr. Barnes) mentioned.

The conclusion is that one of the principal reasons for the continuing violence is that paramilitaries on both sides of the sectarian divide wish to control their own communities to such an extent that they will be able to persuade others that there can be a reform of the RUC and no need for the legitimate police force to be present in those areas. I believe that all hon. Members present totally reject that. That must a clear message from the debate today.

10.50 am

**The Minister of State, Northern Ireland Office (Mr. Adam Ingram):** First, I congratulate the right hon. Member for Cities of London and Westminster (Mr. Brooke) on bringing this subject to the Floor of the House and on his skilful chairmanship of the Committee. It is a measure of his chairmanship that there have been so few recorded differences between members of the

*[Mr. Adam Ingram]*

Committee, given the highly contentious issues with which they have to deal. I thank all right hon. and hon. Members who have contributed to this important debate.

The volume of written and oral evidence to the Committee clearly bears testament to the fact that the subject matter is extremely complex. The Committee's work in taking, testing and probing that evidence could not have been easy. I know from the experience of having given evidence to the Committee, along with my right hon. Friend the Secretary of State, how much effort went into the Committee's work, and I shared a very concentrated afternoon with them. I should like to say that it was an enjoyable occasion, but would not want knowingly to mislead the House. I have appeared before the Committee on a number of occasions and I know how thoroughly and exhaustively it goes about its task.

I have listened very carefully to what has been said this morning. Let me begin by paying tribute to the Royal Ulster Constabulary. I have noted the tributes paid to members of the RUC and its Reserve for what they have endured and achieved during the past 30 years. I should like to echo those tributes, which have been hard earned over many years of service and sacrifice in the interest of all sections of the community in Northern Ireland. It is important that those sacrifices are not forgotten or diminished.

The RUC has played a crucial part in maintaining stability through the past difficult 30 years. All those who have served over the years, and their families, will take comfort from the sentiments expressed today about their role.

Before I come to the core of the report, I want to put my response in context. This will show that the Government's priorities reflect the Committee's timely recommendations. The Belfast agreement of 10 April is an achievement that provides the opportunity for a peaceful future based on an agreed political settlement. Although much progress has been made to date, a number of fundamental difficulties remain, although those should not overshadow what has been achieved.

The endorsement of the agreement in referendums, the election of a new Northern Ireland Assembly, the passage of the Northern Ireland Act 1998 and the establishment of a Human Rights Commission and an Equality Commission will put Northern Ireland at the forefront of protecting people's rights. The Government have established the Independent Commission on Policing in Northern Ireland and a criminal justice review, and we have seen the ending of routine military patrols in Belfast and elsewhere in Northern Ireland and other moves towards a more normal security environment.

The Committee said that some changes in policing—for instance, overcoming the RUC's religious imbalance, which formed recommendation No. 16—would follow change in the political background in Northern Ireland. The Government agree with that view. The Committee's recommendation No. 27 that the status of Her Majesty's inspectorate of constabulary in Northern Ireland be regularised has also been taken on board. That function will become a statutory requirement as from April this year.

The Government agree with the Committee that changes to police governance are key to creating greater public confidence. That is set out in recommendation No. 30. We agree, too, about the need for clarity in accountability, set out in recommendation No. 31.

Those issues are fundamental to establishing confidence in the police service, which is why the Government are engaged in a wide-ranging programme of reform and modernisation of policing in Northern Ireland. We have carried through changes to strengthen accountability, clarify roles and responsibilities, and enhance confidence by the passing of the Police (Northern Ireland) Act 1998. For example, as hon. Members have recognised, the establishment of a wholly independent Office of Police Ombudsman is a ground-breaking, confidence-building reform. Its aim is to secure police and public confidence in the impartiality of the new system, and it is unique within the United Kingdom. We are in the process of appointing the ombudsman and hope to make an announcement next month.

Measures to enhance accountability by setting aims and targets for policing and the production of a policing plan were implemented in October 1998. The results of that will be made public next month when the first statutory annual policing plan will be issued by the Police Authority. Other changes clarifying the roles and management responsibilities of the Police Authority, the Chief Constable and the Secretary of State, with consequent benefits for efficiency and effectiveness, are on target to be implemented in April 1999 and are set out in the 1998 Act.

On the subject of accountability, I also welcome the rapid expansion of community and police liaison committees—from some 30 to 100 in the past two years—presided over by the Police Authority and the RUC.

The Committee was also concerned with issues of impartiality and the removal of disincentives for Roman Catholics to join, set out in recommendation No. 3 of the report. As other hon. Members have noted, the flying of the Union flag was an issue, and the Secretary of State said in her response to the Committee that the Chief Constable has brought practice in Northern Ireland into line with that in Great Britain.

On another symbolic issue, measures in the Police (Northern Ireland) Act 1998 to modernise the RUC "oath" were implemented in October last year. The Secretary of State recently laid before Parliament a statement of policing principles agreed between the Secretary of State, the Police Authority and the Chief Constable, highlighting the importance attached to the issue of impartiality.

I want now to deal with the future and the Patten commission. We cannot stand still on an issue as important as policing, but must take a balanced and evolutionary approach. It shows the willingness of the Government and the RUC to embrace sensible change. It is worth noting that some of those who call for the most drastic changes are not prepared to accept change in the spirit of the Good Friday agreement. If the RUC is prepared to embrace change, so should others. Those critics should move away from empty rhetoric and accept the democratic process. There can be no justification for bullying, intimidation and harassment, or for brutal summary justice on the pretext that the RUC is an unacceptable police force. Even if people want to see further changes, that is no excuse for failing to co-operate with the police.

The Committee has, quite properly, expressed its views on what is referred to as "two-tiered" policing. It is not appropriate for me to guess what the commission might recommend, and I suggest that that should be left to the commission to report on. However, the two extremes of no change and total disbandment of the RUC are not likely to be on the commission's agenda, and they are not on the Government's.

The Government's goal is to have the best possible police service for all of the people of Northern Ireland. We want policing that is acceptable and effective; impartial and accountable; truly representative; and takes account of differences within the wider community on this issue.

The focus should be on producing solutions that will meet the practical needs of the people of Northern Ireland, as the Committee has done in its report, rather than based on any sterile, ideological analysis. That is why the Patten commission was set up. It is an independent body that can approach the subject objectively and constructively. Its task is to take us from where we are at present to where it judges we should be in the future.

Change is inevitable and the RUC recognises the need for change. It wants to be a normal police service. How quickly that can be achieved will depend on how long the terrorist threat remains. Even set against the huge sacrifices that the RUC has made over the past three decades, its ambition is to use the skills that it has quietly developed over the years in non-terrorist areas to provide a policing service relevant to everyone in the community.

I have given examples of how the RUC is developing that approach. There are others. For instance, in the international arena officers have recently trained in the United States of America with colleagues from the Garda Siochana, and in April RUC officers will bring their expertise to help the efforts of the United Nation's international task force on policing in Bosnia.

Nearer home, I am sure that Committee members were as delighted as I was to see an RUC officer win a top UK award for community policing. It was a first-class achievement and belies those who seek to portray the RUC as a hostile force, remote from the community it is charged to serve. The Government's aim, guided by the recommendations of the Independent Commission on Policing, will be to build on those skills as we develop a policing service for the Northern Ireland of the future.

Many other areas require to be touched on, but my right hon. Friend the Secretary of State dealt with those in her response to the Select Committee—

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. We must conclude the debate at that point and proceed to the report of the Select Committee on Agriculture. I call Mr. Luff.

## Flood and Coastal Defence

*[Relevant documents: The Sixth Report from the Agriculture Committee, Session 1997–98, Flood and Coastal Defence (HC 707), and the Replies by the Government and the Environment Agency thereto (HC 1117).]*

11 am

**Mr. Peter Luff** (Mid-Worcestershire): I am grateful to the Liaison Committee for the opportunity to debate this important subject. Politicians, much as they often like to pretend otherwise, cannot solve every problem. We certainly cannot change the power of the elements, nor alter inevitable geological processes. When we intervene imperfectly we can make matters much worse. So it is that Minehead is currently angry about losing its beach as a result of incomplete coastal defence scheme work. On the other hand, I believe that Eastbourne has benefited from a modest influx of geological ambulance chasers after the dramatic collapse of a section of Beachy Head. More seriously, the people of Northampton are still counting the heavy cost of last year's floods.

We must learn to be a little more humble about flood and coastal defence, although we can make sure that the organisations established to deal with those issues are well structured and appropriately financed. We must avoid counter-productive interventions with natural processes, while ensuring that the things we do to safeguard human life and property from those natural forces have a benign effect on the environment, wherever possible. Those considerations are what the Committee's report is all about.

This is a complex policy area in which a large number of organisations are involved in formulating and implementing policy. Many of the arguments are intractable—local level accountability versus policy efficiency and effectiveness, and the survival of coastal communities in the face of remorseless natural processes. That is all underpinned by a profoundly complex legislative base, as I am sure the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food would acknowledge.

The mere announcement of the Select Committee's inquiry prompted the worst floods in living memory in my own constituency. Today I am speaking primarily as a Select Committee Chairman, but I am also a constituency MP and hope that I may be allowed a word of warning. If the Deputy Prime Minister visits your constituency—by helicopter, as he had to because that was the only way to get to Evesham at the time, to be absolutely fair—at the height of floods, promising full reimbursement for the unavoidable actions of local authorities, do not believe him. Wychavon district council is certainly well out of pocket for things it paid for off the back of precisely such an assurance, but which the Deputy Prime Minster's Department now regards as fully insurable risks.

I return to my main theme. The Committee is indebted to our specialist adviser, Professor John Pethick of the university of Newcastle, for guiding us through those complexities with such great aplomb. The Committee staff, too, responded magnificently to the many demands

*[Mr. Peter Luff]*

that we placed upon them. Latest projections of climate change and sea level rise were central to our considerations.

**Mr. Lembit Öpik** (Montgomeryshire): Is the hon. Gentleman aware that a meeting is taking place in Montgomeryshire on the question of climate change? Does he agree that it is prudent of Severn Trent, the Environment Agency and other organisations to organise a major conference on that matter in May?

**Mr. Luff:** I entirely agree with the hon. Gentleman. Severn Trent has taken an enlightened interest in climate change and has certainly been helpful to me in my work in my constituency—an area that the company also serves.

On climate change, may I say to the Meteorological Office that we were grateful for its evidence and that we are sorry that it misunderstood our report? Nothing in the report should be construed as being critical of the Meteorological Office. It is a matter of fact that the Meteorological Office could not predict—and could not have been expected to have predicted—the severity of the 1998 Easter floods. The Committee's recommendations on funding were intended to be helpful to the Meteorological Office and I was disappointed that it did not understand that. Climate change makes dramatic events more frequent, but no easier to predict.

It is also right that I should point out that we found high and growing regard for the general approach of the Ministry of Agriculture, Fisheries and Food to those complicated issues and for the policies that the Ministry seeks to implement. However, we commented on the

"relative failure of MAFF to instil a sense of drive, purpose and direction in the new policy among relevant operating authorities."

Our report was not simply about managed realignment of the coast in carefully selected areas, although the national press picked up almost exclusively on that issue last August, often misrepresenting us quite heroically. We were given some marvellous headlines: Anthony Bevins wrote a pretty fair piece in *The Express*, which certainly did not even begin to justify the paper's screaming front-page headline

"Let Britain Sink Say MPs".

However, I am grateful to *The Express* headline writers for giving me a chuckle and a good cutting for my office wall. Of course, the headline drove others back to read the report itself, for which I am also grateful.

In its reply to the Committee, the Environment Agency said that the report was timely and had recognised the issues facing flood defence in England and Wales into the next millennium. Its response stated:

"The Report challenges all parties involved to deliver a more efficient, effective and consistent service to the public."

The report was also fairly well received by the Government. Their reply described it as a

"valuable contribution to the debate on a highly important subject".

The Parliamentary Secretary—I am glad that he is in the Chamber today—characterised our findings as

"an important advance. It dealt with serious issues in a balanced, thoughtful and weighty way".—[Official Report, 20 October 1998; Vol. 317, c. 1088.]

Understandably, perhaps, there was a slightly more guarded response from the farming industry, but I was impressed by the considered response that came from an area affected by rapid coastal erosion. An editorial in the *East Anglian Daily Times* asked:

"Where would be the attraction of the (East Anglian) Heritage Coast if it were hidden behind what the MPs call 'an unbreachable Maginot line of towering sea walls and flood defences'"?

The *East Anglian Daily Times* recognised that our recommendation to realign the coast at appropriate locations

"would require sea defences to be moved back only a few tens of metres"

to yield considerable environmental and social benefits. It would affect hundreds, at most a couple of thousand, hectares of land on the east English coast, and not the vast tracts conjured up by some parts of the national press.

Most tellingly, the editorial continued:

"Accepting this change of policy is actually a matter of accepting the inevitable: there is no realistic alternative."

That is the central message of our report.

More recently, after the collapse at Beachy Head, a leading article in *The Times* expressed broad agreement with the Committee's conclusions, recommending greater reliance on soft engineering approaches to coastal defence where appropriate. *The Times* commented:

"Spending more taxpayers' money on concrete walls may well be akin to pouring money into the sea, a futile attempt to control nature."

In the limited time that I have at my disposal, I want to draw out three of the report's principal themes—institutions, funding and planning. First, in relation to institutions, current Government policy on flood and coastal defence faces considerable problems in being delivered on the ground. The Committee called for a national consultation on the administrative and organisational structures currently in place, and for the Government to rationalise the fiendishly complex legislative base of policy as soon as possible.

**Mr. Paul Keetch** (Hereford): The hon. Gentleman mentioned flood defences. He will be aware that in Herefordshire, during the recent floods, a farmer was killed, and that one difference between those floods—which I know also affected Worcestershire—and previous floods, such as the Easter floods, was that the Environment Agency and the police monitored effectively a surge of water coming down the River Wye. Water levels rose and then fell. The generally accepted view locally was that that was because Welsh Water had opened the gates on the reservoirs to cause that surge. Would the hon. Gentleman like the water authorities to be included as part of the review?

**Mr. Luff:** The hon. Gentleman makes an important point and I shall be interested in the Parliamentary Secretary's reply. I, too, heard those accusations locally, and they need to be addressed. Management of rivers is a complex issue, and one that I have no time to examine in my speech, although the Committee considered it in some depth. I agree that there are matters of concern, not only at the larger level to which the hon. Gentleman referred, but at local level in relation to the maintenance of non-main rivers. However, I am grateful for the hon. Gentleman's remarks and hope that the Parliamentary Secretary will take them on board.

In essence, the report stated that the existing coastal groups should be put on a statutory basis and should address coastal issues, while regional flood defence committees should deal with rivers. There should be a slimming down of a number of local flood defence committees.

The Government's response was, to put it charitably, cautious. While they did not agree that a radical overhaul was necessary, the Ministry announced that it would discuss with the Environment Agency and regional committees the preparation of guidance on the continued need for local flood defence committees and the appropriate number and composition of those committees. That is an encouraging step towards the more wide-ranging administrative review for which the Committee had hoped.

The Environment Agency noted that

"we are sympathetic to the recommendation of the Select Committee that there should be a review to a single tier of Regional Flood Defence Committees".

Although the Government might have dismissed our suggestion for radical institutional reform, the Environment Agency noted its

"full support for the main emphasis of the Agriculture Select Committee's report . . . that there is an urgent need to streamline flood and coastal defence institutional and financial arrangements to achieve a more efficient, effective and value for money service that can deliver long term sustainable policies".

Even the Ministry admits—I quote again from its response—that

"more needs to be done to translate the national strategy into action on the ground".

We believe that that can be achieved only through reforming a system of policy delivery that has grown on a piecemeal, ad hoc basis over several decades. The current sticking-plaster approach advocated by the Ministry is not, in our opinion, the best way forward. I wonder if the Parliamentary Secretary has changed his mind since he responded to our report.

If Government policy is to be delivered effectively, current levels of funding, and the way in which those funds are allocated, must be reconsidered. Our report recognised the urgent need for extensive renovation and, in some areas, the replacement of coastal defence works over the next decade—so much for letting Britain sink.

A critical part of that process is knowing the precise state of repair of those defences. The Committee pointed out that MAFF and the Department of the Environment, Transport and the Regions should undertake a joint review of the funding mechanisms currently in place, with two aims. The review should ensure that those mechanisms are the most efficient way of delivering funds to operating authorities and that they do not prejudice decisions against the maintenance of existing works in favour of the construction of new works, which can have unwelcome environmental effects.

We urged the Government to consult all operating authorities on current funding arrangements, with a view to simplifying those arrangements radically and achieving measurable improvements in policy efficiency by cutting out unnecessary bureaucracy and administration. The Government accepted our call for an interdepartmental review of funding mechanisms. What progress has been made with the review? Will it also suggest ways of streamlining the administrative and bureaucratic complexities of the current system more generally?

Has the Minister consulted the Environment Agency on restructuring funding mechanisms for flood and coastal defence? What further guidance is he considering for operating authorities on the balance to be struck between capital and maintenance? As for the state of repair of flood and coastal defences, what progress has been made on the development of an asset database for all defences, irrespective of ownership? Does the Minister agree with the Environment Agency's observation to the Committee that, even after the comprehensive spending review, there is a "noticeable shortfall" in national funding, which may result in

"the Government's priorities . . . not being adequately met"?

The third important issue is property development on flood plain land. We discovered a legacy of inappropriate development in flood-prone areas, and exposed a national planning system that still does not accord sufficient importance to flood and coastal defence priorities. That certainly contributed to the severity of floods in the midlands last Easter, in Evesham, in my constituency, and in Northampton.

We argued for a clear presumption against future development on flood plain land, where the flooding or erosion risk attached to a particular development, as determined by the Environment Agency, outweighs the benefits. We said that the agency should make it clear to property developers and local authorities alike that it will vigorously oppose all inappropriate development on rapidly eroding coasts and flood plain land, referring the matter to the Secretary of State where necessary. We said that, in exceptional circumstances when planning permission on land liable to flooding is considered, the agency should be granted powers to require developers to set aside sufficient moneys for the provision of all necessary flood defence works.

It is fair to say that the Government's reply did not go as far as the Committee would have liked. The Government noted, however, that they would consider whether the present guidance to local authorities on development should be strengthened. They also undertook to review whether stronger guidance was needed in relation to the financial contributions that developers should make towards flood defences. The large amount of new house building that the Government believe is necessary makes the issue genuinely urgent.

Clarification of the Government's latest thinking would be appreciated, especially in view of the unequivocal endorsement of the Committee's position from the Environment Agency. I should also like to hear from the Minister whether the agency is on course to complete its flood risk mapping exercise by September this year. In the light of last year's Easter floods, we said that should be its main priority.

There remain a number of other issues that the Government did not resolve to our satisfaction. I shall deal with just two: strategy and compensation. Those issues are related.

The Government have an enlightened strategic approach to policy aims and objectives, which has established the foundations for a more sustainable flood and coastal defence policy. The Minister, his predecessors and his Department deserve praise for their work. The Department must now turn its attention to gauging the long-term implications for policy of the approach that

*[Mr. Luff]*

the Government advocate. As the Department recognises, and as the Government say in their response, there is a need for

"thoroughly evaluated, flexible and imaginative responses"

to the future challenges posed by rivers inundating flood plains, storm surges on the coast and rapid rates of coastal erosion. On the east coast of England, those rates are as fast as any in Europe.

If the Government's response proves to be no more than warm words, they should at least, as a first step, assess the financial implications of their endorsement of soft defences and managed realignment. The Environment Agency broadly agrees with that, commenting:

"The Government should produce clear policy guidelines on current compensation mechanisms and how they should be applied in future".

Clarification from the Minister on the Government's guiding strategy on the coast and inland would be welcome. In particular, what is being done to encourage operating authorities to address the Government's policy aims by setting targets?

That leads me to my last point, which concerns compensation. I found that aspect of the Government's response particularly disappointing. If individuals are required to make sacrifices for some wider social benefit, they should be compensated. Let us take the case of Mr. David Rusbridge of West Wittering, which I have discussed with my hon. Friend the Member for Chichester (Mr. Tyrie). Mr. Rusbridge wrote to me recently that managed realignment was a possibility in his part of Sussex, and that he might be required to sacrifice some 100 acres of his 400-acre farm. Before the 1950s, coastal landowners were responsible for the maintenance of sea defences. That responsibility was removed from them, but they were told that the land that they owned would be defended. On that basis, Mr. Rusbridge has invested in his land. Now he faces immense uncertainty. I believe that, if he is required to lose 100 acres of land worth £150,000 to £200,000, he should be compensated. It is not right for one individual to bear the cost of protecting the rest of us.

I understand that the Minister can sometimes provide compensation by means of environmental routes in such circumstances, but that is not the principle. Compensation should not depend on the lottery of environmental gain. We said in our report:

"We are firmly convinced of the need to put in place a robust financial mechanism for the reimbursement of property owners and landowners whose assets are sacrificed for the wider benefit of the community . . . In our opinion, the Ministry has postponed this task for too long and should investigate the practicalities of such a mechanism urgently."

If landowners are not compensated, what incentive is there for them to support the kind of sustainable solutions that our Committee called for, and which the Ministry of Agriculture, Fisheries and Food now rightly advocates? That complaint should probably be laid at the door of the Treasury, not MAFF, but Government as a whole must address it if genuinely sustainable policies are to be made acceptable to coastal communities.

Certain things are unavoidable. Climate change is leading to rising sea water levels, and, it seems, to increased storminess. The geological tilt of the United Kingdom into the English channel and the North sea is making the problem worse. There will come a time when we cannot defend land that currently seems secure. London itself is not immune. No flood barrier can work for ever. In 200 or 300 years, the effects on London will be profound. We described them in our report. If the Government really want the millennium celebrations to do something good for London in the long term, when the dome reaches the end of its life they should not put new buildings on the site. They should pull it down, and create washlands on the Greenwich peninsula. That would be real joined-up government, providing an effective flood defence and a huge gain for London's environment. It would be one measure of the success of our report. Similarly, if the report gives planning authorities pause for thought, we shall have done our job. If we stop piling up new problems for future generations, I shall be well pleased.

Canute knew the limits of his powers, and sought to demonstrate them to his courtiers. For his pains, history remembers him wrongly as the king who thought that he could command the sea. He could not do that then, and we cannot do it now. We can, however, go with the grain of coastal processes, and develop sustainable answers to difficult issues. If we learn that lesson, the report will have made a difference that matters.

11.17 am

**Mr. Alan Hurst** (Braintree): I am pleased to be able to speak in the debate, and to follow the hon. Member for Mid Worcestershire (Mr. Luff), who chairs the Select Committee on Agriculture. I agree with much of what he has said.

I have the privilege of representing a division of the county of Essex, and, although my division has no coastline, the county has an extensive coastline, running from London to Harwich and containing many inlets, estuaries, islands and coves. The soil on which the sea dashes is very soft, and people in Essex have been mindful of the risks of flooding for many centuries.

Canvey island, of historic and sad memory, was the scene of the 1953 flood disaster, in which 59 people lost their lives. In many respects, it represents the endless struggle of mankind with the elements. The Dutch reclaimed it from the sea in the 17th century, and it has been at risk of being reclaimed by the sea ever since then.

County councillor Ray Howard is a close friend of mine, although he is a member of another political party. He represents Canvey island, and is also a member of the Essex flood defence committee. I spoke to him earlier this week. He takes a great interest in the Select Committee's deliberations, and in what we are debating today. He has served on the flood defence committee for many years, and he is well aware that the barriers on the lower Thames are being closed much more often nowadays. That suggests that tides are rising, and that we face potential further disasters. Although protection mechanisms on the Thames and on other parts of the Essex coast are much more substantial and secure than they were in the 1950s, concern remains.

Councillor Howard would perhaps differ from one aspect of the Select Committee's conclusions, as indeed I do. It is with regard to democratic representation. Although I understand the logic of seeking co-ordination through regional committees, I am fearful, as I believe

other local people are, that the elected representation serving on those committees will be diminished. If we take that away, with less involvement by those who are aware of the problems in their localities, problems are almost bound to follow.

Recently, as part of the inquiry, I, the Chairman of the Select Committee and others visited Peterborough to discuss flood warning arrangements with the Environment Agency. It showed us in embryonic form fairly advanced and complex mechanisms, whereby computerised telephone systems would effect warnings to those in areas at risk.

In many ways, I applaud such progress, but we may be a little rash in overlooking more rudimentary defence devices such as the siren. I make a special plea for the use of siren to be considered more. The advantage that it has over advanced technology is that it is not put out if a sudden storm cuts out electricity. It is there for all to see. It is dramatic. It pierces the ear. It is clear to anyone who hears it that something is afoot. If use of the siren—which is used in parts of Essex to great effect—were more widespread, we would have extra assurance.

I agree entirely with the remarks by the hon. Member for Mid Worcestershire concerning building in the flood plain. Developers have had easy incentive to go for profit because the land is normally easier to build on than more rugged or upland areas. The attraction is obvious. Local planning authorities have perhaps been a little too eager to grant those consents in those areas, some unmindful that the cost of the protection may not fall on the developer or on them, but on the state as a whole, in its various forms.

I support the remarks by the hon. Member for Mid-Worcestershire concerning strengthening the planning process. Vendors of properties should make the views of the Environment Agency as to the flood risk known to the purchaser; indeed, it should be an obligation. There should be greater liaison with insurance companies as to the risk involved when properties are built in those areas. The views and recommendations of the Environment Agency as to the flood risk should be prominent in making a local authority search. One might reach the point where that recommendation or view is endorsed on the title deeds and on the land certificate.

All those matters would be governed by the principle of caveat emptor. The purchaser would beware, so the developer would also beware if there were a risk that he could not sell the properties that he had built. It is such a easy matter for him to build the property, to take the profit and to let the cost thereafter fall on the rest of us.

I address what is now euphemistically called managed realignment; only a few months ago, it was called managed retreat. I support the view of the hon. Member for Mid Worcestershire. There is often a good case for proceeding in that way. Time does not stand still. The report refers to the fact that 21 villages in the county of Norfolk have disappeared into the sea since the 11th century, the most famous being the well-known rotten borough of Dunwich.

I have been there many times. I am always told that, in stormy weather, I should be able to hear the bells clanking from the bottom of the sea. I have not heard them yet, but I do know that that part of Dunwich is no longer there because it has gone back to the sea. However, on other parts of the east coast—I have already mentioned Canvey island—we have reclaimed from the sea. Fenlands are reclaimed from the sea.

**Mr. John Hayes** (South Holland and The Deepings): The hon. Gentleman refers to my constituency. Were it not for drainage, my constituency would not exist, or the vast bulk of it would not exist. *[Interruption.]* Whatever reaction that stimulates, does the hon. Gentleman agree that, as well as holding the sea back, drainage is an important part of these considerations? It is about pumping water out, as well as stopping water coming in. That is critical.

**Mr. Hurst:** I am pleased to agree with the hon. Gentleman, as I often do in such less controversial matters. I am fully aware that, were Hereward the Wake alive today, he would not be able to evade the Normans as readily as he did in former times, but the hon. Gentleman is right. Were it not for the drainage patterns in those areas, any attempt to hold back the sea would be purposeless because the area would eventually flood in any event.

Where we take a view—often it is a sound view—that we should alter the line of the coast to take account of advances of the sea, as the hon. Member for Mid-Worcestershire said, it is right and proper that those who own the land adjacent thereto be properly compensated. Indeed, we need to achieve a balance between protecting rich agricultural lands, which are often found on the east coast, and preserving the natural environment as it once was.

The Ministry certainly deserves a degree of congratulation on that aspect. It has supported the European Union habitat directive, is committed to seeking to preserve sites of high scientific interest and, where that is not possible, to seeking a replacement to sites elsewhere.

There is not an inevitable conflict between farming and wildlife and habitat preservation. The two are indelibly part of the countryside. They are often perceived to be in conflict, but they are not. There is a strong case that, where society decides to draw back the line of coastal defence, the owner of the land should be properly paid for what he has given up because he is giving it up on behalf of all of us, not just on behalf of himself.

Where habitat is lost and cannot be replaced, there is also a case for compensation. The problem is that such compensation cannot be easily valued in monetary terms. We can ascertain through a land agent the price per acre of prime agricultural land, but we cannot determine so easily what the market price is of a reed bed. It is not possible to say. What would we pay for the nesting site of marsh harriers? There is no list of valuations.

That is why I am encouraged that, when there is a risk to such areas, we will seek to replace them if they cannot be preserved, but we need to ensure that those who preserve such parts of the country are not the losers, just as the landowner should not be the loser when he gives up his land to the advances of the sea.

The report has dealt with a number of issues that are highly pertinent to the important issue of coastal defence. I congratulate the hon. Member for Mid-Worcestershire on putting it forward in such a way.

11.28 am

**Mr. Andrew George** (St. Ives): In view of the number of hon. Members who wish to speak in the debate, I will keep my contribution short, in the hope also that the House will enjoy two contributions from the Liberal Democrats, if time allows.

I wish to make a few remarks on the key message of the report in terms of overviewing the whole approach to coastal and flood defence, on one issue of funding that causes concern in my area and on planning.

I congratulate the hon. Member for Mid-Worcestershire (Mr. Luff) on his excellent introduction, which I entirely endorse. It has been a joy to be a member of the Select Committee on Agriculture and to produce what is a particularly pertinent, relevant and significant report, which I hope the Minister has taken on board.

I endorse the report's key message on managed realignment and the use of soft engineering. It recognises that we cannot win our battle with the sea and climate without bankrupting the country.

As the hon. Member for Mid-Worcestershire said, we cannot play King Canute with public finances and public policy. We have to accept that there are limitations to our ability to tame and control nature. Forecast sea level rises for the next 50 years of between 4 and 6 mm annually—which does not take into account the impact of other geomorphological changes—should help to concentrate the mind. Geologically, the land is moving at an alarming rate. As I explained to the Select Committee, it is perhaps symbolic that, as Cornwall is rising, England is falling.

I know that the Minister is aware that the current funding mechanism—particularly moneys from local authorities—is causing difficulties for regional flood defence committees. As we know, local authorities are under specific financial pressures. The advice of the Ministry of Agriculture, Fisheries and Food is that local authorities should pass on to the Environment Agency all flood levies for flood defence—exactly in line with national provision of standard spending assessments for flood defence—whereas the Department of the Environment, Transport and the Regions says that SSAs are a mechanism for grant distribution based on a formula on which local authorities should exercise judgment in funding priorities. The funding mechanism is a source of growing tension between local authorities and the Environment Agency, and operates in a climate in which the Environment Agency's budget for some regions, such as mine, is falling. The issue certainly has to be addressed.

As the House knows, an additional 4.4 million homes will have to be built across the country, and somewhere will have to be found to build them. As the hon. Members for Braintree (Mr. Hurst) and for Mid Worcestershire rightly said, it is appropriate that the Government should be a great deal more robust than previous Governments have been in addressing the issue. It is nonsense to allow further development in flood plains or vulnerable coastal zones that have no flood or coastal defence.

The Select Committee and I seek the Government's acceptance that the Environment Agency should have a statutory right to be involved at every stage of the planning process in what will be—or should be—easily defined zones.

**Mr. Keetch:** Does my hon. Friend, and other Committee members, accept that the prime consideration is not only planning and building on flood plains but the type of agriculture that is practised on those flood plains? Potato cultivation, for example, dries up water meadows—so that they cannot soak up water, silt runs off and rivers become clogged.

**Mr. George:** I agree entirely.

Flood plains and coastal areas may provide a picturesque or sublime view for private individuals, but too often the public purse has to meet the costs of sustaining those views. The matter will have to be reviewed, and I hope that the Minister will take it on board.

11.33 am

**Mr. Derek Wyatt** (Sittingbourne and Sheppey): Part of my constituency is under water. The Isle of Sheppey is always below sea level, and consequently has problems that other areas in Britain do not have. In 1897, and in the past century—in 1928 and 1953—we had floods in which three quarters of Sheerness disappeared.

Today, at 6.30 am, I woke up to the local newspaper, the *Sheppey Gazette*, which somewhat discourteously informed me that

"Sheppey was mopping up—and counting the cost—after massive floods hit the north of the island . . . Mrs Raymond said: 'It was terrifying. The lights failed and we were plunged into darkness. The children were very frightened and then water started to flood in downstairs. In places, the water was up to 3ft deep.

Island councillor Steve Worrall . . . voicing the fears of elderly and disabled people . . . said: 'There are so many old people living at ground floor level. They dread the waters returning.'"

Then I realised that, in today's newspaper, I was reading the memory section, which was describing the 1979 floods. However, my constituency is prone to flooding, as we are below sea level and have unique properties.

I should like to congratulate the Agriculture Select Committee on its work, which is outstanding. Although Select Committees are not often praised, I offer my congratulations to its members.

I was marginally amused by the picture of the Thames barrier on the cover of the Select Committee's report—only because the barrier has added to our problems in Sheerness. I wonder whether the Minister knows of any studies done by the Ministry, or of other studies that have been commissioned, on the barrier's implications for areas further down the Thames.

I also ask—out of interest, not as criticism—why, in the report's list of memorandums of evidence and list of appendices, on pages li and lii, no evidence from Kent was listed? There was nothing from Kent county council, from Swale borough council—which is part of my constituency—from Queenborough town council or from Sheerness. Although it may have been an oversight on their part—if so, more the fool them—I also wonder what happened in Kent to the Committee's request for information. A substantial part of Kent is coastal. Certainly some parts of the Isle of Sheppey—and of the former Isle of Thanet; it is no longer an island—are always below sea level. On the east side of Kent, we have had phenomenal coastal erosion.

I take issue on one matter. As the hon. Member for Mid–Worcestershire (Mr. Luff) and my hon. Friend the Member for Braintree (Mr. Hurst) said, there seem to be a plethora of agencies and activities dealing with flood

and coastal defence. Although my hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food will reply to the debate, I wonder whether the Department of the Environment, Transport and the Regions should not be responsible for the matter. I wonder also whether, in England, the responsibility should not be given to regional development agencies. I look forward to hearing my hon. Friend's comments on the matter.

Coincidentally, we are able to consider not only the Select Committee's report, but the Environment Agency's plans for my constituency, which are in a document entitled "Isle of Sheppey Strategy Plan, Summary Document, January 1999". It contains some wonderful pieces, some of which I should like to quote.

The document states:

"An assessment of the current standards has concluded that although the standards of the northern sea walls are quite high (100 to 200 years), the southern clay embankments have standards of five years or even less. Without continued maintenance of the defences, the standard would fall even further and breaching would become inevitable. As the flood risk area is mainly below mean high water levels, breaching of the defences would eventually lead to permanent flooding of the entire flood risk area and abandonment of a great number of properties."

It is a nice way of describing Queenborough and Halfway, which are two of the largest villages on the island.

I should like to quote another section, which I fail to comprehend fully. It states:

"The present value cost of the Strategy over the next 50 years including works to the southern defences"—

of the island—

"is estimated at £22.6 million, including capital costs, preliminaries, contingencies, design and supervision . . . The present value benefits"—

whatever that means—

"(or damages avoided)"—

I pass—

"are estimated at £369 million resulting in a benefit-cost ratio of 16.3."

That was certainly gobbledegook to me.

I thought that the section was saying essentially that the Environment Agency did not have a strategy for the island. I felt sadness in reading it because of the lack of warmth and humanity shown for the people of the island of Sheppey, which is constantly flooded. Flooding is not a new thing for us. High tides do not come only once every 40 years and affect other parts of Britain; my constituency is constantly being flooded and is always in danger of flooding.

I was very nervous about the idea of—whatever it is called officially—what I call "managed retreat", when the next spring tide arrives on the island. In the report's section on the history of flooding, the appalling hardships caused by flooding is scarcely dealt with. Poor people—Sheppey has had unemployment rates of 40 per cent.—cannot afford, or do not buy, home insurance. If they take it, they buy perhaps rather dubious policies. They are therefore doubly affected by flooding, because they are not able to insure themselves.

I should like to try to tease out where the legal and moral liabilities should lie in the flood and coastal defence recommendations. I take on board the comments of my hon. Friend the Member for Braintree on planning issues. We have new houses all over Sheppey, but they have been built on bits of rough or dubious land. Planning permission should not have been given, and the planning side of the subject must be much stronger.

If managed retreat is introduced on Sheppey, the lives of eight farmers will be ruined for ever. The land at one of the farms—which I have visited—has been leased by, of all things, Crown Properties. By his own ingenious system of irrigation channels, the farmer has created a wildlife sanctuary and new land for sheep grazing, and he has maximised the land's potential to the fullest. It is an exceptional scheme. In addition, because he has been hit—as have most farmers—by the unusually difficult economic conditions of the past three years, he has had it tough twice.

The farmer sought permission for a change of use for an old barn which stored hay, and for some ancillary buildings. He was given it, and he has leased them to small, productive and profitable self-starter companies. Could we wish for more on the Isle of Sheppey? One of the buildings houses a company that makes tarpaulins and, in another, they collect and sell classic cars. Yet another is a stonemason's studio. Under managed retreat—which the Government could decide on in the next few months—who will insure the farmer if he has no insurance? If he is insured, and finds that he is under-insured, who will insure him then? I have not asked him this, as I have assumed that he is insured. However, if the spring tide wipes him out and he is left bankrupt, what then?

I understand that managed retreat is the cheapest option. I urge the Select Committee to analyse the financial implications of its recommendations when it next reports on the matter. I read far too many Select Committee reports—I am as guilty as anyone, as I am a member of a Select Committee—in which recommendations have no budget or financial model, so we have no opportunity to find the best option. With no resolution on a compensation package before the next flood, the eight farmers on the island are caught between assurance and insurance.

Managed retreat will affect confidence in my community and add to the insecurity that affects all islanders. It could also affect the town of Queenborough, which has a population of 5,000, and the large village of Halfway. From today, any business man thinking of investing will think again, and a downward spiral will then become inevitable—after we have spent the past 10 years trying to provide the island with as much European and Government aid as possible.

Islands are strange places—they feel protective. The first people came to live on Sheppey in the sixth century, and the island has never been connected to the mainland. We hope to have a new bridge by 2001, but it has always had a swing bridge or an up-bridge. It feels its identity as an island. Managed retreat will not sustain the psychology of the island—it will damage it. That has been overlooked by the Environment Agency and the Select Committee report.

Governments tend to be reactive—that is the nature of the beast. However, yesterday the Prime Minister explained the planning required if we were to go into the euro. As we know that there will be a major flood—there is no doubt about it—I wonder whether we could have the same level of planning, particularly as regards

*[Mr. Derek Wyatt]*

compensation packages. I wonder whether we could look at this matter now, before thousands of claims are made. We need five or six ideas for compensation packages.

Ultimately, the island will be cut off from the mainland. How will the population of 35,000 get food and blankets? Are we prepared for that? This is a complex issue and it is easy to make simplistic remarks, but the island always suffers in bad weather. It cannot help that—that is the nature of the island. However, we put people there, we have given them authority to build and we have taken businesses there. We have a moral duty to look after people.

The matter is complex, and I would have liked to be able to explain some of the maps in the report, which are complex. I wonder whether the House would consider using the parliamentary channel to put slides or one-minute videos up during our speeches to show the implications and consequences of previous floods.

11.44 am

**Mr. Tom King** (Bridgwater): The hon. Member for Sittingbourne and Sheppey (Mr. Wyatt)—who has knowledge of information technology and new technology—ended on a most interesting note. I share his concern at a matter of growing importance to which the House will return, and to which the Select Committee has helpfully drawn attention. I have heard three members of the Select Committee congratulate themselves on their report and—as an independent, non-partial Member of Parliament—I congratulate them as well.

Members of the Select Committee will not be surprised by my interest, because they received evidence from Somerset county council, the Royal Society for the Protection of Birds and Mrs. Katherine Bryan, the head of the south-west Environment Agency. In the appendices, submissions from Mr. Campbell Voullaire and Mr. Mark Blathwayt were published in connection with the Porlock shingle ridge, which is a retreat if ever you saw one—a managed retreat, in which 140 acres of prime farmland is turned into a salt marsh—that has caused great concern in that part of my constituency.

Somerset county council was right to give evidence—one fifth of Somerset is below sea level. We have talked of Hereward the Wake, and I would advance the cause of Alfred, who would not have been half so great had he not been able to hide behind the salt marshes—which are now the Somerset levels—where the pursuing Danes were unable to catch up with him because the tide came across 150,000 acres faster than a horse could gallop. He was able to burn his cakes in reasonable security. That is now important agricultural land, and its drainage and protection are matters of concern.

The hon. Member for Braintree (Mr. Hurst) referred to the evidence from the RSPB, which looked at areas that should not be drained and on which important wetlands exist—some in my constituency. I am familiar with the complexity of the issues, and I am concerned about them. I recognise that they are getting no easier. I have noticed that "retreat" is now called "realignment," which I see as meaning gain, as well as loss. In Somerset, we are in retreat—my constituency is shrinking—and there is no sign of any gain on any part of the Somerset coastline, which is under threat. I understand that Professor Pethick—who was an adviser to the Select Committee—is familiar with the coastline.

There has been an imperceptible change of belief, rather than a particular moment when the existence of climate change was publicly accepted. I have believed it, on a hunch, for a long time, in the face of the public dismissal by many authorities, who talked of the failure to understand the cyclical nature of climate, the history of the ice ages and the various patterns of climate and weather over the centuries. Now, there is a general recognition of it.

I do not know when the Environment Agency changed its policy, but it is now accepted that there is climate change, and that we must deal with the risk of more serious events happening more frequently. We have read this morning of the horrors of the avalanches in Austria, and two avalanches came down yesterday on a village that had never had one before and was regarded as completely safe. That is a further illustration of the changes to, and the severity of, the weather.

As well as global warming and rising sea levels, there is the increasing severity, and frequency of violent events. There are also man-made contributions to that frequency and severity. This hit me most forcibly when I was the Secretary of State for Northern Ireland and Strabane was badly flooded. I was there 24 hours later, and it was impossible to understand why it had been flooded. Half the town had been flooded severely, and a lot of damage was done. By the time that I got there, the river level was right down. The water, which had been brimming to the top of an extremely high bridge, was looking harmless and low.

An old gentleman standing nearby, whom my officials tried to keep away from me because they thought that he was a bit of an old crank, made the pretty obvious point that such things did not happen in the old days, before all the drainage work on the farms, when the river took a long time to come up, stayed up for a long time and took some time to go down. I live in an old mill and have been flooded. I have seen the effects of adjacent motorways and new developments. When there is significant rainfall, it runs off faster and arrives quicker and in greater volume. The water stays for less time, but it does greater damage.

Curry moor in my constituency is the flood plain into which the River Parrett and the River Tone discharge themselves. The situation for the villagers of East Lyng, which is on the border with the constituency of the hon. Member for Taunton (Jackie Ballard), is more dangerous now. They say that the speed with which the floods arrive contributes to the danger.

I should like to contribute some brief messages of support for the Select Committee report. My only disagreement is on the odd recommendation that

> "Insurance companies should be obliged to provide advice to individuals in flood risk areas as to how to mitigate the effects of flooding".

I agree that they should be encouraged

> "to address property and asset claims afterwards to ensure their rapid settlement."

I do not know what feedback insurance companies have given, but the recommendation suggests that they should take responsibility for giving adequate advice about flooding. I do not instinctively think that that is the job of insurance companies, but others may like to discuss that.

There is a clear need for greater resources. I recognise that the Government have increased the resources available under the three-year comprehensive spending

review. Somerset has £500 million of assets for flood defence and coastal protection. Expenditure on those assets this year will be £8 million. Those assets could not be maintained with those resources if the situation were static or even if the threat were declining. In fact, the threat is increasing. We are faced with the appalling prospect of having to try to build another 50,000 houses in Somerset, with one fifth of our county below sea level. As the hon. Member for Sittingbourne and Sheppey pointed out, we shall end up with housing in unsuitable places, which will increase the problems and the demand for help.

My hon. Friend the Member for Mid-Worcestershire (Mr. Luff) has already referred to the problem at Minehead. Minehead has a desirable sandy beach, which is rapidly disappearing because we are two thirds of the way through an important coastal protection scheme. After the serious damage done to the sea defences in Minehead, important work has been carried out to put the main defences in place. The last element is a surcharge of sand across the beach. Unfortunately, there is a shortage of money, or the programme has run ahead of itself. I understand that the Environment Agency recognises that, unless something is done now, there is a serious risk that the work that has already been carried out will be damaged and further costs will be incurred. I believe that the Environment Agency is likely to approach the Minister for authority for certain facilities to enable the work to go ahead. I hope that he will be able to respond sympathetically.

Almost every Select Committee report recommends a reorganisation and finds reasons why something should be changed. I have lived through the same building bearing the successive nameplates of the Somerset River Authority, the Wessex Water Authority, the Wessex division of the National Rivers Authority and now the North Wessex Environment Agency. Change usually leads to problems of hiatus, delay and people not taking decisions because they are wondering what job they will have in the new organisation. Select Committees should proceed with great care when proposing further reorganisations. That is why I have some suspicion about the proposal for regional flood defence committees. A bit of evolutionary change would be better than wholesale reorganisation in this case. The Select Committee warned that such a change would require primary legislation. The chances of securing time for that in the short term are pretty slim, so why not accept that the best is the enemy of the good and go for evolutionary change that would secure rationalisation of the present confusing structure without the wholesale upheaval that regional flood defence committees would entail?

**Mr. Luff:** My right hon. Friend is probably right in the case of his area, but we saw the problems on the east coast of England, where one set of authorities is taking decisions that impact on another set of authorities with different responsibilities. One group deals with coastal erosion and another with coastal flooding. They work against each other rather than together. The evolutionary approach will not work in that case. Radical change is essential for coastal issues.

**Mr. King:** I have great respect for my hon. Friend's point. I have found the structure confusing and get muddled about who is dealing with what. There is some playing off of one body against another. He will have heard my warning that major upheaval often leads to major hiatus, which we cannot afford.

I have always found internal drainage boards, of which there are several in my constituency, rather curious. There is every argument for changing them or getting rid of them, but they deal with minor problems at a local level that the Environment Agency should not be bogged down with. There are arguments on the Somerset levels about keeping levels to within 6 in, 3 in or even 1 in, so that the water is held up to a certain level in some areas that the RSPB is interested in, and lower in other areas where the farmers can harvest their crops. Those details are much better worked out locally. The Environment Agency's recommendation for a rationalisation of IDBs is better than a wholesale dismissal.

There is all-party recognition of the importance of the role of the Environment Agency—under its present and previous names—and its greater significance to the modern world. It has not yet understood that. There is a timidity about the agency's position. Hon. Members have spoken about the need for it to assert itself more on planning and other issues. It should be encouraged to realise that it has powers. It may have to face some tough times with developers and others, but it must be prepared to stand up and fight its corner and know that it will have greater support than it realises in the House and among the public.

I appreciate having had an opportunity to contribute to the debate and I congratulate the Select Committee on its report on an important issue.

11.58 am

**Mrs. Claire Curtis-Thomas** (Crosby): My constituency is bounded by approximately 30 miles of coastline. Two of our communities—Formby and Hightown—are under threat. Formby is bounded by extensive woodland and faces significant erosion. It also contains a site of special scientific interest and has world status for its dune structure. However, the site faces many difficulties. Three or four miles down the coast, Hightown faces different problems. Formby has no property directly on the coastline, but in Hightown there are properties 200 ft from the shore. We are starting to contemplate the influence of climate change and rising sea levels on those two distinct communities.

During the past six months, Sefton council has got to grips with the difficult task of constructing a coastal management plan and a shoreline management plan. Both plans have been produced. They are 90 pages long and have been distributed to more than 100 organisations.

Opinions are being sought from everyone, from individuals with a vested interest in the development of the shore to societies such as the RSPB and myriad organisations. Therein lies a problem. Many of the individuals concerned are producing reports and views on the plans that will need to be collated before another plan is produced. There are conflicting views about how best to develop the shoreline and the different vested interests confuse matters. It would help enormously if we could rationalise the number of individuals involved. I continually ask who are the experts who will decide how to proceed and wherein lies their expertise.

I welcome the fact that the Government's response to the report says that they are considering an integrated coastal zone management plan. Many of our local

*[Mrs. Claire Curtis-Thomas]*

problems have been exacerbated by what is going on further along the coast adjacent to Sefton. Unless there is some attempt to integrate the various agencies along the coastline, many of us will be the victims of other people's protection.

A new development has been built in Southport, which is essential if we are to defend the economy and let the resort prosper, but it has exacerbated problems in Hightown. In the past, we could protect the small community of only 1,000 people in approximately 700 houses because there was a reasonable rate of erosion that could be managed by the dumping of sand; but now we simply cannot cope with the rate at which sand is being removed.

We seek sustainable solutions for some parts of the coastline and hard solutions for others. I expect that we will find sustainable solutions for Formby, provided that we can agree. English Nature, along with another 40 agencies, manages the Formby coastline. It is set on taking at least half the pine woods away in an attempt to develop the dune structure, but we do not think that it has developed coherent arguments to justify that and many people in my constituency firmly believe that it will reduce our flood defences even further.

Until we have expert opinions that can be accepted by the different factions in the community, the region will be insecure and lack the confidence to develop inward investment, albeit on a small scale. Hightown was allowed to develop. It is a lovely, attractive, isolated community. It is quite perfect: lovely modern houses and flats, protected, for the most part, by bluff sand dunes.

Most of the residents do not know what is happening behind the sand dunes, but many do. The dunes are being eroded more or less daily. Sea levels rising between 4 mm and 6 mm, every year for the next 50 years, can bring nothing but disaster for the community. We will need about £8 million to construct a hard sea defence to protect the residents of Hightown.

I understand that, in return for being allowed to build the properties in the area, the developers contributed £800,000. That is nothing in comparison with the cost of the defences that we will have to construct to protect the properties in the long term. I would commend any action that invites the developers to play a greater role in the defence of the properties before they are allowed to build.

We need far greater emphasis in the planning regulations on the role and responsibility of the developer and on appropriate flood and erosion assessments.

12.5 pm

**Mr. Andrew Tyrie** (Chichester): I strongly agree with what my right hon. Friend the Member for Bridgwater (Mr. King) said about the report and about the fact that there has been some mutual self-congratulation by the authors, but as I am not an author I can congratulate them in all sincerity from some distance.

I have a constituency interest because Selsey was flooded just over a year ago. That was my introduction to this issue. I have had lengthy exchanges with the Minister, and I thank him very much for his courtesy and for the time that he has taken to listen to my concerns. By that alone, he has shown what is required to help to allay some local concerns.

Despite the Government's response to the report, I do not think that we will get the cost-benefit analysis that we need. First, the relationship between spending on maintenance and on capital needs to be considered. We are in a catch-22 situation in Selsey, as in many other areas, where money spent on maintenance comes from a budget that could ultimately be used to build permanent sea defences. That seems a crazy situation. I am also worried that the spending on Selsey could delay work on the Chichester flood relief scheme, and I seek an assurance from the Minister that that will not be the case.

Secondly, I am concerned that no serious consideration is being given to overall revenue flows from land that could be lost through strategic retreat. For example, there is a caravan site in Selsey that generates large revenues for the Exchequer, but I understand that those revenues, which could be lost, are not put into the pot to work out the cost-benefit of the proposed strategic retreat. The owner is not being given the opportunity even to say whether he would put up some private cash to maintain his site.

Thirdly, there is compensation. At first sight, compensation seems to be merely an issue of fairness, but in fact it is again a matter of cost-benefit analysis. To work out whether land should be lost, one must determine its value, which should be reflected in the compensation offered to the owner. A constituent recently wrote and said that, before the 1950s, he had been able to choose what to do with sea defences on his land—it was caveat emptor—but that now he has been told that he has no choice and that the land may be lost without his getting any compensation. The Government will eventually have to deal with that unacceptable situation.

The speed at which some decisions are being taken, certainly in my area, is unsatisfactory. The continued uncertainty in Selsey is the cause of great local concern. Few people have been convinced that strategic retreat, managed retreat, managed realignment, or whatever it may be called, is necessary on the west beach; but if it is—we have been expecting a study from the Environment Agency for about a year—that really must be brought into the open, discussed publicly and explained to local people. That has not happened, and I ask the Minister to do whatever he can to speed the decision, so that we can have clarity in Selsey.

12.9 pm

**Mr. Norman Baker** (Lewes): I am grateful for the opportunity to speak in this debate on a matter of considerable importance to my constituency. I approach the issue unashamedly from a constituency angle. I have tried to find out why essential flood defence works for the coast at Seaford and in Lewes town are not being funded. I asked the Library for information about the funding of flood defence works and it provided a helpful diagram.

**Mr. Tom King:** We need a screen.

**Mr. Baker:** If we had a screen, I could project the diagram for the House. It demonstrates the intricacies of the funding arrangements and the problems that exist. Lord de Ramsey, the chairman of the Environment Agency, wrote to me on 15 February admitting that

"we have an overall shortfall of some £4M in the funding which Flood Defence Committees have made available for 1999/2000."

His letter continues:

"Under current arrangements for funding Flood Defence the Agency has no powers to interfere in the democratic process whereby Flood Defence Committees approve their levies."

The problem seems to be that the Environment Agency, as the body responsible for assessing what work needs to be done, has determined that certain works should be done in my constituency, but the flood defence committee has elected not to fund those works. That leaves my constituents in an impossible situation. The county council's response to that—and it is the local authority members on the flood defence committees who have voted not to fund the work properly—is that levies from external bodies should be exempted when decisions on budget capping are being considered. I would be grateful if the Minister would respond to that specific point.

I shall explain the position in Seaford and Lewes by means of a quotation from another letter from Lord de Ramsey. He says:

"In addition, although the whole Flood Defence Committee endorsed the Agency plan for the coming 12 months, the voting Local Authority members felt that they could not meet the full levy requirement to fund the work. As a result, the levy settlement was cut from an 8 per cent. increase to 6.3 per cent., with a recommendation that major sea defence maintenance at Seaford be halted. Seaford is at the bottom of the Sussex Ouse below Lewes. Any problems or failure of the sea defences here have serious implications for Seaford, nearby Newhaven and Lewes."

A press release issued by the Environment Agency on 9 December after the flood defence committee had agreed not to fund the necessary work stated that it would mean that

"essential maintenance will halt. The Agency will be unable to carry out work at Seaford which it considers is essential to the security of the Ouse Valley."

That is worrying indeed and I have written to the Minister, who has kindly replied, on the general subject of the funding of flood defence committees. I do not underestimate the Government's difficulties in trying to deal with the situation, but the Minister will understand that my concerns arise from my constituents' concerns. In Seaford, essential work to protect the coast and properties along the beach will not take place this year, despite the fact that the Environment Agency has deemed it essential for the security of the Ouse valley. All those properties will be left unprotected this year, because the flood defence committee has not voted through the money. That is an irresponsible position, but the consequences for my constituents is that they are unprotected, and that is unsustainable.

I am also concerned about the banks of the Ouse in Lewes. According to the Environment Agency, there is a real danger that the banks will collapse, with all sorts of consequences for properties, business and tourism in the county town. The works that have been identified as essential by the Environment Agency will not proceed in 2000-01. They have been put back further and we do not even have a date for a proper assessment by the flood defence committee of when the work will be incorporated into its budget plan. Lewes and Seaford will be left defenceless because of the myriad arrangements for funding that apply to flood defence work.

The Minister replied to my letter within two weeks, which is amazingly quick for a Government Department. I have also written to the Environment Agency and the chairman of the flood defence committee. The buck is being passed around, but the result is that none of the work that has been deemed essential by all parties will be carried out. Will the Minister consider the arrangements between the flood defence committees and the Environment Agency? Either the flood defence committees' powers should be taken away and given to the Environment Agency, so that one body deals with the issue, or the flood defence committees should receive the necessary finance and expertise so that decisions can be taken locally. The present arrangements do not work for my constituents. What comfort can the Minister offer to my constituents in Seaford and Lewes who have been left defenceless by the failure to fund essential works?

12.15 pm

**Mr. John Hayes** (South Holland and The Deepings): I shall dwell on three aspects of the report. I was pleased to serve on the Select Committee and I am grateful for the positive comments that have been made about its work, although the bulk of the credit must go to our Chairman. I am sure that he will reward me for that compliment at an appropriate time in an appropriate place.

My first point relates to development in the flood plain and I wish to amplify some of the remarks that have been made already. There is not much more to say, except that it is important to increase the statutory responsibility on local authorities to take account of Environment Agency advice. There is already a responsibility to consult, but it should have more force than that. I speak as someone who is very interested in local democracy and who values the independence of local authorities, but this issue is so important and the record is so patchy under the current arrangements that we need to strengthen the arm of the Environment Agency.

I also entirely endorse the Committee's recommendations and the comments in the debate today about flood risk warning. The Government made helpful comments on that issue in their response and also on the warnings for the people who buy houses in the flood plain. Many of the communities affected have an incoming population who do not necessarily understand the history of the issue. The local population may be well aware of the problems, but those who move into an area of flood risk may not understand them. Such people live in blissful ignorance until the worst occurs.

The second matter about which I wish to comment is drainage. I felt that my right hon. Friend from Somerset—

**Mr. Tom King:** Bridgwater.

**Mr. Hayes:** I am sorry, I should have known.

**Mr. King:** Of course you should.

**Mr. Hayes:** I was about to criticise mildly my right hon. Friend the Member for Bridgwater (Mr. King) and I am tempted now to strengthen that criticism, but I will not. I disagree with him somewhat about internal drainage boards. He is right to say that they are important, but they are more important than he implied. They are a model of the public and private sectors working together, as lean organisations that act and deliver a product in a very cost effective way. They embody a degree of local knowledge and understanding that is unparalleled—as my right hon. Friend acknowledged. I strongly support IDBs.

*[Mr. Hayes]*

The Committee probably paid too little attention to drainage, perhaps because coastal defence and protection from the sea is more dramatic. The need for such protection is more tangible, but drainage is the success story that cannot be seen. Its success makes it invisible and, with the benefit of hindsight, I think that we may have spent too little time on it. I wish to advertise the many benefits and qualities of IDBs, which are reflected in the Government's response. I know that the Minister enjoys a long relationship with those bodies and is well regarded by them.

The third aspect of the report on which I shall dwell is the management of flood defence and drainage, which the Committee considered in some detail. At first glance, the structure and organisation seems extremely complex. However, it is difficult to deliver a better alternative, with one exception—the district council's responsibility for coastal defence. When we visited Happisburgh in Norfolk, for example, the idea that the district council should be responsible for funding some of the significant strategic work there seemed to me to be a bit of a nonsense. It is too onerous and demanding a responsibility for a district council to accept. The Chairman of the Select Committee and I were chatting about that, and he asked whether I wanted local democracy for drainage but not for coastal policy. My response was, "If it ain't broke, don't fix it." Drainage works well and has stood the test of time, but coastal policy needs review.

I hope that the Minister will be able to respond to the three main points that I have made.

12.20 pm

**The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley):** In the limited time that remains, I shall certainly try to respond to the points that have been made. All hon. Members who have spoken have mentioned the quality of the report produced by the Agriculture Committee. It is an excellent piece of work, which I enjoyed reading. It raised a great many questions, as I hope was evident from the Government's comprehensive response.

For the sake of the record, I should declare my involvement as vice-president of the Association of Drainage Authorities—a post that I am proud to hold. I echo what the hon. Member for South Holland and The Deepings (Mr. Hayes) said about drainage being very much a part of flood defence and coastal defence. The Government's belief that we should adopt an integrated approach to those matters informed our response to the Select Committee report.

I absolutely agree that we need sustainable defences, as they will allow national and local economies to prosper and will protect life and property. As has been noted, we must also take account of wildlife sites of international importance.

The hon. Member for Mid-Worcestershire (Mr. Luff) made a good and succinct opening speech, in which he made it clear that flood and coastal defences are a very complex matter. I do not know whether the Select Committee is psychic, but its report was produced in a year when we have had some of the worst floods and rains for more than a century. We must not forget the tragedy suffered by people who have lost homes, agricultural land and even their lives as a result. I know that the House accepts that the bad weather caused disruption across the country.

**Mr. Gareth R. Thomas** (Harrow, West): My hon. Friend will know of my interest in the Hatch End flood alleviation scheme. If implemented, that scheme would complete a programme of measures to protect against flooding in the north-east part of my constituency. Will he assure me that he will keep under review the funding and priority rating formula that he and his officials use to determine whether such schemes go ahead?

**Mr. Morley:** I know that my hon. Friend has raised this matter before, and that he has written to the Ministry about it. I shall write to my hon. Friend with the latest information and I shall take into consideration the points that he has raised.

I do not know whether the visit that my right hon. Friend the Deputy Prime Minister made by helicopter was occasioned by flood levels, but the hon. Member for Mid-Worcestershire very nearly also got a similar visit from me. I should point out that it is very rare for me to travel by helicopter, but I wanted to observe the floods in the Severn valley and to visit Bewdley. However, the helicopter developed engine trouble, which does not fill one with confidence before a journey, and the weather was so bad—perhaps not surprisingly—that it was impossible to fly and I had to make the journey by road. Unfortunately, that meant that I was unable to visit the hon. Gentleman's constituency, which was on my original itinerary.

I apologise for that, and I assure the hon. Gentleman that I was aware of the problems his constituency faced as a result of the floods. However, I thought it was a little hard of the local newspaper to criticise me for not wearing Wellington boots that day. I must point out that I did not go to the Severn valley to wade through floods; I went to make sure that people were being looked after and that the proper procedures were in hand.

**Mr. Luff:** The newspaper has apologised handsomely.

**Mr. Morley:** I accept that apology with the good grace with which it was given.

We have to accept, in relation to coastal defence, that we cannot ring Britain with a concrete wall, and it would be undesirable to do so. The hon. Member for Mid-Worcestershire was right to say that that is generally recognised. The report provoked a good debate, in which many sensible points were made. It got people thinking about the question of coastal defence and about the best strategies to be adopted.

The hon. Member for Mid-Worcestershire raised three points. The first had to do with institutions and democratic input, a matter that was also raised by the hon. Member for Lewes (Mr. Baker). The Government believe that it is difficult to draw a distinction between coastal defence and inland defence, and that effective delivery depends on co-ordination.

As a Minister, I am a great supporter of local government input in such matters. I believe that there ought to be local accountability and local democracy. I accept that in some cases, as a result of decisions taken locally about funding, the full standard spending

assessment has not been passed on by local councils to regional flood defence committees. I have written to a number of councils expressing my concern, but I have to tell the hon. Member for Lewes that some of the worst offenders are councils under Liberal Democrat control. I have written also to the Local Government Association, because this is an issue for the whole country. However, it seems that local councils have been better at passing on the increased SSA this year.

In connection with funding, we have pledged an increase of £23 million over the next three years for flood and coastal defence, and we have put in place a 6.3 per cent. increase in SSAs for regional flood defence committees. In addition, following the Bye report, we have earmarked £3 million this year to improve flood warning. A number of hon. Members raised the matter of flood plains. We intend to keep the present guidance under review, and we are also introducing flood plain mapping. We have made a start on long-term policy with the implementation of the Bye report. Targets have been set, and we recognise the case made by the report for managed realignment.

No Government can enter into open-ended commitments over compensation for land loss. That process has been going on for hundreds, if not thousands, of years. We have pledged, as part of the Agenda 2000 reforms, to widen our agri-environment schemes and, through managed realignment, give some support to landowners who lose land. However, those cases would have to be dealt with on their merits.

I can tell my hon. Friend the Member for Braintree (Mr. Hurst) that I have visited Canvey island, and I am glad to say that the defences there are in good shape and that we shall keep them under review. In addition, I can tell my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) that there is a balance to be struck between the local industry and some important environmental sites, such as the sites of special scientific interest in the north Kent marshes. I accept that the regional development agency has a responsibility in that matter, and it will have an increasing role to play.

My hon. Friend the Member for Sittingbourne and Sheppey asked about the respective roles of the Department of the Environment, Transport and the Regions and the Ministry of Agriculture, Fisheries and Food. We have no great ideological hang-ups about which Department should have lead responsibility in a variety of matters, but the question was considered in the Select Committee report. MAFF is responsible for land use: as the bulk of the land in question is farm land, it therefore makes sense, in terms of co-ordination, for MAFF to deliver flood defence and coastal defence planning as part of an integrated land-use policy. However, there is very close co-ordination between MAFF and the DETR, and both Departments are charged to develop joint planning as part of the comprehensive spending review. By that means, we will be able to integrate some of our activities.

The right hon. Member for Bridgwater (Mr. King) spoke about Minehead. I understand that the Environment Agency was unable to complete the beach defences within the ideal timetable, because of budgeting restraints imposed by the Somerset local flood defence committee. The level of the MAFF grant has been increased to help with beach recharge, and I hope that the matter is resolved as soon as possible. We are awaiting proposals from the Environment Agency, which we shall consider as soon as we receive them.

A number of other hon. Members made important contributions. However, time does not allow me to deal with them in this speech. I assure my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) and the hon. Members for Chichester (Mr. Tyrie) and for Lewes that I shall answer by letter the points that they have raised.

**Mr. Deputy Speaker (Mr. Michael Lord):** Order. We must now move on to the next debate.

## Christopher Young

12.30 pm

**Mr. Denis Murphy** (Wansbeck): I thank the House for allowing me this debate, for which I asked following correspondence with Christopher Young's regiment and with the Ministry of Defence. I have not received satisfactory replies to my questions, or to those of Christopher's parents. I speak today with the full knowledge and agreement of Christopher's parents—his mother, Heather, and his stepfather, Terry.

On 20 June 1995, Christopher Michael Young left his parents' home in the town of Ashington in the county of Northumberland. He travelled a few miles north to the village of Acklington, where he lay on the railway track of the east coast main line. He committed suicide. He was 23.

What could have triggered such a tragic and horrific end to a fine, healthy young life? I shall try to piece together the events that led to Christopher's death. He was an active young man who enjoyed life. He decided to join the Army with the full support of his family. He joined the 15th/19th King's Royal Hussars and threw himself wholeheartedly into basic training at Catterick camp. Out of the new intake, it was he who received the award as top driver—quite an achievement.

Christopher was posted to Germany, was trained on exercises in Canada, and served for six months in Cyprus. He was enthusiastic, and he hoped to progress through promotion. He matured into a confident and decent young man of whom his parents were justifiably proud.

Christopher was initially disappointed when, as a result of defence cuts, the 15th/19th King's Royal Hussars was disbanded, but he transferred to the 13th/18th Light Dragoons and he quickly overcame his concerns. He made new friends, and he distinguished himself when chosen to represent his new regiment in a boxing tournament. It would appear that Christopher had chosen an interesting and rewarding career that was proving beneficial both to him and to his regiment.

Things changed dramatically in the latter stages of 1993 when Christopher was posted to Bosnia. He was on attachment to the Coldstream Guards as part of the United Nations peacekeeping forces in the former Yugoslavia. Bosnia was his first encounter with the horrors of conflict and with the realities of death. The conflict in Bosnia inflicted much carnage on innocent men, women and children.

I cannot speak with any personal experience of war, but I went to Bosnia in summer 1997 as part of an international monitoring team to oversee the first municipal elections. I was in the town of Banja Luka, where Christopher was posted, and where he first came face to face with the horrors of so-called ethnic cleansing. I stood at the site of the most notorious atrocity, and it had a profound and harrowing effect on me, even though there were no bodies and only the charred remains of burnt-out buildings. I cannot begin to imagine the effect that a six-month tour of duty must have had on the young men who undertook it.

Christopher had particular problems in coming to terms with the deaths of young children. What a relief it was, therefore, to have home leave for Christmas at the end of such a terrible tour of duty. However, while he was waiting for his flight home, his wallet, containing his identification, was stolen, and he was later involved in a fight with another soldier. He was subsequently arrested, and he received 28 days detention and loss of leave and pay as a punishment.

During his detention at Hohne, in Germany, Christopher asked to see Maggie Gibbons, a Women's Royal Voluntary Service volunteer attached to the Light Dragoons. From what she subsequently told Christopher's parents, it was obvious that he had a recognisable fear of returning to Bosnia. Maggie Gibbons's concern that Christopher was psychologically unfit to return to Bosnia was so great that she made strenuous representations to his commanding officer, asking that Christopher be granted a period of unscheduled leave as a respite. She felt that he was suffering from post-traumatic stress disorder.

Christopher was granted home leave at the conclusion of his punishment. On seeing him, his parents were shocked at the change in Christopher. He hated the Army, and he was considering applying for a discharge. They were worried by the dramatic change, in only a few months, from his being a bright, enthusiastic young man who wanted a career and promotion to being a depressed shadow of his former self who wanted only to get out of the Army. Christopher was given an order granting an appointment with his commanding officer, and he informed his parents that if he was successful in seeking a discharge, it would be complete by August 1994.

It is important to note that part of Christopher's punishment was the loss of 28 days' pay. However, he received no pay for four months, forcing him to borrow heavily from the Navy, Army and Air Force Institute and a German bank. That was three months of extra punishment. The Army conceded that a mistake had been made, and Christopher was eventually paid for the three months. However, more pressure had been applied to someone no longer capable of handling it.

Christopher returned home to his parents in July 1994. Nothing then or in the following months suggested to his parents that there was anything irregular in the way he had left the Army. In fact, he was absent without leave, having left his regiment without authority and having failed to report to Bovington camp for final clearance and documentation.

As far as his parents were concerned, Christopher had left the Army without a problem. He made no attempt to hide the fact that he was living in the family home. He registered with the Department of Social Security and the Inland Revenue, giving his parents' address as his own. His driving licence, car registration and medical records were registered to that address.

It came as a complete surprise to Christopher's stepfather—then, and now, a police officer in Northumbria—to discover that Ashington police had received a fax from the Royal Military Police, Chichester, on Monday 19 June 1995. The fax listed Christopher as absent without leave from the Army since 2 August 1994—a period of nearly 11 months.

That evening, once Christopher had become aware of the police inquiry and a warrant for his arrest, he confessed to his mother that he was absent from the Army without leave, and that he owed money. He gave no other details, but told his mother that he feared that he would do serious Army time—at least a day for a day, and perhaps more. He was adamant that he would not return

to his unit in Germany, as he believed that he would be sent back to Bosnia. He told his mother that he would rather be dead than go back to the Army.

Christopher was calm when he left, explaining that he wanted time to himself to think things through. That was that last time anyone saw him alive.

I have presented what I hope are the undisputed facts of the case. I want to show now how the Army, in its responses to the tragedy, failed in its duty of care to Christopher Young. I am sure that my hon. Friend the Minister for the Armed Forces will outline the Army's case more eloquently than I can, but I shall try to paraphrase it.

Christopher was sentenced to 28 days' detention and loss of pay and leave. At no time did he complain of post-traumatic stress disorder. Nor did he ask to see a medical officer or a psychiatrist. The Army concedes that Maggie Gibbons spoke on behalf of a number of soldiers, of whom Christopher was one. However, the Army claims that Maggie was not qualified to spot post-traumatic disorder, and that leave was granted out of kindness, not concern for Christopher's health.

Christopher lost a further three months wages. The Army admits that, but claims that it had no effect on Christopher as the money was later paid to him in full. The Army states that he left Hohne on 11 July 1994, prior to intended discharge procedures. He was ordered to report to Bovington on 1 August 1994 so that he could complete his documentation before being discharged. He failed to do so.

Between 2 August and 15 December 1994, Bovington made frequent attempts to contact Christopher, but to no avail. On 15 December, Bovington asked his regiment for help. On 7 January 1995, the regiment asked a friend of Christopher's, who had been discharged in summer 1994, to tell Christopher to report to Bovington. The message apparently reached Christopher, but he failed to report.

The Army claims that no action would have been taken against Christopher when he reported. Indeed, he would have been asked only to hand in his identification card and to collect his credit for pay.

A board was convened on 30 January 1995 to record the events, and responsibility for locating Christopher passed back to Bovington and, ultimately, to the records office. I have taken those facts from a letter sent to Mr. Haley from Lieutenant-Colonel Webb-Bowen, commanding officer of the Light Dragoons. The officer also sent his sincere condolences.

On the face of it, the Army's reply might seem reasonable. However, let us examine the case more closely. I submit that Christopher began to show signs of psychological problems when he asked specifically to see Maggie Gibbons while in detention. She spoke to Christopher's parents after his death and explained that he had had serious problems coping with his experiences in Bosnia. She also spoke to his commanding officer and argued successfully for a period of unscheduled leave because of Christopher's state of mind. That was Christopher's first cry for help.

It beggars belief that the Army could bestow an act of kindness on such an undeserving individual who was serving 28 days for a serious breach of discipline. In my view—which is supported by the WRVS volunteer—that leave was granted because of Christopher's mental state, and for no other reason. How could the Army maintain discipline if it were the norm to allocate unscheduled leave as an act of kindness after a period of detention?

The important role that Maggie Gibbons played in this tragic case cannot be overstated. That was not the first time that she had met Christopher—indeed, she knew him quite well. She sent photographs of him taken before he went to Bosnia and stated that he was one of her "best boys". It therefore seems logical that Christopher would contact her as someone whom he could both confide in and trust to explain his fears and concerns. If leave was granted because of Christopher's mental state, his regiment failed to follow up the problem. How many other soldiers from Christopher's regiment were shown similar acts of kindness, in the form of unscheduled leave, after serving sentences for a serious breach of regulations?

The question of Christopher's pay is another important issue. The family have never disputed that it was eventually paid in full. The point is that Christopher borrowed heavily during that period, creating additional pressures at a time when he basically wanted to be away from it all. It could explain why Christopher felt that he could not complete his clearances and left a full two weeks before he was granted permission to do so.

Christopher left Hohne on 11 July and his papers gave him permission to leave on 25 July. How could he be deemed to be in "good order", as his commanding officer stated, when he left two weeks before the date shown on his discharge papers? It states quite clearly in his orders that failure to comply would result in disciplinary action. By leaving Hohne without permission, Christopher was surely absent without leave from 11 July. I submit that leaving in that way was Christopher's second cry for help.

That brings me to a significant area of contention with the official version of events. We know that Christopher was officially reported absent without leave with effect from 2 August 1994 even though he was absent from 11 July. It is stated that the usual procedures would have been put into operation—namely, that a signal would have been sent to central criminal records and information. The Chichester Royal Military Police would then have contacted the civil police authorities, who would have visited the address given and, if unsuccessful, would have maintained the details on file.

It is stated that visits were made to addresses in the Ashington area. Why were there no visits to Christopher's parents' home address? The address is on file twice under the headings "Family details" and "Next of kin". The same address was shown on Christopher's discharge papers that ordered him there before going to Bovington. What addresses were visited, when and by whom? If contact had been made with the local civil police, a locate trace or wanted marker would have been placed on the police computer. I remind the House at this important juncture that Christopher's stepfather is a serving officer in the Northumbria police force and was stationed at that time in Ashington. Why did it take 11 months to find Christopher?

Frequent inquiries were allegedly made to two addresses in Ashington, the last of which was on 15 December 1994. The Army then claims that it used standard procedures—namely, it contacted the Department of Social Security for the current addresses of any absentees. Christopher registered with the DSS immediately upon returning home 11 months earlier. While in his car, he was stopped twice

*[Mr. Denis Murphy]*

by the police during that period and asked to produce his documents at the police station. There was no "wanted" or "locate and trace" marker against his name. It took 11 months to find someone who was not hiding. Even though Christopher's parents moved into Ashington during that time, their change of address would have been easy to trace.

That brings me to the final point: Christopher would not have been punished for being absent without leave, and the Army wanted him only to hand back his identification and collect his pay. I have mentioned this point to several ex-service men of various ranks, all of whom said that 11 months absence without leave for whatever reason would have incurred severe penalties. Perhaps the regiment could provide details of the number of those who fall into the category of committing no offence for being absent without leave. The Army claims that there was to be no punishment for Christopher, who simply had to hand back his ID and collect his pay.

Christopher's ID was stolen, along with his wallet, on return from Bosnia and he was subsequently issued with a temporary ID, which expired on 16 July 1994. He had no ID, and the Army should have known that. As to his pay, a sum was deducted from his estate apparently for overpayment of wages in Germany. There was no pay to collect and he had no ID. Why did the Army send a "locate and detain" order to the local police—that is, an order to arrest him—if Christopher was not to be punished? Christopher obviously did not believe that he would not be punished, for there was no third cry for help. He believed that he would not receive any help and took his own life rather than face returning to the Army.

I believe that the Army has shown either incompetence or negligence in this case. As a result, a young man took his own life rather than return to the Army. How different might things have been if Christopher had been located within weeks rather than 11 months? I do not expect my hon. Friend the Minister to be able to answer all the points that I have raised in the short time that he has to respond to the debate. However, I formally request that he meet Christopher's parents with a view to conducting an open, Government-led inquiry into the events surrounding Christopher's death. The family have only ever sought answers to their questions. Nothing will bring Christopher back, and they must live with that for the rest of their lives. An inquiry may prevent a similar incident in the future.

We train and equip the finest service men and women in the world and we expect them to police the world's trouble spots in the name of this nation. Thousands of service personnel are awaiting instructions to move into Kosovo and, of those thousands, a number will undoubtedly end up suffering from post-traumatic stress disorder. We have a duty to ensure that systems are in place to recognise that disorder and to deal with it professionally and sympathetically.

The Army has been described as a family—sadly, for some who join, it is their only family. Central to that family principle is surely a duty of care. I believe that the Army failed in that duty of care in Christopher's case. I ask the Minister to meet Christopher's parents and to hold an inquiry so that everyone connected with the case may find peace and we may ensure that such an incident as this never occurs again.

12.48 pm

**Dr. David Clark** (South Shields): I congratulate my hon. Friend the Member for Wansbeck (Mr. Murphy) on his eloquent, and sometimes moving, contribution. He clearly made a strong case regarding the tragic circumstances that affected his constituent. As I listened to my hon. Friend, I recalled that I might have met Christopher—I do not know whether I did. I spent some time with the Coldstream Guards and a detachment from the Light Dragoons in Bosnia during the period under discussion and I remember joking with the service men—who were full of life—about whether they supported Sunderland or Newcastle. Most of them were Newcastle supporters.

I am reminded of the rather delicate position in which the Army often finds itself. As my hon. Friend said, our armed forces comprise some of the finest young men and women in the world, who demonstrate their proficiency when we increasingly ask them to serve in places such as the Balkans. That puts great pressure on young people. At one level, they are very macho; at another, when they see the horrors of ethnic cleansing, it much affects them. That means that the Army must change and ensure that it has procedures to recognise cries for help of the sort that my hon. Friend the Member for Wansbeck showed that Christopher Young often made.

We must ensure that such events do not happen again. I am conscious of this because I have a similar case involving a young man from my constituency, Trooper Alex Jobling. He was from the same regiment, the Light Dragoons, and was at the same base, Hohne in Germany. Tragically, he committed suicide on 21 January 1997. I took the matter up with my hon. Friend the Under-Secretary and had a long and sympathetic reply. However, I am not completely satisfied with it. I return to the approach made to me by my constituents Mr. and Mrs. Jobling, who complained that they have been exasperated

"by trying to get to the truth surrounding the circumstances of our son's death."

This House and the Army must ensure that every effort is made to satisfy parents and relatives of people who die that at least they know all the circumstances. In this case, I do not think that all the circumstances are known. I have taken up the case because no action was taken even though a suicide note was found and reported to the corporal a few days before Trooper Jobling committed suicide. I do not blame the corporal; my point is that there must be clear instructions to the Army to ensure that the aide-memoire that has now been produced is adhered to and, crucially, gets through to non-commissioned officers. Our NCOs are the best in the world and the backbone of the British Army. They are the link between troopers and people who might be able to help them.

I am sure that my hon. Friend the Minister will agree to help my hon. Friend the Member for Wansbeck with the circumstances of the death of Christopher Young. I hope that he is also prepared to discuss with me the events involving Trooper Jobling because they are tragic and reflect a common point. I would be grateful if he agreed to my request.

12.53 pm

**The Minister for the Armed Forces (Mr. Doug Henderson):** First, I tell my right hon. Friend the Member for South Shields (Dr. Clark) that I will ask the

Under-Secretary, my hon. Friend the Member for Warley (Mr. Spellar) to re-examine the circumstances surrounding the case that he raised, to examine the correspondence and to tell my right hon. Friend whether a meeting might help clarify the situation.

In the short time available, however, I want to address the main question raised by my hon. Friend the Member for Wansbeck (Mr. Murphy). I am grateful to him for raising the circumstances surrounding the tragic death of Trooper Christopher Young, which he did clearly and with great sympathy. I also take this opportunity to express my sincere condolences to his family on their sad loss. Mr. and Mrs. Haley have understandably thought much about the circumstances surrounding his death. It is right that they should receive detailed explanation of all the events relating to the situation. I will ensure that that happens in the most appropriate way.

Christopher Young was highly regarded by his superiors and well liked by his peers. He was a hard-working, efficient and capable young person who had been recommended for possible promotion to become a junior non-commissioned officer. He was a fit and active member of the troop and boxed for the squadron. I am advised that it was the view of the Army that he had a promising career ahead of him. Sadly, after three years of service, he decided to leave the Army and applied to be discharged. The discharge was to become effective on 2 August 1994. My hon. Friend the Member for Wansbeck told us of the sad events that took place between then and a year later.

The Army takes very seriously its responsibilities for duty of care. In the six months that I have been in this post, I have visited many regiments. On each occasion, I have been impressed by the seriousness with which the Army accepts that responsibility. That is recognised by all in the Army—by those who lead and by those who serve. Apart from anything else raised by my hon. Friend, that would be an important reason why I would feel that we have a full obligation to investigate the tragic circumstances surrounding the death of Christopher Young.

I do not accept that there has been a failure in this case on the part of the Army. I know that there would have been no intentional failure, but several specific points have been raised and it is right that I further examine the circumstances. My hon. Friend the Member for Wansbeck said that when Christopher Young was in detention, he approached Maggie Gibbons of the Women's Royal Voluntary Service and explained to her how he felt about his circumstances. She in turn had a discussion with Christopher's parents in which she expressed how she interpreted what he had told her. I undertake to revisit the issue and check with the commanding officer what advice, if any, was given him by Maggie Gibbons in respect of her assessment of Christopher's physical and mental state of health.

The Army's responsibilities in such cases were raised. The Army has a clear responsibility to retrieve documents, to settle possible outstanding wages and to ensure that proper procedures have been followed in any discharge. In emphasising that responsibility, I again undertake to examine some questions linked to it. I will check which address the military police initially contacted to try to locate Christopher Young in trying to meet the Army's responsibilities. I will check whether any other addresses were approached by the military police and, if so, what response was received. I will also check whether, after the initial attempt to locate Christopher Young, a "locate and trace" order was made by the military police; and if so, when it was issued and why the military police felt it was necessary. Finally, I will check what action the civil police took in the case and when they took it.

We have a duty to explain all the circumstances to the family of Christopher Young. I recognise that it is important in that explanation to make the most direct contact possible, and I undertake to do that.

## West Country Ambulance Service

1 pm

**Mr. Colin Breed** (South-East Cornwall): I am sure that the Minister shares the view that time seems to stand still for people who dial 999 and ask for the ambulance service. Every second seems to be a minute, and every minute an hour, until they hear the siren and see the blue flashing light—a heart-stopping moment in the rear-view mirror for most of us. For those who have picked up the telephone, the ambulance's arrival is a moment of comfort, security and help. The time between their telephone call and the ambulance's arrival is critical.

I shall describe three short scenarios. Let us think of a pregnant woman in north Cornwall who goes into labour early at 2 am. Very distressed, she phones for an ambulance to take her the 50 miles to hospital. Let us think of a young cyclist, who has been knocked off his bicycle in a road traffic accident in the middle of Somerset, and is lying unconscious in the road while somebody grabs a mobile phone to call an ambulance to take the boy to hospital. Or let us think of members of an ambulance team who are suddenly called to a major incident at the end of a long shift. They arrive at the scene, attend the victim and take him to hospital. The hospital, which has received enormous investment in recent times, has all the high-technology equipment and the most wonderful intensive care facilities, and trained staff are ready, willing and able, but the ambulance, which has done 300,000 miles, arrives five minutes too late. Those are not isolated incidents; such events happen.

The West Country Ambulance Services trust is one of the largest ambulance services in the country. It serves the counties of Devon, Cornwall and Somerset, covering approximately 5,700 sq m of a predominantly rural area. Last year, it was one of only four trusts to fail to meet the national targets set by the Government. It managed to reach 90.4 per cent. of emergency calls within 19 minutes—well under the target of 95 per cent. It responded to 42.9 per cent. of calls within eight minutes—substantially under the expected 50 per cent.

In April last year, new standards were introduced for some ambulance services, moving away from the old Orcon standard, which specified the 95 per cent. and 50 per cent. targets, to a criteria-based dispatch. For the West Country Ambulance Services trust, that means that it must respond to 75 per cent. of immediately life-threatening illnesses within eight minutes, and 95 per cent. of all other cases within 19 minutes. Other emergency services can be used to respond to calls, although the cost of training and of ensuring that such response vehicles are properly equipped will inevitably cut into the ambulance service budget, and, therefore, not help it to try to achieve the targets.

Over the past four years, the performance of West Country Ambulance Services has become progressively worse. That is not a result of the trust's inefficiency. Nor does it indicate that the service is lacking dedicated, hard-working staff. It reflects the fact that the ambulance service does not have sufficient funding to meet the Government's targets.

Between 1993 and 1998, there was a 35 per cent. increase in emergency calls resulting in a response. That is higher than the national average of 31 per cent. Figures show that the West Country Ambulance Services trust's performance standards are dropping. The ambulance service is being asked to cope with ever-increasing demand, while under constant pressure to find cost savings. The ambulance service is the front-line emergency service, and we simply cannot allow standards to drop any further.

One of the fundamental problems for all health services in the south-west is that the overall funding formula does not reflect the real cost differences associated with the sparsity of the area. The funding formula provides for an allowance of 0.5 per cent. of available funding to be allocated on the basis of population sparsity, but such weighting in no way reflects the actual cost of providing services.

Call-out times are inevitably longer, and the cost of providing ambulance cover to scattered hamlets is obviously much higher than in a densely populated urban area. In addition, the south-west experiences an influx of tourists each year, resulting in a massive increase in population. The allowance in the funding formula does not take into account the fact that the daytime population in Devon and Cornwall doubles in the summer months.

We acknowledge that the emergency ambulance cost adjustment includes a small sparsity allocation. However, figures from the House of Commons Library show that, for most west country health authorities, the EACA rises slightly as a result of the sparsity adjustment, but is pushed down by the supposed low proportion of emergency journeys. That is surprising in the light of the fact that the increase in emergency calls to which I referred results in a higher than national average response in the west country. West Country Ambulance Services predicts a shortfall in its funding next year of £700,000.

**Mr. John Burnett** (Torridge and West Devon): Does my hon. Friend agree that it is impossible to reconcile 3 per cent. so-called efficiency savings with the additional burden of a 6 per cent. rise in call-outs?

**Mr. Breed:** That is absolutely correct. The service is expected to find 3 per cent. so-called efficiency savings, although one must consider extra burdens such as millennium compliance costs, which have fallen squarely on the authority. Staff pay accounts for 80 per cent. of trust costs. The trust is overspent on pay budgets, and therefore any deficit will have to be met from within such budgets. In order to keep within them, additional staff will not be called in when, for instance, someone is off sick. Instead, spare crew members will have to be allocated to other vehicles. That may mean that, at times, vehicles are without crews. The trust has also been forced to drop planned shift cover in order to curb overspend.

Last year, a target was set of reducing shift cover by 40 hours in each of the 11 station officer's areas. In order to eliminate overspend completely, the ambulance service would need to reduce shift cover by a further one fifth. Although reducing shift cover is the quickest way in which to compensate for the overspend, other initiatives may have to be implemented, such as a vacancy freeze, a freeze on non-clinical training and, very worryingly, slippage of some clinical training into the next financial year. None of those measures will enhance response times. Recent NHS pay awards and the implementation of the working time directive also concern the ambulance trust.

I acknowledge that the Government have allocated £100 million as part of the modernisation programme, but trust estimates show that that will account for only 0.6 per cent. of the additional funding required. For Cornwall and Isles of Scilly health authority, every 1 per cent. above the 2 per cent. inflation funding represents £41,000. That is the equivalent of one operational crew working for 40 hours a week.

Clearly, such cost-cutting exercises will not help the already overstretched service to try to meet national targets. The south-west yet again loses out under targets that are set for the entire population of the country. Targets for Cornwall have been reduced to 87 per cent.—8 per cent. lower than the national average. Just why the people of Cornwall are expected to accept lower standards has never been fully explained.

I am sure that everyone will agree that the ambulance service has a basic need for a reliable vehicle fleet. Ambulance staff already feel that the fleet is far from satisfactory. As I said earlier, some vehicles have almost 300,000 miles on the clock. Many old vehicles with such high mileage are still in frequent use. As the vehicles get older, they will inevitably be less reliable. This year, the ambulance service will need to replace 41 vehicles if its fleet is to be made up of vehicles under seven years old, but it can afford to replace only nine of them. No doubt the service will not forget that it had to replace vehicles in the not-too-distant past because their wheels were coming off.

The service must also meet the cost of warranties and maintenance for newer vehicles. According to UNISON, to which I am extremely grateful for providing information, a significant number of newer vehicles in the fleet will soon be outside their warranty period. That will mean that additional costs for repairs to those vehicles will fall on the trust rather than the supplier.

The effect of draft proposals by the committee for European normalisation—something that, I confess, I had not fully understood until recently—to standardise ambulances will also place disproportionate cost pressures on the west country ambulance service. The new regulations will involve phasing out the old two-stretcher ambulances and will effectively make it necessary to dispatch two vehicles to an incident where there are likely to be two casualties. Vehicles will, therefore, have to travel more frequently, which not only increases mileage, but reduces cover. It is important to remember that fuel consumption, which is a major cost and a great concern to the ambulance service, will rise considerably if the proposals are accepted and additional vehicles must attend incidents.

The proposals will also have a great impact on the St. John's Ambulance Brigade—the voluntary charity to which I am sure we all want to pay tribute—which supplements the ambulance service on an enormous scale. The charity purchases its vehicles, which are usually second-hand, from the ambulance trust. It is considering whether it will be able to continue to do so under the new regulations, and that is causing concern.

The plain fact is that the west country ambulance service does not have sufficient resources to meet national targets. The public have a right to expect ambulance staff to arrive on the scene of an incident as quickly as possible. The scenarios that I outlined earlier are true cases and are not isolated incidents. There is no cheap fix. If the ambulance service is to be able to provide professional care and meet the targets specified by the Government, it must be able to afford the appropriate vehicles and provide the adequate level of staff and training.

The Minister ought to agree that, at the moment, the west country is losing out in many respects simply because the funding formula does not reflect the increased costs involved in providing that essential front-line emergency service for people living in rural areas. Our ambulance service is expected to bear those costs year in and year out for millions of tourists and the local population.

Finally, I want to remind the Minister of a fact of which I am sure he is aware, but which is often forgotten. The people of the west country fund, by voluntary contributions, two air ambulances. Week in and week out, people dedicate themselves to raising the money to keep those air ambulances going. People in Devon, Cornwall and Somerset put their hand in their pocket because they believe that it is a vital service, but people in Scotland and London benefit from air ambulances funded by the Government. That fact alone ought to mean that the Government should at least ensure that land ambulances receive all the necessary funding.

It is time for the Government to recognise that the West Country Ambulance Services NHS trust is severely underfunded. It cannot bear any more so-called efficiency cuts. Targets will not be met if there is a reduction in the resources available. The dedicated staff are struggling to meet the Government's targets with inadequate resources. I hope that the Minister will accept his responsibility and consider providing a fair formula to deal with that worrying situation.

1.15 pm

**The Minister of State, Department of Health (Mr. John Denham):** I congratulate the hon. Member for South–East Cornwall (Mr. Breed) on securing this debate on a subject of such importance to his constituents and those of other hon. Members from the south-west who are present.

The Government have made it clear that high-quality care should be at the heart of the national health service. That applies to ambulance services, which provide the public and patients with round-the-clock emergency care and access to the full range of clinical services. Ambulance services are at the forefront of the modernisation programme set out in the White Paper, "The New NHS", which involves embracing new technologies to support better and faster patient care and playing an important part in the development of NHS Direct.

I share the hon. Gentleman's concerns about the inability of the West Country Ambulance Services NHS trust to meet the national standards for ambulance response times. That is a serious concern, and the local health authorities and the trust must work together to ensure that national standards are met.

I recognise the hard work and contribution of all the staff of the West Country Ambulance Services NHS trust who last year responded to nearly 90,000 emergency calls within the 19-minute target—more than ever before. In the past few years, the trust has experienced a steady rise in the number of 999 calls made to the service. Since 1993-94, the number of emergency calls has risen by over 44 per cent. to more than 105,800 last year.

*[Mr. John Denham]*

Two initiatives are likely to have a major impact on the ability of the trust to deliver improved response times: criteria-based dispatch, which the hon. Gentleman mentioned, and NHS Direct. Last April, the trust introduced criteria-based dispatch, which is a method of prioritising all 999 calls into three categories: category A consists of calls about situations that are immediately life-threatening, category B calls relate to serious situations and category C calls relate to situations that are not life-threatening or serious.

By 2000-01, all ambulance trusts should have introduced call prioritisation systems and are expected to meet an interim new standard of responding to 75 per cent. of all category A calls within eight minutes. Category B and C calls should continue to be responded to within 19 minutes. Criteria-based dispatch is, therefore, an attempt to answer emergency 999 calls according to the seriousness of the patient's illness and not, as in the past, according to where they live.

I emphasise that category C calls are still included with category B calls in having to be answered within 19 minutes. Those calls make up about a quarter of the total emergency calls and the Department of Health recognises that the practice of responding to them in exactly the same way as to life-threatening emergencies needs to be carefully evaluated to ensure that valuable NHS resources are best deployed in providing first-class emergency care.

Ambulance services have been lobbying in the past couple of years to be released from the convention that every 999 call requires a fully crewed and equipped ambulance. They say that if they were freed from that obligation, they could concentrate on response times to the more serious emergencies.

Work by Sheffield university and the experience of ambulance services over the past two years with 999 call prioritisation shows that it is safe and reliable, and that there may be a case for considering different approaches to minor 999 or category C calls. However, the Secretary of State stated clearly at AMBEX 98 that before there was any change to the current system of sending an ambulance to all 999 calls, there was a need for careful piloting of alternative responses to category C calls.

**Mr. David Heath** (Somerton and Frome): Does the Minister recognise that apart from the response time for an ambulance to arrive at the scene of an incident, a further problem in the west country is the distance to accident and emergency units, which are widely dispersed in rural areas such as the south-west? It takes a long time for an ambulance to get to a hospital, so there is a double bind for the patient.

**Mr. Denham:** I am not sure whether the hon. Gentleman was listening to what I said. What he says is a fact of geography. I was setting out the measures that are or could be in hand to enable the ambulance service to deploy its resources most effectively to the patients in most urgent need.

The NHS executive intends to issue a health services circular in March outlining our approach to category C pilots in more detail. The circular will require ambulance services to register all category C pilots with the executive. It will also stress the need for careful evaluation of the pilots before any decision is taken to change the current system, which enjoys huge public confidence.

Early indications are that many of the pilots will include linking appropriate category C calls into NHS Direct, which seems sensible. Any request from the West Country Ambulance Services NHS trust to register a category C pilot will be considered carefully by the NHS executive. Before such schemes are introduced, health authorities and the ambulance service will be advised to have locally agreed procedures and standards in place for dealing with minor emergencies. The pilots, as well as those procedures and standards, would need to be supported by the professions, take account of local concerns in the community and be properly explained to the public.

The second initiative that will have an effect on ambulance response times is that from April this year, the ambulance trust, in co-operation with local NHS trusts and general practitioner co-operatives, will be providing NHS Direct across the four health authorities in the south-west. NHS Direct is a major element in our efforts to use new technology and better information systems to provide faster care more conveniently. By the millennium, NHS Direct will cover up to 60 per cent. of the population in England.

Evidence from our pilots so far is that there is a great potential for the new service to assist in the handling of category C calls. It is also likely to help to avoid the clogging up of the 999 system, lessen the growing work load of GPs and reduce pressures on hard-working accident and emergency departments. If that potential is realised, it will enable the ambulance trust to concentrate on the more serious calls and thus improve response times.

It will be a challenge for the trust to achieve the new ambulance response standard, which requires that from 2000-01, 75 per cent. of category A—life-threatening—999 calls must be responded to within eight minutes. The trust has commissioned an independent review of the service from Operational Research in Health, in agreement with health authorities in Devon and Somerset. The report will review the current use of resources and establish the base line for achieving the new performance targets by 2000–01. It will then be for health authorities to develop plans to meet the targets and to ensure that the new standards for ambulance response times are met.

The hon. Member for South-East Cornwall called for additional Government funding for the health authorities in the west country. He said that he believed that the process whereby money is allocated to individual health authorities does not take into account the cost of providing health services in a rural area, particularly given the geography of the south-west peninsula.

I shall, therefore, say a few words about the way in which health authority money is allocated. I remind the House that the background to this is the investment in the health service of £21 billion over the comprehensive spending review period—a sum substantially greater than that envisaged by the Liberal Democrats.

**Mr. Andrew George** (St. Ives) *rose—*

**Mr. Denham:** I will aim to give way if time allows, but first I must respond to a number of points.

The Department of Health uses a national weighted capitation formula as the basis for allocating hospital and community health services revenue to individual health authorities. The underlying principle of the formula is to distribute resources as equitably as possible, based on the health care needs of the residents of the various health authority areas.

Weighted capitation targets are not fixed in time, but are recalculated annually to determine each health authority's relative share of the overall resources that we make available to the NHS. Changes to the targets of individual health authorities are usually the result of routine updating to take advantage of the latest available data, such as population figures or boundary changes.

The weighted capitation formula has been reviewed. Last year we made four changes to it. The one most relevant to this debate was the introduction of a geographical cost adjustment for emergency ambulance services. That arose from an exercise to examine the effects of rural sparsity on the cost of providing certain services. Although a geographical cost difference was found for emergency ambulance services, no such difference was found in the cost of providing accident and emergency services in hospitals or patient transport services.

The resource allocation group recommended that we introduce an adjustment to reflect the costs of emergency ambulance services, which we have done. The new advisory committee on resource allocation has agreed that issues of rurality and cost should be part of its longer-term work programme.

The target figures that have come out of the formula are intended to provide a fair and equitable share of NHS resources for each health authority. It is important to point out that each of the health authorities that commissions ambulance services from the West Country Ambulance Services NHS trust currently receives more than its target allocation.

In 1999-2000, the hon. Gentleman's health authority, Cornwall and the Isles of Scilly, will receive nearly £6.5 million more than the formula would indicate is its fair share of NHS funding. Other health authorities in the region are in a similar position—North and East Devon will receive £5.4 million more than its target, Somerset more than £2.9 million, and South and West Devon an extra £7 million.

I am aware that Cornwall and the Isles of Scilly health authority, where the problems in achieving the response times are most marked, is faced with particular financial difficulties, and it will develop a financial strategy that addresses its deficit. To assist the health authority during the transitional period, I recently announced a £2 million grant for the coming year from the special assistance fund to that health authority.

The hon. Gentleman spoke of his concerns about a possible European Union directive requiring a change from two-stretcher ambulances to single-stretcher vehicles. I believe that his worries have arisen out of the work being undertaken by the European committee for standardisation, which is trying to put in place standards that are similar across the European Union, to enable fairer competition. Hon. Members will be reassured to learn that no EU directive on ambulance specifications such as the hon. Gentleman describes has been signed. Hon. Members will also be pleased to hear that the current proposals on standards being examined by the committee relate to the space requirements in emergency ambulances and will allow two-stretcher ambulances to continue to be used.

There are sound clinical reasons why some ambulance trusts in England may want to consider the adoption of single-stretcher ambulances. For example, a single paramedic might find it difficult to treat two seriously injured patients adequately at the same time. Any decision to move to the use of single-stretcher vehicles will be for individual ambulance trusts to take in the light of best clinical advice.

I have been assured that if introduced, the changes being discussed will relate only to new vehicles. There will, therefore, be no need to renew entire ambulance fleets as a result of any forthcoming directive. I am also assured that old ambulances can continue to operate until the end of their operational life, so they could be sold on to organisations such as St. John Ambulance.

If the hon. Member for St. Ives (Mr. George) is still interested, I shall give way to him now.

**Mr. George:** I am grateful to the Minister. With reference to his remarks about screening emergency calls to the service, the problem in my constituency is lack of hardware, particularly for night cover. Will he comment on the number of ambulances available in rural areas, especially overnight, and the difficulty of meeting emergency response times? The target times could not be met without the support of the voluntary sector, especially the air ambulances.

**Mr. Denham:** That brings us back to a central point in the debate. There is a responsibility on the trust to work with the health authorities to achieve the necessary response times. Block capital is allocated to all NHS trusts according to a set formula. The West Country Ambulance Services NHS trust receives its allocations in the same way as all other ambulance trusts. The trust bought 17 new vehicles in 1998, plans to purchase nine in the coming year and hopes to purchase 14 new vehicles in 2000.

I remind hon. Members that the Government have provided real-terms increases in funding to all health authorities in the south-west for the coming year. It is the responsibility of the health authorities and the ambulance services trust to work together to ensure that the trust can improve response times and provide better care for patients.

## Health Care Assistants

1.30 pm

**Helen Jones** (Warrington, North): I am grateful for this opportunity to discuss the role of health care assistants in the national health service. I do so confident in the knowledge that the Government are committed to the modernisation of our health service and to making it once again the best in the world.

Part of that modernisation is our commitment to supporting and valuing our staff. In that context, we hear much about doctors and nurses, and rightly so, because no one underestimates their dedication and skill. However, other members of staff are also an important part of the health care team; without them our national health service could not function. Those include the category known as health care assistants or, in some trusts, support workers.

The confusion of names is in itself significant. Over the years, we have failed to value the skills and input of those workers and to provide a clear definition of their roles and career path. Some trusts call them health care assistants, whatever their role. Others distinguish between health care assistants and nursing assistants. Some trusts have incorporated the old nursing auxiliary grades into their health care assistants' schemes, while others have yet to make progress on that.

Even more confusingly, some trusts have a health care assistant grade, but still designate some of the staff within that grade as nursing auxiliaries. We do not know exactly how far that integration has gone. In a parliamentary answer to me on 9 February about the number of trusts that have incorporated nursing auxiliaries into their health care assistant grades, my hon. Friend the Minister said:

"No figures are kept centrally."—[*Official Report*, 9 February 1999; Vol. 325, c. *168*.]

That is confusing enough, but the position becomes even more bizarre when we look at the different pay scales on offer and the often confusing employment contract status of many of those staff. A survey done for *Health Service Report* a couple of years ago showed wide variations between trusts, and the position has altered little since then. Some trusts have three grades for their health care assistants; some have only two; and some use a single grade to cover a range of roles from housekeeping duties to direct patient care. Some have training grades while others do not. In some trusts, paid progression depends entirely on the length of service, whereas in others it is linked to performance factors. Indeed, it is possible to have staff doing exactly the same job on different rates of pay within the same trust because some staff retain the old Whitley Council contracts while others are on locally negotiated contracts.

That is profoundly damaging to the teamwork that we want to support and encourage within the health service and, ultimately, it is also detrimental to patient care. The problem goes back a number of years: when the grade was introduced, no proper assessment was made of the skills on offer or the way to enhance and use those skills. We did not set down proper qualification levels for the differing roles that health care assistants can perform, or the roles that should be subject to direct nursing supervision.

Although I say "we", this Government were not in power then, and the problems have been inherent from the beginning. That grade of health care worker began to be introduced along with the changes in nurse education in Project 2000 and, as the role of student nurses on the wards diminished, the then Conservative Government promoted the use of that new grade, which they later called health care assistant. However, from the start there was no consensus on how the job should be defined. The nursing "professionalisers", if I may call them that without wishing to be derogatory, wanted the role to be strictly defined and clearly differentiated from nursing.

In their National Health Service and Community Care Act 1990, the previous Government explicitly linked the introduction of health care assistants with the freedom for trusts to set pay locally. They then encouraged the use of that grade through a series of initiatives on re-profiling and skill mix, but without a national agreement on the qualifications that should be attached to the different roles or the proper skill mix that should be used in hospitals. As a result, there is a wide variation between different trusts. Job titles are interchanged and the boundaries of the different roles are becoming increasingly blurred. We do not even know for sure how many health care assistants there are. The Department of Health's statistical bulletins distinguish between health care assistants and support workers on the ground that the latter work mainly in the hotel and property areas. It is almost impossible to maintain that distinction in practice.

The *Health Service Report* survey to which I referred earlier looked at the roles undertaken by health care assistants in different trusts and found that they varied widely. They range from direct patient care to technical support in radiography and phlebotomy to clerical duties and housekeeping duties on hospital wards. Anecdotal evidence from health care assistants themselves, and a survey done by the public sector union, Unison, shows that that is still the case. The majority of respondents to that survey said that their work involved aspects of patient care and that substantial minorities were engaged in a wide range of other duties such as taking blood, plastering, assisting new mothers with breast feeding—the list could go on endlessly.

The job descriptions that the trusts gave *Health Service Report* on that occasion are revealing because they show that the role has not been clearly defined. For example, Bolton hospital NHS trust defined the role of an HCA grade 1 as being a

"combination of direct patient care, technical, clerical and housekeeping duties".

It did not help that it then went on to define the role of an HCA grade 2 in exactly the same way. Warrington hospital NHS trust, which is my local hospital, said that the work of what it calls a support carer 1 was "basic carer duties" and the role of a support carer 2 was "extended carer duties". That is as clear as mud to me and, I assume, to everybody else. In practice, it means that workers are switched between different roles, depending on staffing on the wards at any particular time.

There are even wide variations in the number of health care assistants employed by different trusts. I discovered from a parliamentary answer to me on 7 May last year that 13.3 per cent. of the work force of my local hospital—I know that it is concerned about this—are classified as health care assistants, whereas only 9.3 per cent. of the work force of Wirral hospital NHS trust, which is not far away, is so classified. That means either that we are getting the figures wrong or that there is no consensus

about the role that those workers should perform or the proper skill mix on hospital wards. It cannot be that one hospital simply needs many more cleaners and housekeeping staff than another.

It is time that we put an end to that confusion and looked clearly at the skills and competencies needed for health care assistants to perform their different roles. The previous Government said that that would be done through national vocational qualifications, but we do not know how far that system has been put into practice. When I asked, the Department of Health told me, as it frequently does, that that information was not available centrally.

Health care assistants themselves report wide variations in training practices. They often feel that the qualifications that they gain are not given the recognition that they deserve.

It would be folly to allow that situation to continue, because those staff have a great deal to contribute to our health service. Many of them are mature women with considerable caring experience to offer us, but if we want a modern and committed NHS work force, we must allow all staff to acquire the skills that they need and to benefit from a sensible pay and career structure.

I hope that I have shown through my remarks that those people are often front-line staff who have a great deal of contact with patients. It is vital that people who are ill and in hospital receive good nursing and medical care, but equally important to patients are the people who keep them clean and comfortable, who help them to eat if they are too weak to do so by themselves and who will even sit and chat and share a joke for a while. Those roles are often and increasingly performed by health care assistants, as well as by nurses, and it is time that we put their job on a proper footing.

We should move forward to arrive at a national framework of pay and employment, after consultation with all the various interested parties. I realise that that cannot be done quickly, but we should be moving in that direction. We should set down clearly the qualifications and the competencies needed for the different roles that health care assistants perform. It simply cannot be right that someone can move from cleaning the ward one minute to direct patient care the next, without us specifying the skills or the qualifications that they have to have to do that. That is not in the interests of patients and is not tenable.

We also must have clarity on training. We should move to a national system linked to NVQs and move away from the system of in-house competencies, which some trusts have been using. That system disadvantages staff and is not fair to patients. Staff have the right to equal treatment, wherever they work in the NHS, and patients have a right to expect the same standard of care, wherever they are being treated.

I am pleased, too, that the Government have introduced proposals to allow health care assistants to train as nurses without any loss of pay. I hope that we will expand that system, because many of those people, most of whom are women, have valuable skills to offer. Many of them could not train as nurses when they were younger for various reasons—often because of family responsibilities. I hope that we will value them and allow them to move forward, but if we are to achieve that we must underpin it with sensible career progression through the various grades of health care assistant grade 2.

I want to discuss the question of supervision and regulation. I hope that I have shown that many health care workers switch roles and are often involved in patient care. We need to set clear skill levels and qualifications for those roles and we also need to look carefully at which of those tasks ought to be supervised by qualified nurses and which ought not. Although it is often reported, it is unfair to leave staff working on the ward unsupervised when there are not enough staff on duty—or when the ward is pushed—and then move them back to other duties, and tell them that they cannot work unsupervised, when there are plenty of staff available. That is unfair to staff and to patients.

I strongly believe that we must have some form of regulation. I was pleased that the JM Consulting report on the regulation of nurses, midwives and health visitors mentioned health care assistants. No one wants to introduce a system that is too bureaucratic, but it cannot be right to leave vulnerable people in hospital when there are not proper checks on the staff who are dealing with them. Nor can it be right that, in extreme cases, someone can be struck off the nursing register, but can get a job as a health care assistant dealing with vulnerable people.

We need action to be taken for the benefit of staff and of patients. The previous Government tried to run the NHS on the cheap. They created a dog's breakfast of a system, which was in no one's interest. That system exploits low-paid staff and does not protect patients properly. I do not envy Health Ministers, who have to sort that situation out; it is a bit like the old Irish joke: "We wouldn't have started from here." But that situation has to be sorted out if we are to have a health service that is fit for the 21st century.

We need a system that values the staff, keeps them working and allows them to progress in the NHS—and provides the best possible care for patients. I hope that my hon. Friend the Minister will be able to take those points on board and that we will gradually move forward, to sort out the mess that currently exists and to put into place a much more efficient and fair system. I look forward to hearing his response.

1.46 pm

**The Minister of State, Department of Health (Mr. John Denham):** I congratulate my hon. Friend the Member for Warrington, North (Helen Jones) on obtaining the time for this important debate. It is clear from her speech that she has taken an interest in the subject for a long time and knows a great deal about it. Making the most of the contributions of all staff, including the valuable work carried out by health care assistants, is absolutely integral to our ability to deliver the ambitious programme for modernising the national health service and to meeting the increasing expectations of patients and staff.

We need health care staff to be adaptable and responsive, and able to work effectively within teams where role boundaries are flexible. Health care assistants are an invaluable and important part of the NHS. As my hon. Friend has said, they make an important contribution to the direct care of patients as well as supporting a range of health professionals in a wide variety of ways.

There is no fixed definition of what a health care assistant is or does. The latest figures show that there are almost 18,000 health care assistants and almost 67,000

*[Mr. John Denham]*

support staff employed in the NHS. The majority of health care assistants work in trusts and many work with the elderly. A significant number work with vulnerable adults, such as those with psychiatric illnesses or learning difficulties. Others work with mothers and babies, with children, or in the community.

Support staff work to provide essentials such as ensuring the cleanliness of the hospital environment, and food and drink for patients. The term "health care assistant" has also developed as an umbrella term for a variety of staff groups. Those include staff whose work is supervised by chiropodists, occupational therapists, physiotherapists, radiographers and speech and language therapists.

For statistical purposes, the guidance on occupation codes used in our census of NHS staff defines health care assistants as support staff who are trained, or who are undertaking training, in job-related competencies through national vocational qualifications or other local training. In the service itself, the term "health care assistant" is often used interchangeably with titles used for other staff who undertake similar roles and provide similar support, for example health care support workers, nursing auxiliaries and nursing assistants.

Ultimately, the responsibility for determining the job role of a health care assistant lies with the employer. Different skills and different levels of skills will be needed in different working and clinical environments. We feel that local managers need to be able to provide the right sort of services for their locality and a rigid definition would restrict their ability to meet local service needs.

Similarly, it is a matter for employers to provide the necessary training and resources to enable staff to undertake their duties. We are aware that many NHS employers use local and national frameworks to train their health care assistants. Many use NVQs, or their component occupational standards, to specify the competence and performance outcomes of health care assistants in the workplace. Those standards provide a measure of quality and enable clear specification of the roles and responsibilities of staff. The attainment of NVQs is supported by on-the-job training and assessment, as well as off-the-job training. The latter is provided either directly by the employer or by an education provider.

The national health service executive has, for some time, supported the use of NVQs and occupational standards. It did so in 1995 and in subsequent education and training guidance issued to the NHS. That approach has been reinforced by the approach taken in the first human resource framework for the NHS, "Working Together", which we published last September. One of the aims of the framework is to make the NHS a better place to work in. Developing the commitment and skills of staff, including health care assistants, will be one way of achieving that. The House should not underestimate our commitment to strengthening the role of human resources in the national health service, ensuring that we are a good employer, and ensuring that we can develop the skills of our staff. That means that NHS employers will increasingly have better human resources planning, and better development plans for individual members of staff.

As my hon. Friend said, some health care assistants will wish to make progress in their NHS careers. Recognition of the skills and experience of such staff provides them with increasing opportunities to gain entry to programmes leading to professional qualifications, particularly nursing qualifications. Education consortiums are working with higher education institutions to open up nursing careers to as wide a range of people as possible, including existing NHS staff such as health care assistants. As has been said, we have already opened a route whereby NHS employers can second health care assistants on to pre-registration nursing diploma courses. That allows local education consortiums to fund up to 80 per cent of an employee's salary—up to a certain limit—with the employer funding the remainder.

That new approach has proved to be of considerable interest in the service. Therefore, as part of the £50 million nurse recruitment plan announced in September by my predecessor, my right hon. Friend the Member for Darlington (Mr. Milburn), up to 200 additional secondments have been funded this year, with up to 1,000 additional places being made available over the next three years. The package also includes measures to provide non-means-tested bursaries for enrolled nurses who wish to return to work and convert to first-level registration, and an expansion of part-time and flexible pre-registration nursing and midwifery diploma programmes.

There are also a number of local schemes established by the NHS, which recruit health care assistants, support them in the achievement of level-three national vocational qualifications in care or modern apprenticeships, and, using the funding that I have described, second them to nursing diploma programmes. I understand that in my hon. Friend's constituency such a scheme is operated jointly between Warrington and Halton NHS trusts and the north and mid-Cheshire training and enterprise council.

The scheme has three stages. Young people are employed by the trusts, and, in collaboration with the TEC, undergo a two-year modern apprenticeship course. Provided that students secure an NVQ, they are then placed on a nursing diploma course at Chester college, funded by the local education and training consortium at the college. Placements are undertaken at Warrington and Halton NHS trusts, and, on successful completion of their diploma courses, students are guaranteed employment. The scheme is an example of the way in which the NHS, TECs and education providers can work well together, helping individuals to achieve their potential, addressing nursing shortages and helping patients at the same time. Those developments are supported by the Government's wider approach to lifelong learning, which seeks to enable those capable of progressing to do so through education and training opportunities.

More recently, we have published proposals for the modernisation of the NHS pay system in our paper, "Agenda for Change". Our aim is a modern pay system that will enable staff to do their best for patients, working in new ways and breaking down traditional barriers. We want a system that pays fairly and equitably for work done, with career progression based on responsibility, competence and satisfactory performance: a system that will simplify and modernise conditions of service, providing national core conditions and considerable local flexibility.

Our proposals identify people—such as health care assistants—who should have more scope to develop their jobs. Those people will be encouraged to take up training opportunities and secure NVQs. Our proposals for pay reform recognise that, in many cases, employers have created health care assistant posts to provide flexible support for nurses and other staff. Postholders often fulfil a wide variety of different roles. We want to preserve the benefits, while giving staff the security of core terms and pay minimums. "Agenda for Change" sets out the means to do that, recommending a national system with meaningful local flexibility.

We are also committed to working with unions and employers to agree the basis of a national job evaluation framework on which all NHS jobs can be assessed. That will be an essential underpinning to ensure equal pay for work of equal value, and will be relevant to groups performing a wide variety of roles, including health care assistants. Staff should receive equal pay when they are performing the same role; differences should reflect variations in skill, role and responsibility.

The skill mix that an NHS organisation requires locally will depend on a number of factors: the type of services that it delivers, the type of patient who is being treated, and the environment in which patients are treated. NHS organisations must therefore determine the mix of skills, roles and staff that they need at local level. But, although training is available for health care assistants, they cannot be a substitute for professional staff. The current national average ratio between qualified and unqualified staff is more than two to one—about 70:30—although I understand that in my hon. Friend's constituency it is about 60:40, and that the local NHS trust is taking action to define the roles and training needs of its support workers.

It is important for health care assistants to be properly and adequately supervised to ensure the safety of patients in their care, the quality of the care offered, and the accountability of individuals involved in providing care. Support staff should carry out assigned tasks involving direct care in support of, and supervised by, other registered health professionals. Employers also have a role to play: they should ensure that employees are suitably qualified and competent to perform the duties for which they are employed, and that high standards of patient care are maintained at all times.

Concern has been expressed by, among others, my hon. Friend, about the development of the roles undertaken by health care assistants, and it is well known that concern has been expressed in the past about the need for the regulation of support workers. On 9 February, my noble Friend the Under-Secretary of State, Lady Hayman, announced that the Government had accepted most of the recommendations of the body that conducted an independent review of the Nurses, Midwives and Health Visitors Act 1997, whose report was submitted in autumn last year. During extensive consultations, fears were expressed about the threat to public protection that might be posed by unregulated support workers, including health care assistants. The reviewers recommended, and we have accepted, that a short review should be commissioned to explore the scope and need for regulation. It will be a UK-wide review, and UK health Ministers will want to consider its terms of reference carefully.

The Government have already announced plans to regulate social care staff by setting up a statutory general social care council. The driving force behind the council will be the need to increase the protection of service users, their carers and the general public. Any review of health care assistants will have to take account of the Government's proposals for a general social care council, published in the social services White Paper, "Modernising Social Services".

Systems of professional self-regulation and protection of title play a vital role in ensuring public protection, but flexible role boundaries will help to meet changing health care needs and public expectations. Flexibility provides the scope that is necessary to develop health care teams to meet patient's needs. Well-trained health care assistants, working under the supervision of registered and accountable professionals, make an important contribution to care, and provide the ability to tailor skill mix to patient and service need. Cost-effectiveness and efficiency are maximised by appropriate skill mix. It is inefficient, and a misuse of highly and expensively trained professionals, to let them undertake care tasks that others, with the appropriate training and supervision, could undertake to the required standard.

We must ensure that we have enough nurses to support and supervise our health care assistants. Registered professionals are required to delegate appropriately to support staff, and employers are required to ensure that their staff are competent to undertake the tasks required of them. We must also have enough nurses to provide the treatment and care that patients need. The new human resources framework is a major step forward in our drive to meet those aspirations.

*It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.*

*Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.*

## ELECTION EXPENSES

*Resolved,*

That an humble Address be presented to Her Majesty, That she will be graciously pleased to give directions that there will be laid before this House a Return of the expenses of each candidate at the General Election of May 1997 in the United Kingdom as transmitted to the returning officers pursuant to the Representation of the People Act 1983, and of the number of votes polled by each candidate, the description of each candidate, the number of polling districts and stations, the number of electors, the number of postal voters and the number of rejected ballot papers.—*[Mr. George Howarth.]*

# Oral Answers to Questions

## NORTHERN IRELAND

*The Secretary of State was asked—*

### Good Friday Agreement

1. **Mr. Roger Stott** (Wigan): What recent meetings she has had with the Irish Government concerning the implementation of the Good Friday agreement. [71198]

**The Secretary of State for Northern Ireland (Marjorie Mowlam):** I last met representatives of the Irish Government in Dublin on 3 February. We agreed on the need for the Governments and all others concerned to make intensive efforts in the coming weeks to bring about the full implementation of the Belfast agreement. That is what the people voted for, north and south, and that is what we must do.

**Mr. Stott:** When my right hon. Friend met the Taoiseach on 3 February, clearly, a lot of serious and difficult issues still had to be resolved in the full implementation of the Good Friday agreement. What progress has been made on the implementation of the north-south bodies, which are clearly an important element in the agreement?

**Marjorie Mowlam:** Agreement in principle on the north-south bodies was reached by the parties on 18 December and that determination was approved by the Assembly on 15 February. We are now going through the negotiations and consultations on the particular legislation and the detail of that, which is why the Minister of State, my right hon. Friend the Member for Torfaen (Mr. Murphy), is not with us today; he is taking part in those negotiations. The Government are doing everything that they can to ensure that all necessary preparations are put in hand, ready for 10 March. I trust that other parties will do the same.

**Mr. David Trimble** (Upper Bann): In her discussions with the Irish Government, has the Secretary of State raised the issue of the British-Irish Council? Can she tell us what steps have been taken to ensure that the British-Irish Council is in place with at least as significant a role as the North-South Council on devolution day?

**Marjorie Mowlam:** I can assure the right hon. Gentleman that that is in hand, so that the particular structure, priorities and all aspects of the British-Irish Council are in place on 10 March, as we hope all different parts of the Good Friday agreement will be, so that everything is ready is move together. Visits have been paid to Scotland and to Wales by both me and my right hon. Friend the Minister, who also had the pleasure of going to the Channel Islands, to ensure that all the parties involved are part of those discussions and that positive progress is made.

**Mr. Eddie McGrady** (South Down): I am sure that the Secretary of State, and indeed the House, would welcome the decision by the new Northern Ireland Assembly by a 75 per cent. vote to accept the structures of the north-south implementing bodies. Does the Secretary of State agree that, to enhance the prospects for full implementation of the agreement and devolution in particular, if her Government and the Irish Government together could persuade the IRA, UVF and UDA to make even a gesture of decommissioning, it would unlock the blockages that are possibly there at the moment and would be in the spirit of the Good Friday agreement, if not in the letter of the law?

**Marjorie Mowlam:** I agree with the general comments that the hon. Gentleman makes. Our position has been that decommissioning needs to take place now and movement on the Executive needs to take place. Those two steps need to happen not just in the letter of the Good Friday agreement, but in its spirit and the obligation that the progress that has been made be matched elsewhere.

**Mr. Lembit Öpik** (Montgomeryshire): It seems that, where the letter of the Good Friday agreement remains silent, the spirit of the agreement is moved forward by the public pressure within the Province. Does the Secretary of State agree that it is that public pressure that has probably led to a reduction in paramilitary beatings? If so, can she give any idea of how she sees that public pressure being brought to bear to ensure that the spirit of the Good Friday agreement addresses the problem of exiles—people who have been exiled by paramilitary edict? How does she think that spirit can be brought to bear on decommissioning?

**Marjorie Mowlam:** I agree with the general thrust of the hon. Gentleman's question. The spirit of the agreement—and the efforts made by many members of the public, party leaders, the Government and others to ensure that punishment beatings are reduced—is having some effect: beatings have declined in the past couple of weeks. However, that does not hold for last night's events—one of the most barbaric, inhuman and sadistic punishment beatings. Last night, as a husband was not home, a wife had carved on her body a death threat against him. It was a very clear example—if we needed any more of them—of why punishment beatings must end. Condemnation by the public and by political parties across the board exerts some pressure. Ultimately, however, as another step in encouraging the end of punishment beatings, it is equally important that we break the cycle of violence and implement the Good Friday agreement.

**Mr. Harry Barnes** (North-East Derbyshire): Have the issues of violence, intimidation and the continuing exile of many families been discussed with the Irish Government? If so, what was their response?

**Marjorie Mowlam:** I should like to acknowledge the work that my hon. Friend has done to increase public pressure on resolving the issues of exiles, the disappeared and paramilitary assaults. We have, obviously, discussed the issues with the Irish Government and with the political parties. I assure the House that the security forces and the Government—like everyone else involved in the matter—are doing everything possible to try to stop them.

**Mr. Andrew MacKay** (Bracknell): Does the Secretary of State agree with the Taoiseach, me and others who

passionately share her view that an Executive should be established as soon as possible in the interests of good governance in Northern Ireland; that an Executive can be established only if Sinn Fein-IRA commence proper decommissioning of illegally held weapons; and that, without that, it is not possible for their representatives to take ministerial positions?

**Marjorie Mowlam:** I share the Taoiseach's view that decommissioning should happen now, and that the Executive should be formed. Both need to happen for the process to move forward.

**Mr. MacKay:** Does the Secretary of State further agree that, in the past nine months, the British Government, the Irish Government and all the democratically elected parties that have never taken part in violence have done everything possible to ensure that the Executive is established? They have fulfilled all their obligations, and ensured that all the structures are now in place. The last thing that needs to happen is decommissioning of illegally held weapons. The only people who are now obstructing creation of the Executive that we want are Sinn Fein-IRA, who have not yet decommissioned.

**Marjorie Mowlam:** There has been only one decommissioning—which we welcome—that by the LVF. Decommissioning is now needed of the other parties represented in the talks; it is not only Sinn Fein-IRA but the loyalist paramilitaries. We have made it very clear that decommissioning has to happen for progress to be made. It is not a precondition but an obligation. As the hon. Member for Montgomeryshire (Mr. Öpik) said, it is in the spirit of the agreement. It is no good for us simply to say, "This must happen, that must happen," although we both may fundamentally believe that both are necessary. What has to happen is that the parties in the process who signed up to the good Friday agreement do what they are doing in Belfast now: keep talking and find a way forward.

## Energy Market

2. **Mr. Lawrie Quinn** (Scarborough and Whitby): What actions she has taken to improve the working of the energy market in Northern Ireland. [71199]

**The Minister of State, Northern Ireland Office (Mr. Adam Ingram):** Discussions are taking place with the Government of the Republic of Ireland on north-south gas interconnection. The regulator has recently invited applications for gas licences for areas outside Greater Belfast. The regulator is now concluding his generator contract negotiations, and liberalisation of the electricity and gas market is proceeding.

**Mr. Quinn:** Does the Minister realise the tremendous work that is being done by a team of civil engineers, led by Professor Adrian Long, at Queen's university, Belfast, to investigate alternative energy sources? Northern Ireland has a great opportunity to be in there at the beginning of development of alternative energy sources. Will the Minister consider asking his officials to start discussions with that important, internationally recognised team on whether there is greater potential for Northern Ireland to benefit from such alternative methodologies?

**Mr. Ingram:** I am aware of the work that has been done, and we take a close interest in such research and development activity, which is critical to the economy of Northern Ireland. The Government have established a target of 45 MW of renewables plant by 2005 and, in pursuit of that objective, the Government have made two non-fossil fuel obligation orders, requiring Northern Ireland Electricity to purchase some 32 MW of power from renewable sources. Obviously, any local research and development activity hopefully will be exploited.

**Mr. Roy Beggs** (East Antrim): My colleagues and I appreciate the Government funding that has provided electricity and gas interconnection. Does the Minister agree that that will help to drive down energy prices? Does he further agree that, if Northern Ireland as a whole is to benefit economically, the gas should be distributed more widely than to the Greater Belfast area? Will he seek to bring that about?

**Mr. Ingram:** We inherited a botched electricity market in Northern Ireland, with a structured system resulting in high prices, making Northern Ireland way out of line with elsewhere in the UK. We have had to address that and, as the hon. Gentleman outlined, we are trying to encourage more electricity into Northern Ireland through the interconnector with Scotland and to encourage more gas, both north-south and east-west.

## Prisoner Releases

3. **Mr. Ian Bruce** (South Dorset): What percentage of prisoners convicted of scheduled offences has been released to date under the Good Friday agreement. [71200]

**The Minister of State, Northern Ireland Office (Mr. Adam Ingram):** To date, applications have been received from 503 indeterminate and determinate prisoners. Of those, 12 per cent. have not been processed; the prisoners being, in the main, ineligible under the terms of the Northern Ireland (Sentences) Act 1998. Some 48 per cent. have already been released, and a further 30 per cent. have received specified dates for release in the future. Some 10 per cent. remain to be processed by the sentence review commissioners.

**Mr. Bruce:** The Minister is saying, effectively, that about half the prisoners who are due to be released have been released. He will know that the terrorist organisations and their political mouthpieces signed up to the Good Friday Agreement only because they knew that they would get their prisoners out. One of their obligations is to decommission their weapons. Would it not be sensible simply to say to all organisations, both loyalist and republican, that no more prisoners will be released until they start delivering on the decommissioning of weapons? That does not destroy the agreement—it simply fulfils it. [Hon. Members: "Hear, hear."]

**Mr. Ingram:** I hear what the hon. Gentleman says and the support that he receives from some of his right hon. and hon. Friends. However, there ain't no simple answers to a peace process. My right hon. Friend the Secretary of State has spelt out the way forward. To do what the hon. Gentleman suggests would be to rewrite the Good Friday agreement. Maximum pressure must be brought to bear from all parts of Northern Ireland—from the community, the parties involved, the UK and Republic of Ireland

Governments and any other international support—to impress upon those who hold illegal weapons that they must be removed from Northern Ireland if peace is to prevail.

**Mr. Malcolm Savidge** (Aberdeen, North): How many of the prisoners who have been released early under the agreement have had to be recalled for a breach in their licence conditions?

**Mr. Ingram:** None.

**Mr. William Cash** (Stone): Does the Minister therefore say that he has no knowledge of any involvement by any of the released prisoners in any mutilations or beatings?

**Mr. Ingram:** We have no knowledge of that in terms of the way in which the hon. Gentleman raises the point. The Chief Constable has said that all of the paramilitary organisations have been associated in some way with paramilitary assaults. I would suggest to right hon. and hon. Members that we do not share detailed intelligence across the Floor of the House. [HON. MEMBERS: "Answer the question."] I have confirmed the Chief Constable's assessment, and we have accepted it. The effective way of dealing with those people is to bring evidence forward, to bring them to trial and to put them in prison for their acts.

**Mr. William Thompson** (West Tyrone): Does the Minister recognise how demoralising it is for the police force to see the release of those whom they have gone to great efforts to arrest and get convicted? Will he confirm that, if the terrorists who committed the outrage in Omagh are caught and convicted, there will be no accelerated release for them and that the recommendations of the judge or judges who take part in the trial will be honoured?

**Mr. Ingram:** We have made it clear consistently that the issue of prisoner releases is difficult to handle. The Good Friday agreement laid it out as a clear prospect. The Government have implemented what was requested of them in the Good Friday agreement, to which the people of Northern Ireland signed up. The Omagh tragedy happened after 10 April, so those who may be brought to justice for it will not be covered by the existing legislation.

**Mr. Andrew Hunter** (Basingstoke): Is it true that a released prisoner was living in the house in west Belfast where IRA weapons were found recently?

**Mr. Ingram:** If the hon. Gentleman has such information, he should pass it to the RUC. I do not have that intelligence information. If he has more specific evidence that would help the RUC with its inquiries, he should pass it on.

**Mr. Malcolm Moss** (North-East Cambridgeshire): While we accept that there ain't no simple answers to the peace process, it is clear from the figures that the Minister has given the House this afternoon that the majority of prisoners will soon have been released. Does he accept that, although the Government have honoured all their commitments, including prisoner release, Sinn Fein-IRA have not started decommissioning? Does he find it acceptable that the majority of prisoners will have been released without decommissioning having taken place?

**Mr. Ingram:** I do not know that to be the case. There is still momentum in the process. Discussions are taking place as we speak to find resolutions to that complex issue. As my right hon. Friends the Prime Minister and the Secretary of State have said, we want all illegally held weapons in Northern Ireland to be decommissioned. We never said that that would happen overnight. From the way in which he asked his question, I take it that the hon. Gentleman has not understood the import of the Good Friday agreement.

### Sure Start Initiative

5. **Caroline Flint** (Don Valley): If she will make a statement regarding the application of the sure start initiative to Northern Ireland. [71202]

**The Parliamentary Under-Secretary of State for Northern Ireland (Mr. John McFall):** This morning I launched for consultation a Northern Ireland child care strategy entitled "Children First", seeking views on proposals for strengthening and expanding pre-school provision, child care and family support. Views are specifically sought on how best to address the aims of sure start. My discussions with key child care organisations have already identified the need to consider a different approach in Northern Ireland.

**Caroline Flint:** I thank my hon. Friend for that answer. I welcome the launch of the "Children First" child care document. Sure start is a UK-wide initiative and plans are already under way in Scotland, Wales and England. With the launch of the document today, I hope that we can be certain that community groups in Northern Ireland, which has the worst child poverty rates, the worst child care provision and the highest number of lone parents in the United Kingdom, will get access to the resources that they need to meet the demands.

**Mr. McFall:** I thank my hon. Friend for that question. I should like to elaborate on the launch of the document this morning. I was in contact with Childcare Northern Ireland and Barnardos to examine child care. The document, which was agreed by the voluntary groups, translates the sure start aims to a Northern Ireland context. That process starts today. There is a different context to sure start in Northern Ireland. We are building on the good work that has already been done by the voluntary and statutory services. Several organisations have told me that there is great merit in not sticking to the proposals that have been outlined for England.

**Mr. Clifford Forsythe** (South Antrim): I am sure that the Minister will join the Prime Minister in agreeing that sure start is a vital element in looking after children and families. Will he assure the House that all the money allocated by the Treasury for that programme in Northern Ireland will indeed go towards its implementation?

**Mr. McFall:** I thank the hon. Gentleman for that question, and I have very good news for him: today,

I announced a £51 million package for child care, £27 million of which is specifically for an extra 7,000 pre-school places, so that, by 2001, more than 85 per cent. of parents in Northern Ireland will have a choice, whereas, before the Government came into office, the figure was less than 50 per cent. I think that he will agree that that is tremendous progress. The money will also provide 2,500 jobs and an extra 26,000 places, and I hope that he will agree that that is good news.

**Good Friday Agreement**

6. **Mr. Peter Temple-Morris** (Leominster): If she will make a statement on progress in implementing the Good Friday agreement. [71203]

**The Secretary of State for Northern Ireland (Marjorie Mowlam):** The Government aim to have completed the legislative preparations for a transfer of powers to the new institutions by 10 March. I welcome last week's approval by the Assembly of the determination on the number and functions of ministerial offices and on areas for north-south co-operation. The Government are honouring their commitments and I look forward to others honouring theirs.

**Mr. Temple-Morris:** We all wish my right hon. Friend well in not very easy times in the implementation of the Good Friday agreement. Does she agree that the removal of tensions is a most important factor? One particular tension relates to the communities in Portadown, where there is a real and long-standing problem. What impact is that having, one way or the other—I fear that it is the other—on the implementation of the agreement?

**Marjorie Mowlam:** The successful implementation of the Good Friday agreement depends to a large extent on confidence. The situation at Drumcree is a corrosive influence on progress. The only way in which progress will be made at Drumcree is for both sides to talk and try to find a way forward. We are doing everything that we can to help with that. We have recently asked the head of the Advisory, Conciliation and Arbitration Service in Scotland, Mr. Frank Blair—no relation—to act as a negotiator and facilitator in that process. No one in Northern Ireland wants a repeat of last year's events at Drumcree, and we will do all that we can to avoid it. *[Interruption.]*

**Madam Speaker:** Order. Will the House please come to order? It is very noisy, with people shouting across the Chamber. We need a little order before we can proceed.

**Mr. Robert McCartney** (North Down): Will the Secretary of State confirm that no institution of government in Northern Ireland can claim to be democratic if it contains the representatives of a party known to her to be inextricably linked with an organisation of terror that has publicly declared its intention to remain fully armed and in an aggressive state?

**Marjorie Mowlam:** As I have often said to the House, I base my judgment on the information, facts and evidence that I am given. On that basis, I do not agree with the assumptions built into the hon. and learned Gentleman's question, so I have no difficulty in believing that the parties in the process are on ceasefire. If he has information to the contrary, as his question implies, he should send it to the RUC.

**Dr. Norman A. Godman** (Greenock and Inverclyde): May I remind my right hon. Friend that two important aspects of the agreement relate to the North-South Council and the British-Irish Council and urge, on the latter, that no strategic decisions be taken by Dublin and London before the elections in Scotland and Wales? If the Council is to have a fixed location, as is the case with the Nordic Council, may I suggest Glasgow?

**Marjorie Mowlam:** I find it difficult to give my hon. Friend a categoric assurance, on the first part of his question, that no strategic decisions will be taken, because that would involve timing and would put the implementation of the Good Friday agreement—if progress were made on 10 March—in difficulty if certain parts were implemented and not others. We have seen the tensions that can develop if some parts move quicker than others and it is important that all move together. If the real crux of his question was a request for the headquarters to be in Glasgow, I hear what he says, but he is not the only one to make suggestions along those lines.

**Mr. Peter Robinson** (Belfast, East): Last August, the Secretary of State provided the Assembly with the draft standing orders necessary to fill ministerial posts. Since then, she has not forwarded the finalised copy to the Assembly. Does she contemplate any changes and will the orders be forwarded immediately?

**Marjorie Mowlam:** It is difficult for me to answer that question, because I am not in Belfast. The Minister of State, my right hon. Friend the Member for Torfaen (Mr. Murphy), is dealing with the draft standing orders in Belfast today. We look forward to sending them to parties as quickly as possible, but the details and arrangements are being worked on at this moment.

**Ms Margaret Moran** (Luton, South): Does my right hon. Friend agree that one of the key elements to achieving the Good Friday agreement is the future of policing in Northern Ireland? Does she agree that making fast progress with the introduction of the police ombudsman, the community awareness project and the ending of the RUC canteen culture will bring great benefits to the people of Northern Ireland and could signal the way ahead for policing in the rest of the country?

**Marjorie Mowlam:** I thank my hon. Friend for that question. The future of policing, as she rightly points out, is a difficult question and one of the big problems that we have to cope with in Northern Ireland. I hope that the introduction of the police ombudsman will happen quickly. We are interviewing this afternoon for the post, and a number of other aspects of the legislation are being implemented. The Patten commission will report in the summer and I wish to wait and see what it proposes so that we can maximise the improvements on offer.

**Mr. Nigel Evans** (Ribble Valley): The Minister earlier referred to the peace associated with the Good Friday agreement. Does she agree that it is a fragile sort of peace when arms are not being decommissioned, and a strange

sort of peace when people are being beaten and maimings are happening on a daily basis in Northern Ireland? Can she foresee any circumstances in which the early release of prisoners could be stopped to ensure that more progress could be made towards a real, lasting peace in Northern Ireland?

**Marjorie Mowlam:** I agree with the hon. Gentleman when he says that it is a difficult period. It is a difficult, tense time and it is not easy. I do not agree with the assumption in the second part of his question that stopping early releases would improve the situation. I would like to know what evidence he has to support that view, because all the evidence that I have is to the contrary.

7. **Judy Mallaber** (Amber Valley): What consultations she has had with the Northern Ireland parties on the regulations arising from the legislation to implement the Good Friday agreement. [71204]

**The Secretary of State for Northern Ireland (Marjorie Mowlam):** We are continuing in intensive consultations with all parties in the Northern Ireland Assembly over all aspects of the legislative and preparations for the implementation of the Good Friday agreement. We shall work as closely as possible with them.

**Judy Mallaber:** My right hon. Friend knows the importance attached to the equalities and human rights provisions of the Good Friday agreement by those of us who tabled amendments to the legislation, which were eventually accepted. My right hon. Friend has to deal with many difficult issues, but is she able to give the House any idea of any plans in progress to implement the equalities and human rights provisions and, in particular, to set up the two commissions?

**Marjorie Mowlam:** I can assure my hon. Friend, as I did the House earlier on the other aspects of the Good Friday agreement that are being put in place in time for 10 March, that the appointments procedure for the new equality commission is in progress. We are looking forward to the working group established on setting priorities and new structures for the equality commission reporting soon. Then we will be able to move, I hope in a matter of weeks, to an announcement on the equality commission. As for the human rights commission, we have appointed the chairman, Brice Dixon, and I expect to be able to announce the other commissioners next week. I assure my hon. Friend that progress is being made on both those institutions.

## PRIME MINISTER

*The Prime Minister was asked—*

### Engagements

Q1. [71228] **Mr. Andrew F. Bennett** (Denton and Reddish): If he will list his official engagements for Wednesday 24 February.

**The Prime Minister (Mr. Tony Blair):** This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

**Mr. Bennett:** Does my right hon. Friend agree that the Labour party does not deserve to be in office if it does not promote justice and fairness, especially by ensuring that people of all races and colours enjoy equality and that all creeds are respected? Does he agree that we should be happy to be judged at the next election on our record in promoting that?

**The Prime Minister:** I am proud that it was this Government who set up the Lawrence inquiry. I am happy to accept its judgment, and the judgment to which my hon. Friend has just referred. I should like to add that I think it right today to praise Doreen and Neville Lawrence for their courage and dignity. As a nation, we should confront honestly the racism that still exists in our society: as a nation, we should find within ourselves the will to overcome it.

The publication of today's report on the killing of Stephen Lawrence is a very important moment in the life of our country. It is a moment to reflect, to learn and to change. It will certainly lead to new laws but, more than that, it must lead to new attitudes, to a new era in race relations, and to a new more tolerant and more inclusive Britain.

**Mr. William Hague** (Richmond, Yorks): Does the Prime Minister agree that every decent person in the country, regardless of politics, will wish to show sympathy and support for the family of Stephen Lawrence, and will feel shame and disgust that his murderers have not been brought to justice? Does he also agree that, if some good is to come out of that appalling crime, we must all learn the lessons of what went wrong and commit ourselves to build a nation in which every citizen, regardless of colour or creed, is treated with justice and respect?

**The Prime Minister:** I agree entirely with the right hon. Gentleman's sentiments. It is also important today to recognise that the report and its findings should not lead us to conclusions about only the police service, or any other service in British society; the report is about the whole of British society and its public services. It is also about what we must all do—collectively, across the political parties—to make sure that those appalling events lead to an improvement in race relations throughout the country.

**Mr. Hague:** Following on from that, does the Prime Minister agree that our police force will need—and will want—changes to be made to root out racism and to prevent such an injustice happening again? However, will he also agree that to condemn every police officer in London or the country as racist would itself be prejudiced and wrong? The great majority of men and women in the police force do their best in an incredibly difficult job, on behalf of their fellow citizens. Does he share my hope that we will debate the lessons of today's report with frankness and honesty, and that a hunt for scapegoats will help no one?

**The Prime Minister:** I agree that it is important that we debate the report honestly and properly, and that we act on its recommendations. What is important today, not only for the Lawrence family but for the whole of our society, is that the report's recommendations—whose implementation my right hon. Friend the Home Secretary will set out later—deliver the most comprehensive agenda

for improving race relations for many decades. The test of our sincerity as law makers in this House is not how well we can express sympathy with the Lawrence family, but how well we implement the recommendations to make sure that such an incident never again happens in our country.

Q2. [71229] **Mrs. Linda Gilroy** (Plymouth, Sutton): Has my right hon. Friend had an opportunity to read *The Western Morning News* today? If so, he may have noted that in a exclusive survey commissioned by the newspaper, seven out of 10 firms in the west country would welcome being able to join the euro. Will my right hon. Friend note that people who know about and care about British jobs, investment and trade warmly welcome his statement yesterday that we have a national changeover plan, which is good, decent, British common sense?

**The Prime Minister:** As my hon. Friend knows, I take a keen interest in all the regional press, and in *The Western Morning News* in particular. Her point is surely right. The vast majority of British business wants the sensible, balanced course set out by the Government yesterday, in which we indicate our direction, set down the conditions in our national economic interest and make sure that we make the necessary preparations so that the British people can have a proper choice. That is the true way, no matter what is said by that part of the Conservative party that is hostile to everything to do with Europe. That is how properly to implement British national interests.

**Mr. Paddy Ashdown** (Yeovil): In a few moments, the House and the country must consider the very public consequences of the private tragedy of the death of Stephen Lawrence. I hope that, as the Prime Minister has said, those consequences will extend well beyond the police force and bring changes to our society as a whole. I see no point, however, in seeking to anticipate a report that will be published in a few moments time.

May I, therefore, ask the Prime Minister a question of concern to the people of Scotland? Is he aware, and can he confirm, that under his Government the education budgets of 29 out of 32 Scottish local authorities have been cut by £100 million in real terms?

**The Prime Minister:** From this April, we have given the largest single increase in education over the next three years that our country has ever known. That money is going to schools in Scotland and elsewhere in the United Kingdom. It had been denied them for years by the previous Conservative Government.

**Mr. Ashdown:** I am surprised to hear the Prime Minister attempt to deny my figures, which came from his own Scottish Office. Will he confirm, therefore, some further figures from the Scottish Office? For every £100 invested in Scottish education by the Tories, his Government are investing £96. The figures also show that by the end of this Parliament, Scottish education and schools will be more underfunded than they were three years ago under the Tories. Why should Scotland put up with second-class education under Labour? Does the Prime Minister not realise that if he will not fund first-class education in Scotland, the Scottish Parliament will have to do so for him?

**The Prime Minister:** On the budget for Scotland and ed ıcation, what the right hon. Gentleman says is complete nonsense. We have made an increase in education spending, not just for Scotland but for the whole of the UK. My right hon. Friend the Secretary of State for Scotland recently set out a programme to ensure more nursery education and more people going into higher education. A school building programme outside local authority budgets is also providing literally millions of pounds for rebuilding Scottish schools. With the greatest of respect to the right hon. Gentleman, I must tell him that what he says about the figures is nonsense. If people want to increase provision for education, they should vote for the party that is, in government, putting through the largest education increase that the country has ever seen.

Q3. [71230] **Mr. Tom Clarke** (Coatbridge and Chryston): While I utterly condemn violence from whatever source it may come, does my right hon. Friend the Prime Minister agree that Turkey would be wise to accept the advice of the European Union by ensuring that the trial of Abdullah Ocalan is both fair and seen to be fair? As one who visited northern Iraq at the beginning of last year, may I assure the Prime Minister that now is the time for all parties to come together to heal old wounds? In the light of new evidence of ethnic cleansing, would my right hon. Friend confirm that the Government will support and defend Kurdish organisations that are genuinely and passionately committed to peace and to individual human rights?

**The Prime Minister:** We condemn terrorism in all its forms. However, we have said repeatedly that Ocalan should receive a fair trial and that his physical safety should be assured.

As for the Iraqi Kurdish groups, my right hon. Friend knows that the Government have long-standing contacts with both main groups. We welcome the agreement that their leaders signed in Washington last September to enhance full reconciliation. I also point out that we support the Kurds through the United Nations oil-for-food programme, and our bilateral programme for northern Iraq is worth £3 million a year. RAF aircraft continue to patrol the no-fly zone precisely in order to protect the Kurds from Saddam Hussein. The Kurdish groups have told us how much they value the work that the Government have done, in the form of aid and military assistance, to protect the Kurdish people.

Q4. [71231] **Mr. Nick St. Aubyn** (Guildford): Five years ago, the French Government were prepared to invoke the Luxembourg compromise to save a few thousand jobs in French shipyards. This Thursday, will this Government be prepared to invoke the Luxembourg compromise to save 5,000 jobs in the British art market? *[Interruption.]*

**The Prime Minister:** The hon. Gentleman is right *[Interruption.]* It is a very serious issue. We obviously oppose the directive and we shall continue to do so. We rule out absolutely nothing with regard to the tactics that we employ in this area. We will ensure that we get the

best deal possible for Britain. As a result of the Government's previous efforts, substantial concessions have been made available to Britain. However, they do not go far enough and we cannot agree to the directive at present.

Q5. [71232] **Mr. Andy King** (Rugby and Kenilworth): Does my right hon. Friend recall, as I do, the previous Government's promise that rail privatisation would result in major improvements in rail services? The only changes that my constituents have experienced are higher fares and poorer services. *[Interruption.]* Will my right hon. Friend ensure that tomorrow, at the rail summit, which will be chaired by my right hon. Friend the Deputy Prime Minister—*[Interruption.]*—and at which all key players in the rail industry will be present, the fare-paying public and the taxpayers get a better return for the £1.1 billion subsidy that the rail industry has taken from them?

**The Prime Minister:** My hon. Friend should pay no attention to the catcalls from the other side. After all, rail privatisation is one of the many scandals that we inherited from the previous Conservative Government. It has delivered a poorer service for the customer and, because of the way in which the Conservatives sold it, hundreds of millions of pounds have been lost to the public purse. If the Conservatives had any sense of shame, they would apologise for that. However, as with so much else, we will clean up their mess.

My right hon. Friend the Deputy Prime Minister has made it clear that the present situation is unacceptable. Rail companies that cannot or will not deliver will simply have no future in the industry. It will take time, but we will put the rail industry back on its feet and save it from the predicament in which the Conservatives left it.

**Mr. William Hague** (Richmond, Yorks): Will the Prime Minister now answer the question that he failed to answer yesterday every time that it was asked? Will he make the pound shadow the euro before the next election?

**The Prime Minister:** I certainly did answer that question yesterday: I said no.

**Mr. Hague:** The Prime Minister did not say no yesterday. *[Interruption.]* No, he did not.

**Madam Speaker:** Order. This noise is very time consuming.

**Mr. Hague:** In any case, the Prime Minister is not being straight with the people of this country on this subject. That is because article 121 of the Amsterdam treaty says that to join the euro requires

"the observance of the . . . margins provided . . . for at least two years, without devaluing against the currency of any other Member State".

The Chancellor's advisers say it; the responsible European Commissioner says it; so why does not the Prime Minister come clean and admit to people that that is what he would have to do to join the euro?

**The Prime Minister:** Because it is not, and I do not accept it. I have been asked this many, many times—is it our intention to go back into the exchange rate mechanism and to shadow the euro? The answer is no, but what we will do is conduct economic policy in this country's national interest. That is precisely what we are doing, and that is the right thing to do. This is the latest of the euro scares, and it will fail like the other ones.

**Mr. Hague:** It is the Prime Minister's friend Gavyn Davies who says that

"at some point the Bank of England will have to be told to 'shadow' the euro (instead of inflation) for a two-year period".

Is that a euro scare from Gavyn Davies? It is the European Commissioner responsible who says:

"If and when the UK decides to join the euro it will have to comply with the same conditions as . . . the first wave countries. There were five criteria for membership".

Is the European Commission spreading a euro scare? Is Gavyn Davies spreading a euro scare? Is not the truth that the Prime Minister does not want to admit that he will have to run the economic policy of this country in the interests of joining the euro and not in the interests of Britain?

**The Prime Minister:** With great respect to the right hon. Gentleman, he is trying to catch up on what he lost yesterday. *[Interruption.]* After all, after yesterday we have got two Tory parties. One says, "No never," the other agrees with us, and he is the leader of neither of them. The answer is that, as other countries have not been members for two years of the exchange rate mechanism, there is no obligation upon us to do it and we do not accept it.

**Mr. Hague:** The Prime Minister tries to refer to who lost yesterday. Is he aware that in the last six hours, 100,000 people have called *The Sun* to say that they want to keep the euro? *[Interruption.]* What is more, they regard him as a love rat. He has produced a national handover plan that does not come clean on the costs of joining the euro, that does not explain how the business cycles would converge, and that does not come clean about the fact that with convergence nowhere in sight, his plan means running the British economy in the interests of his campaign to join the euro and not in the interests of this country.

**The Prime Minister:** A more interesting poll may be how many of the right hon. Gentleman's Back Benchers will wish to keep him. I do not want to start another debate in the Conservative party. The national changeover plan has been produced with the consent, and at the request, of the vast bulk of British business so that we can make sensible preparations for entry into the euro, provided that the economic conditions that we have set out are met. It is supported by the overwhelming majority of people who understand that irrespective of one's view of the euro, it is surely important to make preparations. What is utterly absurd is the position that he has landed himself in, which is to say that the euro will be a disaster next Parliament but may be entirely acceptable the Parliament after. The truth is that our position sets out a clear direction and the economic conditions. It is balanced, sensible and right, and it is what this country, I believe, will accept.

Q6. [71233] **Mr. Robert N. Wareing** (Liverpool, West Derby): After that, may I ask a sensible question? Is the Prime Minister aware that at lunchtime today a petition containing 31,000 signatures was handed to my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) protesting against proposed closure of the Coastguard station in Liverpool? Given that Liverpool is now developing rapidly again, that gas and oil production in Morecambe bay and the Irish sea is continuing, and that Blackpool seaside resort attracts 18 million visitors a year, will my right hon. Friend instruct the appropriate Minister to reverse the decision before lives are needlessly lost?

**The Prime Minister:** I cannot instruct the Minister to do that. I am sure that the Minister, who will have the petition, will have heard the representations. If my hon. Friend would like to arrange a meeting with the Minister, we will arrange that. I shall take a personal interest in the matter and respond to my hon. Friend in detail, setting out the reasons for the Government's decision when we take it.

Q7. [71234] **Mr. Ian Bruce** (South Dorset): Is the Prime Minister proud of the fact that a Labour Prime Minister and a Labour Government are introducing means-testing of widow's pensions?

**The Prime Minister:** We believe that the reforms of bereavement benefits are right in order to ensure both that the money goes to the people who need it most, and that we can afford, within public spending, to extend widow's benefit to widowers. It is a compromise, but we believe it to be a sensible one.

**Mr. Tom Levitt** (High Peak): Will my right hon. Friend the Prime Minister confirm today's figures, which show that 36,500 people, including almost 3,000 qualified nurses, have sought to rejoin or join the staff of the national health service? Does not that reflect a massive vote of confidence in this Government's plans for the future of the NHS?

**The Prime Minister:** The nursing line that has been set up to try to attract people back into the nursing profession has, I am very pleased to say, been immensely successful. As my hon. Friend says, more than 36,000 people have already contacted it. Over the next few years, we are making available funds for another 10,000 nursing places. There are already 2,500 more nurses in training. Although there are many other problems with which we need to deal, and are dealing with, at least many people working in the national health service see a Government who are making a start on rebuilding it.

Q8. [71235] **Mr. Robert Walter** (North Dorset): It is some time since Ministers announced European agreement on lifting the beef export ban, but farmers in my constituency tell me that no beef has yet been exported. The reason for that is that the Government have not yet invited European Commission inspectors to look at the abattoirs that will be involved in the trade. When will that invitation be issued, and when will the first side of beef be exported?

**The Prime Minister:** It was always anticipated that beef exports would not begin immediately. As the hon. Gentleman rightly says, the inspection needs to happen. We have of course invited the inspectors, and I believe that they will be visiting in the next few weeks. However, the matter is for the European Commission as well as the Government. We also want to make absolutely sure that, when the inspection happens, it is successful. A successful inspection is necessary for the final stages of the lifting of the ban.

**Lorna Fitzsimons** (Rochdale): Is my right hon. Friend aware of the Deputy Prime Minister's announcement last week of much needed investment in inland waterways? Will my right hon. Friend give every encouragement to the Deputy Prime Minister's Department to bridge the last gap in the canal link between Lancashire and Yorkshire in the Rochdale area, which will benefit not only the environment and jobs but tourism in the wonderful borough of Rochdale?

**The Prime Minister:** This is an act of reconciliation that, obviously, we shall try to encourage. I am pleased to say that British Waterways is meeting the chief executive of the council later this week to discuss whether it can assist in any way.

**Mr. Paul Keetch** (Hereford): It says here.

**The Prime Minister:** Well, it does say that here. Not even I can pretend to be an expert on the Rochdale canal. As it also says here, there is an application for Millennium Commission funding to ensure that the last part of the link is completed. Obviously, I cannot say whether that will be successful, but I wish the council well.

Q9. [71236] **Sir Michael Spicer** (West Worcestershire): If the euro goes on collapsing at its present rate, will the Prime Minister consider using the pound to prop it up? By the way, I asked about shadowing yesterday, and the Prime Minister did not say no.

**The Prime Minister:** I have always said no to that question. We shall not use the pound to prop up the euro and we shall not shadow the euro. We are setting out a sensible future course for this country. People, such as the hon. Gentleman, who are opposed not only to the euro but to everything European, are perfectly entitled to that view, but it is not in the country's interests.

**Mr. Mark Todd** (South Derbyshire): Will my right hon. Friend extend his support—I am sure that he will—to the Minister who is involved in the negotiations on common agricultural policy reform, which will improve rural diversification, increase the market focus of agriculture in our country and extend the care of our environment? Will he comment on the supposedly helpful remarks of the Leader of the Opposition?

**The Prime Minister:** Those remarks were very unhelpful to our negotiating position. We believe that it is possible to achieve significant reform of the common agricultural policy and we shall argue for that. That is right not only for British farmers but, more importantly, for consumers in Britain and across Europe.

Q10. [71237] **Sir Peter Tapsell** (Louth and Horncastle): Does the right hon. Gentleman recall that we have often been told by advocates of British membership of the exchange rate mechanism that it proved so disastrous for British industry and agriculture because we went in at the wrong exchange rate? Will he now tell us what he thinks may be the right rate of exchange for the pound sterling to enter a single European currency, not just on the day, but for ever?

**The Prime Minister:** I do not think that it would be sensible to start negotiating that at the Dispatch Box. I remind the hon. Gentleman that his Government took Britain into the exchange rate mechanism at that rate and then had us exit from it with colossal cost to the nation.

Q11. [71238] **Mr. John Heppell** (Nottingham, East): Does my right hon. Friend recognise that when he made his statement on the euro yesterday, it was welcomed by an ex-Deputy Prime Minister, an ex-Chancellor of the Exchequer, an ex-Prime Minister and an almost ex-leader of the Liberal Democrats? Is my right hon. Friend sure that he has got this right?

**The Prime Minister:** I think that their remarks were of rather more value than those of someone who may, in time, be an ex-leader of the Conservative party.

**Mr. David Trimble** (Upper Bann): I remind the Prime Minister of the recent forthright and unequivocal comments by the Irish Prime Minister, Bertie Aherne, about decommissioning and the formation of an Executive. In the light of those remarks, what advice would the Prime Minister now give to the Irish republican movement?

**The Prime Minister:** The advice is very clear: they should decommission their weapons. We have always said that, and I repeat it. I agree with what the Taoiseach said. The whole agreement must be implemented and we must know that violence has been given up for good, as we have always said. It is unreasonable to expect people to sit down together unless they know that that is the case.

Q12. [71239] **Mr. Michael J. Foster** (Worcester): The people of Worcester have been on a promise for over 40 years to get a new hospital. When my right hon. Friend visited Worcester last July, he promised to give the project a shove. Has he anything to report to the people of Worcester?

**The Prime Minister:** When I visited Worcester last July, I gave my hon. Friend a personal assurance that the hospital would be built under the private finance initiative. I am delighted to say that there is a decision that allows the Worcester PFI scheme to progress. Of course, not only will a new hospital be built which was not built under the previous Government, but the large amount of extra investment in the health service in Worcester and elsewhere from this April will allow us to provide capital equipment in our hospitals, more doctors and nurses and better primary care and to start rebuilding the national health service after 18 years of neglect under the Conservative Government.

## Stephen Lawrence Inquiry

3.30 pm

**The Secretary of State for the Home Department (Mr. Jack Straw):** Madam Speaker, with permission, I should like to make a statement about the report of the inquiry into the death of Stephen Lawrence.

Copies of the inquiry's report and the appendices are available from the Vote Office. I know that hon. Members will want time to read and consider the report, and I can therefore tell the House that my right hon. Friend the Leader of the House has agreed that there should be a full day's debate on the report as soon as possible.

Stephen Lawrence was a bright 18-year-old student with a promising future. He wanted to be an architect and was studying hard for his A-levels. At about 10.30 pm on Thursday, 22 April 1993, Stephen was waiting at a bus stop with his friend Duwayne Brooks in Well Hall road, Eltham, in south-east London. He was set upon in an unprovoked knife attack and was killed. There was only one reason for his murder. Stephen was black.

Any parents faced with the death of their son in such circumstances would have been devastated, but for Stephen's parents, Doreen and Neville Lawrence, their sense of despair has been compounded by the failure of our criminal justice system to deliver them justice—to secure the conviction of those responsible.

I think that I can speak for the whole House when I say that Mr. and Mrs. Lawrence's campaign for the truth has been pursued by them with huge dignity, courage and determination. I should like to pay my personal tribute to them today.

I first met the family in early 1997, and saw both parents again shortly after becoming Home Secretary in May that year. They persuaded me of the case for a thorough, independent scrutiny of the investigation into their son's murder. In July 1997, I therefore announced to the House that I had appointed the former judge of the High Court, Sir William Macpherson of Cluny, to conduct a full judicial inquiry. This was the first such inquiry under the Police Acts since Lord Scarman's into the 1981 Brixton riots.

The terms of reference the new inquiry were as follows:

"To inquire into the matters arising from the death of Stephen Lawrence on 22 April 1993 to date, in order particularly to identify the lessons to be learned for the investigation and prosecution of racially motivated crimes."

The inquiry examined the handling of the case in comprehensive detail. It held 69 days of public hearings, heard 88 witnesses and received some 100,000 pages of evidence. I wish to put on the record my deep gratitude to Sir William Macpherson and his three advisers. They were Tom Cook, the former deputy chief constable of West Yorkshire police; the Right Reverend Dr. John Sentamu, the Bishop of Stepney; and Dr. Richard Stone, chairman of the Jewish Council for Racial Equality. I would also like to thank members of the inquiry team for their commitment and sensitivity in handling this very important inquiry.

The report is divided into two parts. The first part covers the police investigation into the murder of Stephen Lawrence; the second part the wider lessons to be learned.

The main findings of the first part of the inquiry are as follows:

"The conclusions to be drawn from all the evidence in connection with the investigation of Stephen Lawrence's racist murder are clear. There is no doubt that there were fundamental errors. The investigation was marred by a combination of professional incompetence, institutional racism and a failure of leadership by senior officers. A flawed Metropolitan Police review failed to expose these inadequacies. The second investigation could not salvage the faults of the first investigation."

The inquiry finds that that first investigation of the murder was "palpably flawed" and deserves severe criticism. The inquiry concludes:

"there can be no excuses for such a series of errors, failures and lack of direction and control."

A review of the case was conducted in autumn 1993 by Detective Chief Superintendent John Barker. The inquiry has found that this review was factually incorrect and inadequate. The inquiry was concerned that no senior officer at any level tested or analysed the review and that Mr. Barker had produced a "flawed and indefensible" report.

In 1994, a second investigation of the case was established and this attempted to salvage the situation. The inquiry makes it clear that the second investigation, led by Detective Superintendent William Mellish, was conducted with great imagination, skill and sensitivity by the officers involved.

The inquiry also identified work by police officers and others at other stages of the investigation which it said was exemplary. Those officers are praised for their unstinting commitment to bring the racist killers to justice, but their efforts, in the view of the inquiry, were not sufficient to overcome the catalogue of errors and basic incompetence in the handling of this investigation.

The report concludes that

"no collusion or corruption is proved to have infected the investigation of Stephen Lawrence's murder."

The Government accept the findings and conclusions of the first part of this inquiry, which relates to the investigation into Stephen's murder.

The House will share my sense of shame that the criminal justice system, and the Metropolitan police in particular, failed the Lawrence family so badly. The Commissioner of Police of the Metropolis, Sir Paul Condon, has asked me to tell the House that he shares that sense of shame. He has also asked me to tell the House that, as head of the Metropolitan police service, he fully accepts the findings of the inquiry, including those relating to him.

Sir Paul Condon took over as Commissioner of Police of the Metropolis in February 1993. Since coming into office, he has given strong personal leadership to improving the quality of service that the Metropolitan police provides to all sections of the community. A great deal has been achieved. For example, reported crime in London is at its lowest for nine years and Sir Paul is tackling the problems of police corruption with great vigour.

I have asked Sir Paul to continue to lead the Metropolitan police to deliver the programme of work that is now required. He has agreed. He will use the remaining 10 months of his office to take that work forward, including the agenda set by this report. I will support him and his successor in the work that lies ahead.

*[Mr. Jack Straw]*

The central and most important issue for the inquiry was racism and whether and how that affected the handling of the case. The inquiry addresses that matter with care and with sensitivity. On the critical issue of institutional racism, its definition is:

"Institutional racism consists of the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people."

The inquiry found that, on that definition,

"institutional racism exists within . . . both the Metropolitan Police Service and in other Police Services and other institutions countrywide."

The report says that institutional racism was apparent in a number of areas of the police handling of the case. The inquiry emphasised, however, that its findings do not suggest or imply that all police officers are racist or that the Metropolitan police service is racist in its policies. Indeed, the inquiry emphasises that, by the establishment under Deputy Assistant Commissioner John Grieve of the Metropolitan police's racial and violent crime task force, the

"signs are that the problem is being recognised and tackled."

The report then expresses the hope that

"the catharsis of this Inquiry will lead to constructive action and not to further divisive views and outcomes".

That is a new definition of institutional racism, which I accept—and so does the Commissioner. The inquiry's assessment is clear and sensible. In my view, any long-established, white-dominated organisation is liable to have procedures, practices and a culture that tend to exclude or to disadvantage non-white people. The police service, in that respect, is little different from other parts of the criminal justice system—or from Government Departments, including the Home Office—and many other institutions.

The report makes 70 wide-ranging recommendations, and I welcome them all. I am sure that hon. Members will not expect me to go through each of the recommendations in turn today. I will instead lay a detailed response and action plan before the House, before the promised full day's debate on the report. However, I want to use this opportunity to spell out how we are implementing the main recommendations of the report, as part of our major and continuing programme of change for the police service and for the criminal justice system.

First, on the police service, I have ordered an immediate inspection of the Metropolitan police service by Her Majesty's inspectorate of constabulary, which will include thorough scrutiny of unsolved murders and reviews of such cases. To pick up one of the recommendations of the inquiry, Her Majesty's inspectorate of constabulary already incorporates much of the approach of Ofsted in its inspections of the police service and it will be moving further in that direction.

A new police discipline regime will be introduced from 1 April. I will ensure that that is subject to effective monitoring and I will consider any further changes in the light of that experience. I will make an improvement in the trust and confidence in policing among ethnic minority communities a key ministerial priority for the police. I will use my statutory powers to ensure that every police force sets clear objectives to deal with racist crime better and to establish effective ways of demonstrating fairness in all aspects of policing.

I will set targets for the recruitment, retention and promotion of ethnic minority police and civilian staff. I announced last October our plans to ensure that every force reflects the ethnic diversity of the communities that it serves. I will chair a national conference of all chief constables and police authorities on that issue in April.

Stop-and-search powers under current legislation will remain unchanged, as recommended by the inquiry, but I will ensure that those powers are used more effectively and fairly. Londoners will, for the first time, be given a proper say in the running of their police service. From July next year, a police authority for London will sit alongside the new mayor and assembly. Legislation for that is already before the House.

Clear standards of performance will be put in place to ensure more effective police investigations of racist crimes. We have already changed the law to establish new offences of racially motivated crimes and the report makes wider recommendations for the criminal justice system. From next month, new guidelines will enable parties to an inquest to receive advance disclosure of evidence and documents. I have asked the Law Commission to consider the inquiry's proposal that the Court of Appeal be given power to permit prosecution after acquittal where fresh and viable evidence is presented.

As the inquiry proposes, we are already ensuring that victims, victims' families and vulnerable witnesses are treated more sensitively and fairly. The Youth Justice and Criminal Evidence Bill, which is currently before Parliament, will extend greater support to vulnerable witnesses, and yesterday I announced a 50 per cent. increase in funding for the victim support scheme. Next week, I shall publish a report by Her Majesty's inspectorate of constabulary, which examines police community relations across the country. It supports and reinforces the messages that have emerged from the inquiry.

The Macpherson report challenges us all, not just the police service. I want to use the opportunity that it gives us to tackle discrimination wherever it is found. I can announce today that we shall extend the Race Relations Act 1976 not just to cover the police, as the report recommends, but to cover all the public services. That means that in the civil service, the immigration service, and the national health service, for example, the law will back those who have been the subject of discrimination. The new law will allow the Commission for Racial Equality to investigate what is happening within individual police forces and other public services. Companies and other organisations in the private sector have long been subject to this legislation, but so far the Government have failed to keep their own house in order.

The Macpherson inquiry has demonstrated the failings of one very important public institution, the police service. The police have a special responsibility in our society, because day by day they are the immediate guardians of fairness and justice; but we would all be deluding ourselves if we believed that the issues thrown up by the inquiry affect only the police, for the report's

implications go much wider. The very process of the inquiry has opened all our eyes to what it is like to be black or Asian in Britain today, and the inquiry process has revealed some fundamental truths about the nature of our society—about our relationships one with another. Some of those truths are uncomfortable, but we must confront them.

I want this report to serve as a watershed in our attitudes to racism. I want it to act as a catalyst for permanent and irrevocable change, not just across our public services but across the whole of our society. The report does not place a responsibility on someone else; it places a responsibility on each of us. We must make racial equality a reality. The vision is clear: we must create a society in which every individual, regardless of colour, creed or race, has the same opportunities and respect as his or her neighbour. In terms of race equality, let us make Britain a beacon to the world.

Many countries already envy our record on race relations, and the race relations legislation of the 1960s and 1970s has made a significant difference to the treatment of black and Asian people in our country; but it has plainly not been enough. Over the coming weeks, the Prime Minister and I will spell out what the Government will be doing to drive home the programme of change. The report must mark the beginning of that process, not the end.

In her evidence to the inquiry, Mrs. Lawrence said:

"I would like Stephen to be remembered as a young man who had a future. He was well loved and had he been given the chance to survive, maybe he would have been the one to bridge the gap between black and white".

This report was born of the courage and determination of Neville and Doreen Lawrence: of their desire to get to the truth of what happened; of their desire to ensure that their son was never forgotten. The report is a testament to them, and upon the report we must build a lasting testament to Stephen.

**Sir Norman Fowler** (Sutton Coldfield): I welcome the Home Secretary's statement and his promise of an early full day's debate on the report.

The death of Stephen Lawrence was an appalling tragedy. It was a particularly savage and cowardly murder. It was, without doubt, a racist murder. The family have clearly been through a traumatic time. I associate myself entirely with the Macpherson report when it says that the persistence and courage of the family in the face of tragedy and bitter disillusionment have been outstanding. Our aim must be to ensure that, as far as it is in our power, a case such as the Lawrence case never recurs.

Equally, it is totally objectionable that the killers of Stephen Lawrence remain free. That is an affront both to the Lawrence family and to the community. The report makes it clear that the investigation was entirely inadequate. Those responsible for that investigation deserve censure, but we must ensure improvements in the effectiveness of the police to prevent such failures of justice from recurring.

I reassert our opposition to racially prejudiced behaviour. It must have no place in the police. It must have no place in any other organisation, public or private. It must have no place in this country.

There is now an urgent need to build trust in the police where it does not exist, and to rebuild it where it has been destroyed. There is a massive task and no one should underestimate what is needed.

As it happens, I have, over a number of years, studied the police not only in this country, but in other European countries such as France, Holland and Germany, as well as looked at the position in the United States. In my judgment and, even more important, in the judgment of those overseas, the reputation of the police here among the public generally is higher than probably anywhere else in Europe and, arguably, the world.

That is not remotely an excuse for doing nothing—doing nothing is not an option—but it is an argument for recognising that there is a foundation of public trust on which we can build. Many people in this country look on the police as friends, not enemies. We must extend that feeling. Many people see the police as a service to which they can turn when in trouble. We must extend that perception. The police must be there to serve equally all our citizens, but let us for our part recognise that they often have to operate in very dangerous and very difficult situations.

In that respect, I am concerned about the use of the phrase "institutional racism"; I am concerned not about the way in which it is used in the report, but that it should not be used as a generalised condemnation of the whole of the service. I do not accept that and nor does Sir William Macpherson. As the Home Secretary said, he is talking of the failure of an organisation to provide

"an appropriate and professional service to people because of their colour, culture or ethnic origin."

No chief constable would deny that there have been serious failures of that kind, as there have been in other organisations, including, as Macpherson says, the criminal justice system itself.

As the report says, accepting that definition of institutional racism does not entail accepting that all policemen and policewomen in London are racist—which is an entirely unjustified charge. It also does not entail accepting that the policies of the Metropolitan police are racist.

The aim of the report's 70 proposals is to increase trust and confidence in policing among ethnic communities. We support that aim, and the important proposals intended to improve, for example, training of police, provision of family liaison officers and handling of victims and witnesses.

I have questions, however, on several issues. I believe that one of the most fundamental proposals is that there should be an increase in the number of men and women recruited into police from ethnic minorities. I was a member of a Select Committee of the House that proposed such an increase 25 years ago. Progress since then has been painfully slow, and we must improve it.

The Home Secretary said that he wants to have recruitment targets—to which, as it happens, I am not opposed in principle. However, it would be difficult to have targets in one sphere and for the Home Secretary simultaneously to say that overall police strength has absolutely nothing to do with him. We are talking about police effectiveness for all our people. The Home Secretary should note that most people in the United Kingdom want more police, not fewer, which perhaps indicates how the service is generally regarded.

On race relations legislation, I welcome the Home Secretary's recognition that race relations is an issue not only for police but for all other public services, such as

*[Sir Norman Fowler]*

the civil service and the health service. The private sector has long been subject to current legislation, and it is difficult to appreciate the case in principle for exempting the public sector from it. However, will he say more about his plans and the evidence on the issue, including when he plans to introduce such legislation?

On double jeopardy, the report proposes that consideration should be given to permitting prosecution after acquittal when fresh evidence is presented. I believe that we should be cautious with the recommendation, and welcome the fact that he is referring it to the Law Commission. It is by no means certain that such a change would have helped in the Stephen Lawrence case. Before we make such a change, we should consider all the implications of doing so. I fear that there are too many examples of Governments—of either complexions—legislating in anger but living to regret it.

The crucial issue now is to take forward the process of reform. There have, regrettably, been some efforts to undermine the position of the Commissioner of Police of the Metropolis; I deplore such efforts. I welcome unreservedly the Home Secretary's comments on the Commissioner's position. I believe that it would have been a disaster for the service if he had gone, and there seems to me to be nothing in the report that would have justified that action. I believe that he is the right man to start the process of reform—as I am sure that he will.

I agree with Sir William Macpherson that a new atmosphere of mutual trust and confidence must be created. The onus of beginning the process lies with police. Every individual must be treated with respect. However, that goes both ways. Although we unreservedly condemn racist language, we must not use language against police that is almost as extreme.

The best action that we can take is to do everything in our power to ensure that the events surrounding the murder of Stephen Lawrence and the investigation into it do not recur. Reform is necessary, and reform should be pursued. I emphasise that the Opposition will do everything to help in the reform process. What we will not do, however, is to support any generalised attack on police, who, in my view, remain one of the best services we have in this country, not one of the worst.

**Mr. Straw:** I thank the right hon. Gentleman sincerely for his support for Sir William Macpherson's report, and for his measured response. I agree entirely with his remarks about the definition used in the report of "institutional racism". It is important to draw public attention to the fact that this definition is very carefully crafted, and—not least because of that—I am glad that it is one that the Commissioner is happy to accept.

The most important point made by the right hon. Gentleman was that the report is not saying that, because it finds institutional racism within the Metropolitan police service, other police services and other institutions, it is therefore saying that all police officers are racist. We know that, in almost every case, the reverse is true. However, the reverse can be true, but we can still have an institution that is displaying characteristics of institutional racism. I thank the right hon. Gentleman for putting that on the record.

The right hon. Gentleman referred to targets. We can, I suggest, debate at a different time questions of the strength of the police service. Whatever the strength of the service, there are bound to be retirements taking place—and, therefore, opportunities for recruitment. The Metropolitan police service is anticipating larger levels of retirement because of the bulge of recruits in the 1970s and early 1980s. Therefore, there is an opportunity for the Metropolitan police and other forces to give a real emphasis to the recruitment, retention and promotion of black and Asian officers.

I am glad that the right hon. Gentleman put on record his support for my outline proposals on race relations legislation, and he asked when we can bring that forward. He knows what Leaders of the House are like as well as I do, but the intention is to do so as quickly as possible. However, in all seriousness, if cross-party co-operation were offered in both Houses, we could propose such legislation much more quickly.

On autrefois acquit, I share the view of the right hon. Gentleman that we must be careful. It is not an absolute principle at the moment. Following the recommendations of the 1993 royal commission, the law was changed in 1996 in terms of tampering by a jury. However, the report—in rather short order—proposes much more substantial change, and it is sensible to have that considered first by the Law Commission.

**Mr. Chris Mullin** (Sunderland, South): My right hon. Friend's decision to set up the inquiry has been entirely vindicated by the outcome, and I welcome his robust approach to the recommendations. I agree that this is not a moment to declare open season on the police. However, it is a moment to make sure that some serious lessons are learned: first, that the public are entitled to expect value for the considerable sums of public money invested in the police; secondly, that when mistakes are made, they are owned up to and not covered up; thirdly, that where flagrant misbehaviour by police officers occurs, consequences should follow swiftly; and, finally, that the best way to end the canteen culture is to spend a little more time outside the canteen.

**Mr. Straw:** I think that that applies to Members of this House as well.

I thank my hon. Friend for his remarks, and I pay tribute to his work as Chairman of the Select Committee on Home Affairs, and that of his colleagues. We would not have been able to bring forward the changes in respect of police discipline on 1 April this year without the Committee's important report. We are looking forward to the Committee's report on police training, which should provide an agenda for changing the way in which we train officers, both initially and during their service—not least in the nature of our multiracial society.

The right hon. Member for Sutton Coldfield (Sir N. Fowler) talked about the past. He was right in saying that this country has higher standards of policing than many other European countries, and—as I implied in my statement—we have much higher standards in terms of race relations than some other European countries. However, one of the dangers of that recognition is that we can become complacent. If one looks at police training on race relations in the 1980s—following the Scarman report—one sees that people went through rote learning without understanding that what was required was significant cultural change right through the organisation, and an openness and accountability that the police service

did not enjoy at that stage. I hope that all the changes that we are making will help to change the environment in which police officers operate, for their benefit as well as for the benefit of the rest of society.

**Mr. A. J. Beith** (Berwick-upon-Tweed): Does the report not tell an horrific story of incompetence, bad management and ignorant racial stereotypes, which together ensured that the perpetrators of this murder and of other violent racial attacks have escaped justice? The people who emerge with the most credit and dignity from the report are Mr. and Mrs. Lawrence, whose terrible grief was compounded by the dreadful way in which they were treated. Few people can have achieved so much for race relations as that family have by the tremendous qualities that they have shown.

Is it not of great concern that the report concludes that throughout the United Kingdom there is a lack of trust between police and minority ethnic communities? Is not the disproportionate use of stop-and-search powers a clear cause for concern? Does the Home Secretary agree that, although blanket condemnation of the police would be unfair and unproductive, there can be no excuse for the failings outlined in the report? Does he accept that calls for the Commissioner's resignation are a distraction from the real issue? The question for Sir Paul and other chief officers is whether they have, in the words of the report,

"an unequivocal acceptance of the problems of institutional racism"

and whether they are going to take decisive steps to deal with it.

Britain has always prided itself on policing by consent, but the report clearly shows a failure to establish that consent in minority communities. Is the Home Secretary aware that we welcome his decision, for which we called, to extend the full force of the Race Relations Act to the police and all other public services? I wonder whether that includes the armed forces.

Will the Home Secretary implement in full other key recommendations in the report that represent a change in Government thinking? Recommendation 6 says that the London police authority should have the full powers available to other police authorities to hold the Metropolitan police accountable. That goes beyond what the Government are proposing. Recommendation 9 says

"That a Freedom of Information Act should apply to all areas of policing, both operational and administrative, subject only to the 'substantial harm' test".

Recommendation 58 says that serious complaints against the police should be investigated independently, not by another police force. Does the Home Secretary accept that, throughout society, there should be no compromise on racism and no hesitation in implementing the recommendations of this landmark report?

**Mr. Straw:** I am grateful to the right hon. Gentleman for his comments about the report and, above all, for his comments about the Lawrence family. It is important to point out that the report says that the legislation on stop-and-search powers should not be changed, but goes on to make four recommendations about how the police should use those powers better so that there is not the gratuitous discrimination against black and Asian people that comes through graphically from the statistics. I shall deal with that.

The right hon. Gentleman asked whether the Race Relations Act would be extended to cover the armed forces. The answer is yes. Race relations legislation already applies to public service employees—so it already applies to soldiers—but not to those who receive the services of public institutions. Civilian services such as the police, the immigration service and the national health service are more often in contact with members of the public and British citizens than are the armed forces, although the armed forces also come into contact with the public from time to time.

The London police authority will have the same powers as police authorities outside. I shall set out our view on that in the detailed response that I provide before the full day's debate. That was one of the few recommendations for which I did not entirely understand the factual basis. We intend to give the police authority for London the same powers as other police authorities. The only difference will be that the Home Secretary will have some involvement in the national security functions of the MPS. I do not think that that is unreasonable.

The right hon. Gentleman asked about freedom of information. The White Paper made it clear that the police would be subject to a freedom of information regime with a harm test, save in respect of the investigations of crimes. I ask him to await the publication of the draft Bill to see what we have proposed.

Recommendation 58 proposes an independent investigation of serious complaints, as the Home Affairs Committee proposed last year. I have always been sympathetic to that in principle. I said last year, and it stands, that we will wait to see how the initial changes bed down and consider the costs and consequences of setting up an independent system. Northern Ireland is there already. It will have an independent police ombudsman to investigate serious complaints from April, I believe, and we will take account of the experience there.

**Mr. Clive Efford** (Eltham): I thank my right hon. Friend for listening to the call from Mr. and Mrs. Lawrence for the inquiry to be set up, and I welcome his statement, and especially his commitment to a strategy for implementing the recommendations as soon as possible. I urge him to proceed without delay and enable the House to have a full debate on the issue. Does he agree that the recommendations represent the minimum that we should do to tackle the racism in our society and improve race relations, and that there is now an opportunity for every Member of Parliament to unite, go back to their communities and play a leading role in tackling that racism, in order to create an equal society in which people are not discriminated against on the basis of their skin colour?

**Mr. Straw:** I am grateful to my hon. Friend for his remarks. We will produce that strategy as soon as possible. A fair amount of work has been done in the past week, since I received the report on Monday, nine days ago. He is right to say that every Member of Parliament has responsibilities. As I said, implementing the report is not somebody else's responsibility; it is the personal responsibility of each of us.

**Mrs. Virginia Bottomley** (South-West Surrey): In a world in which all too many countries are blighted by

*[Mrs. Virginia Bottomley]*

racial tension, we have long been proud of a tolerant attitude which is intermittently shattered. At the time of the Brixton riots 18 years ago, I was chairman of a juvenile court, and I remember the anger, despair and sense of horror at the events, and the anxiety that was spread throughout the country. I thank the Home Secretary for identifying the real progress made as a result of the Scarman report; but, once again, the anger and despair that have arisen from this case have permeated us all. I simply hope that we will be able to emulate the dignity and determination of the Lawrence parents in the search for results: not for a witch hunt and for scapegoats, but for practical change.

**Mr. Straw:** I am grateful to the right hon. Lady for saying that: we do not want scapegoats; we want action and change, and scapegoats will not help us to achieve either.

The interesting thing about the Scarman report, which I recently re-read, is that it was implemented more within the police service than outside, and therefore in something of a cultural vacuum. For that reason, much of the initial impetus behind the change that it should have initiated was lost. I hope that we can achieve a much wider agenda with the new report and that there will be constant monitoring, so that, in a year's time, when other issues have overtaken us, we have not forgotten that we must ensure continued progress if we are to avoid similar trauma in the years ahead.

**Mr. Bernie Grant** (Tottenham): First, I want to pay tribute to the Lawrence family, their friends and supporters, for the stalwart nature that they have shown. I congratulate my right hon. Friend the Home Secretary on sticking to his promise, made before the general election, that we would have a public inquiry, but may I also warn him about the situation?

We have been here before. I remember being very optimistic in 1981, after the Scarman inquiry. We thought that it was a watershed and that things would change, but 18 years later—I have read both reports—we are back to almost the same recommendations that the Scarman inquiry made. This is a last chance for British society to tackle racism and to push for racial equality. The black community is giving British society a last chance. Although I agree with my right hon. Friend the Prime Minister that institutional racism occurs throughout society, the police have the power to remove one's freedom and we have to be especially careful about how they operate.

Although I agree with almost everything my right hon. Friend the Home Secretary said today, I do not agree with his conclusion on the position of the Metropolitan police Commissioner. The black community does not have trust and confidence in Mr. Condon. I do not say that he should be sacked or that he should resign—I am not a bad-minded person. However, Mr. Condon should take early retirement, because we cannot move into a new phase with the same old faces.

We appear never to be able to tackle the supervising officers of the rank and file police men and women. My feedback from the street is that the attitudes of rank and file police officers have changed dramatically, probably because of graduate recruitment and race relations training. However, the attitudes of desk sergeants and those behind them remain the same. Those are the attitudes that permit institutionalised racism. We have to begin to call to account the actions of some of those detectives, superintendents, chief superintendents and police commissioners. I ask my right hon. Friend to reconsider that question, because the black community is watching closely what happens to those posts. I shall leave the rest of my observations to the debate.

**Mr. Straw:** May I first say how delighted I am to see my hon. Friend back in his place in the House after a period of illness?

My hon. Friend is right to say that we have to take the chance that we have been given. The difference with 18 years ago and the Scarman report is that many white people thought then that the answer to the problem of racial prejudice and discrimination was to treat everybody the same. The suggestion was that all one had to do was to be colour-blind. We now know that the answer is not about treating everybody the same, but about treating everybody equally, including respect for and recognition of people's diversity and different needs. That is one of the most profound changes that we must introduce.

In some respects, I am optimistic, and I wish to pick up my hon. Friend's point about the change in the attitudes of police officers. In my view, attitudes have changed further in the Metropolitan police than in many provincial forces and that fact will emerge in the report of the inspectorate, which I will publish next Monday. I am sorry, but I disagree with my hon. Friend about the attitudes of officers at more senior levels. These days, many such officers are profoundly committed to an agenda of change and to making their forces anti-racist and agents for driving out racism in our society.

My hon. Friend also raised the position of the Commissioner, and I am sorry to say that I disagree with him on that point, too. I do not believe that it would have been justified or appropriate to ask the Commissioner to resign. He is in a position to take forward the recommendations. He has accepted the findings of the report; its conclusions, including those that relate to him; and the definition of institutional racism, including as it applies to the Metropolitan police. As a result not least of his personal commitment, and of the Lawrence inquiry, huge change has already been made in the Metropolitan police service. That is evident and, as I said in my statement, I believe that he is the man to take the programme forward. He will do so over the 10 months that remain of his normal period of office, which in any event comes to an end early next year.

**Several hon. Members** *rose—*

**Madam Speaker:** Order. May I urge hon. Members to reserve their comments for the debate that has been announced and that will take place soon? I can call only one or two other hon. Members, as I have the rest of the day's business to safeguard, and I hope that hon. Members will ask brief questions.

**Mr. Humfrey Malins** (Woking): Does the Home Secretary agree that we must be very careful about how

we define the terms and phrases that we use? The Oxford English dictionary defines "racism" as

"a belief in the superiority of a particular race . . . prejudice based on this belief"

and as

"antagonism towards other races."

Yet today, we seem to have moved to a definition of institutional racism that can involve accidental conduct whose consequences are not intended. Does the Home Secretary recognise that difficulty with definitions? Does he agree that, according to the first definition that I gave, 99 per cent. of London's police pass the test with flying colours?

**Mr. Straw:** One of the reasons why we have arranged a full day's debate in due course is to ensure that hon. Members have the time to read the report. I suggest that the hon. Gentleman read the good debate in chapter 6 of the report, which explains why the Committee came to the view that its definition of institutional racism was the appropriate one.

**Mr. Keith Vaz** (Leicester, East): I, too, pay tribute to the Lawrence family and to the Home Secretary. The report is a shocking document. It reflects tragically on the vulnerability of the black and Asian community, and I am sure that my right hon. Friend expects its recommendations to be implemented in full. I am proud to live in a multiracial country, and to represent a multiracial constituency. However, I am desperately disappointed that our institutions are not multiracial.

I welcome my right hon. Friend's proposals about targets, but I would like them to be extended to the civil service as well. Will he say what he proposes to do with those chief constables and others who refuse to meet those targets?

**Mr. Straw:** We have not got there yet. I think that they will meet their targets and that there is wide recognition of the importance of improving the number of ethnic minority officers in the police service. I am grateful for the fact that the policy has the backing in principle of Conservative and the Liberal Democrat Members. It enjoys a broad consensus, and I expect and believe that every chief constable—and every police authority member—will take it on. If not, I may have something to say.

**Mr. Peter Bottomley** (Worthing, West): I support what the hon. Member for Eltham (Mr. Efford) said. People in this country who want to approach their Member of Parliament about racism or bad treatment will now know that every hon. Member will act as the hon. Gentleman has acted.

In addition, I welcome the support that my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) has given the Home Secretary on the approach to the inquiry. May I ask the Home Secretary to recall that some people involved in the tragedy seldom get remembered? For example, Duwayne Brooks had to suffer the tragedy of watching his friend get stabbed: much of the media coverage devoted to him has been adverse, and quite wrongly so. Moreover, no one has to suffer the loss of a brother to understand what Stephen's brother and sister, Stuart and Georgina, felt when Stephen was killed.

Finally, will the Home Secretary try to resurrect a report for which Sir Michael Quinlan at the then Department of Employment asked in about 1986 from the Race Relations Employment Advisory Service? That report, which attracted little attention outside the Department, examined the cultural and behavioural problems associated with employment, even in Government Departments. That report deserves to be updated, and spread to other Departments.

**Mr. Straw:** The hon. Gentleman was right to point to the many human tragedies that are part of the dreadful story arising from Stephen Lawrence's murder.

As for the report, I thank the hon. Gentleman for the tip, and we shall dig out that 1986 Department of Employment report. A good deal of work is going on already, but it is interesting how often Government Departments, like other bodies, tend to reinvent the wheel. It might be worth discovering whether it has been invented already.

**Joan Ruddock** (Lewisham, Deptford): My right hon. Friend will know that his tribute to Doreen and Neville Lawrence is shared by me and by the people of south-east London. Does he accept that there will be a great sense of relief among my constituents—one third of whom are black—that institutional racism in the Metropolitan police has at last been accepted by the House, and that he has undertaken to take positive action as a consequence? I welcome the action that he will taking in putting Her Majesty's inspectors into the Met to examine unsolved deaths and murders, and the reviews of such cases. Can he confirm that the inspection will include the review undertaken at my request into the deaths of 13 young people in the New Cross fire in 1981?

**Mr. Straw:** My hon. Friend referred to my acceptance, and that of the House, of the concept of institutional racism as defined by the inquiry. I should make it clear that the definition is also accepted by the Commissioner, who has issued a statement today, saying:

"The Metropolitan Police Commissioner Sir Paul Condon has accepted part one of the Macpherson inquiry report and its proposed new and demanding definition of institutional racism for all public institutions."

On my hon. Friend's second point, I cannot say without notice whether the inspection of the Metropolitan police will include a review of the 13 young people's case, but I shall write to her on that.

**Mr. David Tredinnick** (Bosworth): May I refer the Home Secretary to recommendation 58 for a fully independent investigation of complaints against the police? May I remind him that many of those who gave evidence to the Scarman inquiry into the Brixton riots argued strongly for an independent inquiry then? The replacement of the old Police Complaints Board with the Police Complaints Authority, which is semi-independent, has not won sufficient confidence. Does the Home Secretary not believe that the independent investigation of serious complaints should be at the top of the agenda, rather than some way down it, as he has suggested it is?

**Mr. Straw:** The hon. Gentleman is right. He might have mentioned that I produced a ten-minute Bill in 1981, which proposed an independent police complaints

*[Mr. Straw]*

authority, an idea to which I am still sympathetic. I have made my position clear. We have taken forward many of the recommendations of the Select Committee. This is a piece of unfinished business, and it is important that we get it right. If broad agreement is emerging among the political parties in the House about the future structure of an independent police complaints investigative body, pursuing the policy will be made much easier.

**Ms Jean Corston** (Bristol, East): I congratulate my right hon. Friend on establishing the inquiry in the first place. Does he agree that the report lays on all of us both a duty and an opportunity to ensure that employment in, contact with or use of our public services should not depend on conformity to a white, male culture? Does he accept that policing in multicultural areas such as my constituency requires the police to take an open attitude, and to be in contact with, and have the confidence of, local groups? May I commend to him the work done at Trinity Road police station, which works with the Bristol race equality council against racist incidents? May I suggest that, as part of their training, every police officer should be required to read "Faces of Britain: A Cultural Guide", a booklet produced by that police station?

**Mr. Straw:** I am grateful to my hon. Friend for her remarks. My hon. Friend the Minister of State, Home Office has just given me a quick briefing on the value of the work done at Trinity Road police station, and he will visit it shortly. A great error was committed 15 to 20 years ago when people thought that they had to bother about anti-racist policies only in areas in which black and Asian people lived in any numbers. In fact, we need to bother more about anti-racist policies in areas that are all white. I do not want the police service to get the idea that, just because an area is predominantly white, they do not need to recruit black and Asian officers. Regardless of whether areas are mainly white or not, officers will, in the course of their careers, come in contact with black and Asian people. In any event, we must ensure that officers of the law treat people equally, regardless of the colour of their skin, race or creed.

## Kosovo

4.30 pm

**The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook):** Madam Speaker, with permission, I would like to make a statement on the Kosovo talks.

In my statement three weeks ago, I reported that the Contact Group had agreed to summon both sides to negotiations for a political settlement on the basis of the documents tabled by that group. Both sides responded to that summons and took part in peace talks held until yesterday at Rambouillet. As co-chair of the talks, the United Kingdom was fully engaged in brokering agreement between the two parties, and the House will wish to recognise the immense effort put in by officials, some of whom have worked without break and occasionally without sleep. I record the appreciation of all the British team for the close co-operation of France, both as co-chair and as host of the talks.

At the outset, both parties to the talks had a large number of reservations about the Contact Group's proposals for the constitution of a self-governing Kosovo. The great majority of them were resolved. However, the Yugoslav delegation still has some difficulties, such as the limited role of the Serbian courts; and the Albanian side is still particularly concerned about the absence of a commitment to a referendum on independence at the end of the three-year period. Those problems remain. Nevertheless, we obtained consensus from both sides for a democratic, self-governing Kosovo, and agreement to the main elements in the detailed texts on its constitution.

Those texts provide Kosovo with its own assembly, constitution, president, Government, taxes, laws, and police and security. They provide a sweeping measure of autonomy for Kosovo, including the right to conduct foreign relations in respect of the areas within the competence of the Kosovar assembly. The constitution also provides full protection for the national communities within Kosovo, including the right of both Serb and Albanian communities to have representative bodies to protect and promote their respective languages, cultures, religions and educational curriculums.

There was broad agreement on both sides regarding a major international presence in support of the political settlement. Elections to the assembly, local communes and community bodies are to be supervised by the Organisation for Security and Co-operation in Europe. Both parties agreed to the appointment of an international ombudsman to monitor human rights and fundamental freedoms, and the texts provide for the European Commission to take the lead role in co-ordinating the economic reconstruction of Kosovo.

The most difficult issue was the proposal for an international military presence in Kosovo. The Yugoslav delegation refused to accept that the presence of foreign troops was consistent with Yugoslav national sovereignty. There were also serious difficulties on the Albanian side—particularly among representatives of the Kosovo Liberation Army, who found it hard to accept that a condition of an international military force must be that they demilitarise and surrender their weapons.

Throughout the talks, I made it clear that Britain was willing to provide ground troops to underpin the interim settlement, but that there could be no question of us or

our allies doing so without a clear commitment to such a ceasefire and to the withdrawal or disarmament on both sides that is necessary to make it a reality.

Both parties agreed to meet again on 15 March to discuss all aspects of the implementation of the new constitution of Kosovo, including the civilian and military international presence. My colleague Hubert Védrine and I are considering how we can use the interval between now and then to convince the wider public in Kosovo and Serbia that the outcome is a good bargain for both, and the best deal that they will have to end the conflict.

I regret to inform the House that violent conflict continues in Kosovo. On Monday, there was fighting near Vucitrn. Yesterday, there was further fighting at Bukos, in which we know that at least one Serb was killed and five were injured. We do not yet have figures for casualties on the Albanian side. Today, there has been further fighting near Suva Reka.

Last night, Javier Solana confirmed that NATO expects both sides to respect the ceasefire and remains ready to use whatever means are necessary in support of it. Yesterday, all the NATO members of the Contact Group repeated their support for decisive NATO action if Belgrade makes a disproportionate response or takes violent reprisals against the civilian population. We also hold the Kosovo Liberation Army responsible for its part in maintaining a ceasefire. Both sides should use the next three weeks to build on the new agreement for peace, not to break down the existing agreement for a ceasefire.

When I last spoke to the House on this issue, I ended by saying that I could not confirm that the talks that we were seeking would take place, nor guarantee that they would succeed. We were successful in getting both sides to take part in the talks. As a result, we have created a peace process, and the end of the Rambouillet talks is not the end of that process but only the conclusion of its first phase. Both sides have committed themselves to taking part in its next phase.

I cannot report to the House that we have yet reached complete agreement to the Contact Group texts, but we have secured agreement to the overwhelming majority of them. That result proves that we were right to try for peace by summoning the talks, but also demonstrates the extra mile we still have to travel. I can assure the House that we will maintain our pressure on both sides to end the conflict through negotiations.

Neither side is going to end this conflict through military action. Neither side can gain from prolonging it. The longer Belgrade continues to try to resolve the conflict by military repression, the more difficult any final outcome that stops short of independence for Kosovo is made. The longer the Kosovo Liberation Army continues to provoke conflict, the more difficult it makes it for the international community to stop the bloodshed among its people.

Both sides have recognised the value of the Contact Group proposals. I urge them now to work with us in implementing them, and to turn their commitments on paper into reality on the ground: the reality of a Kosovo free from fear and governed by free elections.

**Mr. John Maples** (Stratford-on-Avon): Will the Foreign Secretary confirm that no agreement has been reached or signed at Rambouillet, and that the sticking points were Kosovo's insistence on a referendum on its future and Serbia's refusal to allow a NATO peacekeeping force on Kosovan territory? Both sides have refused to give way on those points and appear unlikely to do so. The Kosovo Albanians would rather fight than give up the prospect of independence and Serbia would—apparently—rather be bombed than have NATO troops on its territory. Both calculate that this would enhance their positions.

As I understand it, the strategy was to get the Kosovo Albanians on side quickly and then threaten the Serbs, but it fell apart early and proved to be misconceived. Why was there such a miscalculation? Why was the Kosovo Albanian position not better understood in advance? That was the fundamental fault. The Foreign Secretary had a carrot for the Kosovo Albanians and no stick, and a stick for Milosevic but no carrot. This obvious flaw in his strategy led to Milosevic being allowed off the hook.

Now we are to have a three-week delay. All hon. Members hope that things will work on 15 March, but each delegation is probably going to spend the three-week hiatus talking to its hardliners, seeking unity not behind an agreement but behind sticking points to strengthen its negotiating position. There is a danger that the situation on the ground will deteriorate by 15 March. It is happening already and will inflame both sides.

Why was the Rambouillet format chosen for the talks when the Dayton model—shut all the parties away in a remote, unattractive location without access to press or home capitals, with all the principals present, and refuse to let them go until an agreement has been reached—was known and successful? *[Interruption.]* Well, it worked and this has not. Why choose a French chateau just outside Paris with free access to the media and perpetual contact with delegations' capitals? All the principals were at Dayton, including Milosevic and Holbrooke. The key character, Milosevic, was missing at Rambouillet. Of course, Holbrooke was at Dayton, where having one's arm twisted by him was pretty effective. Apparently, it is not quite as effective when done by the Foreign Secretary.

There were the additional mistakes of for ever setting deadlines, and extending them, and having a Contact Group of five nations that did not agree among themselves. The Contact Group had no real coercive threat, and Russia disagreed with the imposition of what threat there was. The only real coercion was from the United States, which had to try to rescue the process. Surely the lesson is that only the United States is a credible threat—at least that is what Milosevic seems to think.

I have some questions, and I would be grateful if the Foreign Secretary addressed them. The Rambouillet process was supposed to last two weeks. Despite extensions, it has failed in its objective. In the Foreign Secretary's words, the talks have become "a process". I hope that that process will succeed on 15 March, although we have serious doubts. What will the Foreign Secretary do if the Kosovo Albanians refuse to sign without a commitment to a referendum? What will he do if the Kosovo Albanians agree, but Milosevic refuses to have a NATO force? Would we bomb Serbia, or would the Foreign Secretary agree to any other force? If bombing were to start, how could he guarantee the safety of OSCE monitors? Does Russia still wholly oppose a NATO force?

*[Mr. John Maples]*

The Foreign Secretary said in his statement that NATO will take action if Belgrade makes a disproportionate response, or instigates violent reprisals. What exactly does that mean? If the process fails, can he absolutely and unconditionally guarantee that the very large NATO army in Macedonia will not be used except under the terms of a peace agreement, and to help to implement that agreement?

Does the Foreign Secretary think that the Rambouillet process has enhanced Milosevic's respect for NATO? Does he think that Britain's credibility in the world has been enhanced by his conduct of the process? Does he think that Milosevic regards him personally with more fear and respect than before Rambouillet? The House knows the answers to these questions. We have witnessed all the Foreign Secretary's final warnings, all the unfulfilled expectations that he has aroused, his summonses of the parties, and the posturing incompetence with which these matters have been handled. Unfortunately, the people of Kosovo are also only too aware of the consequences.

**Mr. Cook:** Let us begin with the questions for which the hon. Gentleman managed to find time in his little speech. First, if there is any question of bombing, the monitors will be withdrawn. Secondly, it is non-negotiable for us that any force to which we commit British forces must have a tried, trusted and tested command structure. For us, that means a NATO command structure.

The hon. Gentleman asked whether Russia continues to oppose a NATO force. Russia's position throughout has been that it is willing to take part in a military presence if it is invited by Belgrade. He asked exactly when we would commence bombing Belgrade. I cannot think of anything more helpful to Milosevic than to spell out exactly when we might do so.

The hon. Gentleman asked whether this process has increased respect for Britain and the conduct of its foreign policy. I reported only on Sunday to all European Union Foreign Ministers, all of whom are in support of the Rambouillet process, and all of whom understand both the effort that went into it and the difficulty of securing success.

I turn to the hon. Gentleman's preamble. Remote though the prospect is at present that he will find himself in government, I am always tempted by the thought of his having two weeks in office, just to discover the reality of the problems of carrying out international negotiations. What he described was pure fantasy. Richard Holbrooke has already had a go at trying to twist arms. He produced the Holbrooke package in October, which we welcomed and supported. Since then, we have been seeking to build on it, and to improve it by working on areas that were missing from it, especially the question of the guarantee for the implementation of an agreement.

As far as I could tell from the hon. Gentleman's contrast of Rambouillet and Dayton, the only difference that he found was that Rambouillet was attractive and Dayton was certainly unattractive. I remind the hon. Gentleman that what happened at Dayton came as a result of several months of bombing in Serbia and the Serbian side then recognising that, for them, the military conflict was over. If the hon. Gentleman wants us to follow a model in which we achieve peace only after several months of bombing, I have to tell him that at present there are not many takers among his allies.

No, we have not let Milosevic off the hook and we have not let the KLA off the hook. Both are now confronted with having to come up to scratch on the agreement that they have made. Yes, there was an agreement at Rambouillet. That agreement was not perfect or complete—that is in the nature of international negotiation. However, as the Serbian side acknowledged, there was major progress towards substantial autonomy for Kosovo and, for the Kosovar side, an agreement that it could accept subject to consultation.

That justifies our efforts at Rambouillet; indeed, there was greater agreement than I predicted when we started. I did not predict that the process would be easy or end in triumph; I predicted that it would be difficult and that we would not necessarily get agreement. We have done so, and it would be helpful in pushing Milosevic and the KLA into abiding by that agreement if the hon. Gentleman recognised what had been achieved.

**Mr. Donald Anderson** (Swansea, East): After that rather sour performance from the Opposition Front Bench, would not the House have been better served by the lofty statesmanship of the right hon. and learned Member for Folkestone and Hythe (Mr. Howard)? The better view is surely: so far, so good. The agreement is not ideal, but it is far better than one might have hoped at the start of the process, and all involved must receive our congratulations on stopping something worse.

Is my right hon. Friend confident that the will exists on both sides of the conflict, among the Kosovar Albanians and the Yugoslavs, to prevent a substantial deterioration on the ground before 15 March? Did he get that message from the representatives at Rambouillet? What role is envisaged for the OSCE monitors after the eventual agreement?

**Mr. Cook:** It is recognised in the text that there will be a strong role for the Kosovo verification mission, particularly its head, as we implement the new constitution for Kosovo provided for by the documents. Indeed, the head of the mission will be responsible for nearly all aspects of civilian and political construction in securing agreement to them.

The verification mission continues to do vital work in seeking to make sure that the ceasefire is maintained, and by and large is successful in doing so where it is present. I regret that there are only 1,200 members of what should be a team of 2,000. One of the points that I agreed with my colleagues at the close of the talks is that we must consider how we can increase the pace at which we fill those remaining places.

My hon. Friend asked a grave question that goes to the heart of the conflict that we face in Kosovo. I have to tell the House that I did not receive assurances that I would regard with confidence about future conduct in the conflict. Both sides have to recognise their responsibility and they have to recognise that neither of them can win by conflict. It is in their interests to agree to the process that we have started and to accept the constitutional and political settlement on offer.

**Mr. Menzies Campbell** (North-East Fife): I begin by acknowledging and applauding the efforts of officials and

the Foreign Secretary, but I hope that he will forgive me if I strike a more pessimistic note than that contained in his statement.

Must we not properly acknowledge that the outcome of Rambouillet is inconclusive—we have only a provisional agreement on political structures, we have no agreement on the peacekeeping force and we have no peace in Kosovo, as events of the past 72 hours have eloquently demonstrated? Is not the position further complicated by the power struggle taking place within the KLA and the risks of provocation and retaliation to which the Foreign Secretary referred in his statement? Realistically, what physical steps can we take to prevent deterioration in Kosovo between now and 15 March?

**Mr. Cook:** I have been clear that the agreement is not a complete agreement—indeed, it is a partial agreement. However, I believe that that is better than no agreement at all. We did make progress at Rambouillet, but I am not pretending to the right hon. and learned Gentleman or to the House that we have completed that task.

The right hon. and learned Gentleman is right to stress the importance of the process being able to continue when we meet on 15 March, in order to achieve an observance of what is now a grumbling ceasefire, without escalation. He asks how we can secure that. The first barrier to escalation is the verification mission. We are looking at how we can complete its numbers and make sure that it is brought up to full strength.

The right hon. and learned Gentleman's second question concerned what other measures would then be available to us. The best measure that we have to secure compliance from Belgrade is to make it clear to Belgrade, as I have already done, that the NATO planes remain on alert, and that the order for Javier Solana to authorise their use remains in force. We are all clear within NATO that, in the event of disproportionate military action by Belgrade—if there was any repeat of the atrocities that have taken place in the past—that authorisation is available and could be used in those circumstances.

The Kosovo Liberation Army must also accept its share of responsibility for maintaining the ceasefire. Too often in the past, action has been initiated from the Kosovo Liberation side. We have made it plain to the Kosovo Liberation Army that we are well aware of the way in which it has broken the ceasefire. We will not allow ourselves to be trapped into ending up as the KLA's air force, as a result of provocation that it initiated.

**Mr. Tony Benn** (Chesterfield): Is the Foreign Secretary aware that for many people, including myself, the one outcome from the Rambouillet talks is that bombing has not begun? The most terrifying argument put from both sides of the House at one stage was that the credibility of NATO would be the justification for bombing.

Is the Foreign Secretary also aware that, whatever the outcome may be, if, without the authority of the Security Council, the United States and Britain or other countries bomb or enter a sovereign state without the consent of that state, that will be a breach of international law? If, as he said, quite rightly, the problem inside Yugoslavia cannot be solved by conflict, it certainly cannot be solved by the conflict being entered by people pretending to be the world's policemen.

Will the Foreign Secretary further consider that, when one thinks of the problems affecting minorities such as the Kurds, the Palestinians and the people of East Timor, the position occupied by the American and British Governments is not really very credible?

**Mr. Cook:** There is no question of our entering Kosovo with military force in circumstances in which there is no peace agreement to police. We have made that clear repeatedly. We do not intend to fight our way into Kosovo. Unless we were clear about what we were going to do there by way of peace settlement, such an undertaking would be pointless.

Secondly, with reference to the Security Council, there was broad agreement at Rambouillet among all the members of the Contact Group that, in the event of a settlement, we would invite the Security Council to approve and endorse the settlement.

In the event that we are faced again with a humanitarian crisis as a result of excessive military repression in Kosovo—if, once again, we are faced with tens of thousands of refugees on the hillsides, or if, once again, we are faced with innocent civilians being executed at close range, with no suggestion that that was happening in fighting—I do not believe that my right hon. Friend's constituents or those of any other hon. Member would understand it if we did not respond.

**Sir Peter Emery** (East Devon): The Foreign Secretary must know that all of us hope that on 15 March solutions can be found and we can go forward without resorting to bombing. If that is the case, all sides will deserve to be congratulated.

Can the Foreign Secretary say what will happen after the three-year period? Is there to be Serbian law in Kosovo? Is there to be an entire new structure of law? What is the position with regard to education? How will that be dealt with, if Kosovo is given a measure of independence? Only if such matters are dealt with satisfactorily will there be a long-term solution of the problem.

**Mr. Cook:** The answer to the right hon. Gentleman's questions on the issue of law is that it would be for the Kosovo assembly to apply the laws of Kosovo as they are at present, or to amend them as it chooses. The document throughout is carefully balanced and calibrated to respect the rights and aspirations of the other communities of Kosovo, particularly the Serb community, which is why it provides for the right of appeal to the Serb courts for representatives of the Serb community. One issue that we have been looking at lately is the right of Serb judges to take part in the Kosovo courts.

The right hon. Gentleman also raised the question of education. That, too, would be a matter for the representative bodies of the national communities, both Serb and Albanian, who would have control over the curriculum, cultural questions, religion and matters that trench closely on their different approaches to education. However, education would be a devolved competence of the Kosovo assembly.

*[Mr. Cook]*

As I hope my remarks have shown, enormous ingenuity and thought have gone into providing for Kosovo maximum self-government of a sweeping character, while ensuring that the rights, privileges and customs of Kosovo's other communities are fully protected.

**Mr. Mike Gapes** (Ilford, South): I welcome my right hon. Friend's even-handed and balanced assessment of the situation in Kosovo. He must deal not only with two warring parties but with the carping critics in the House and with the difficulty of Europe influencing a United States Administration who sometimes find it too easy to look for quick-fix air strike solutions to complex problems. Will my right hon. Friend assure the House that the Europeans will continue to work patiently and assiduously for a political outcome of the conflict and do their best to ensure that the United States follows that process over the next few weeks?

**Mr. Cook:** In response to my hon. Friend's observations, I recall that throughout the period when we were in opposition, whenever the then Government sought to achieve a peace initiative we did not regard it as our function to score party political points when they responded to the House.

**Mr. Maples:** That is silly.

**Mr. Cook:** I should have thought that a more serious approach to this matter would be to regard it as a grave international crisis, not a matter for partisan politics.

My hon. Friend is right to say that there is no quick-fix solution to the problem. Nevertheless, I would counsel him against falling into a trap similar to the one that the Opposition spokesman fell into in suggesting a clear break between Europe and the United States. We shall solve this problem only if Europe and the United States work closely together, as we have over the past three days at Rambouillet.

**Mr. Andrew Tyrie** (Chichester): It is widely reported that relations between Serbia and Montenegro have deteriorated sharply in recent months. The Montenegrin authorities have said that they will refuse the Yugoslav army access to their territory. Have NATO powers received such representations about the use of force on their territory from the Montenegrins? Will the Foreign Secretary acknowledge that, for good or ill, a likely by-product of the initiative of the past few weeks is the destabilisation of former Yugoslavia? In the light of the initiative, is it feasible in the long term that Montenegro can remain part of the Yugoslav federal republic?

**Mr. Cook:** I met President Djukanovic of Montenegro last week when we had a full discussion lasting an hour and a half about both the current situation in Kosovo and the tensions within the federal republic. I have assured President Djukanovic of the full support of Britain and the west for his measures to achieve a more open market economy and society within Montenegro—measures that we supported financially during the British presidency of the European Union. I have also assured him that our quarrel is with Belgrade and that we shall do all that we can to ensure that our actions in respect of Belgrade are not applied in relation to Montenegro. He has been a valuable and supportive critic of Belgrade's role in so many of the actions that have led to the present crisis in Kosovo and elsewhere. I very much hope that we shall be able to support him whenever possible.

**Mr. Tam Dalyell** (Linlithgow): The Foreign Secretary referred to what the constituents of my right hon. Friend the Member for Chesterfield (Mr. Benn) would think. On Saturday night, I was talking to some of the Foreign Secretary's constituents and mine—we share the same local authority—and some mutual old friends of ours. They are serious people and political associates of 30 years, and they are deeply concerned about the whole question of bombing and the effect that it has.

Is not the truth that, when people are bombed, they become far more resistant to a solution than if they had not been bombed? May I gently ask my colleagues on the Front Bench whether they understand, because they are of a younger generation, the effect of bombing on people? The Secretary of State for Defence knows that I sent his office an obituary of a distinguished group captain, who said that, during the war, Hitler had ordered a fortnight's leave for any German—in the Afrika Korps or on the Russian front—whose house had been bombed. Why? Because they would return and, with greater determination than ever before, fight for the cause, which we may think is entirely wrong. On the whole question of bombing, cannot the Government have a think about the effect of it?

**Mr. Cook:** I am not sure to what extent my hon. Friend's question arises from the content of my statement, because I am here to discuss a peace process that we started to try to achieve an end to the conflict in Kosovo. It was not the objective of Rambouillet or of the peace process to embark on a bombing campaign, but I have said, and I repeat again, that there should be no misunderstanding in Belgrade that the authorisation for action by NATO remains fully in place.

**Mr. Dalyell:** Not by the Russians.

**Mr. Cook:** They are not members of NATO and we would not allow them to have a veto on what we were to decide within NATO.

I say to my hon. Friend that the issue in Kosovo is not bombing by Britain or by any other member state of NATO, but the fact that so many of the villages of Kosovo have been demolished by artillery and mortar fire by Serb forces, and so many civilians in Kosovo have been shot and made homeless; and that 200,000 people are still displaced in Kosovo and elsewhere in the region as a result of the fighting. In order to stop that, we went to Rambouillet, and, in order to prevent further serious escalation of the violence, we are ready to take action, if it is required.

**Mr. Crispin Blunt** (Reigate): Will the Foreign Secretary address the problems that will arise if his strategy is successful? First, British forces will have to be deployed to support any agreement. He has already alluded to the fact that only 1,200 of the 2,000 monitors have been forthcoming. The United Kingdom has offered 8,000—the largest share—for the force for Kosovo, but

such a deployment could be maintained for only six months before it caused serious problems of overstretch for the Army. The clock is already ticking, because those people are preparing for that operation. How will we ensure that, when we want to reduce the British contingent, others will take its place to safeguard the agreement?

Secondly, will the Foreign Secretary address the problem of what will happen in three years' time if we force the Kosovars into the agreement and to withdraw their insistence on the right of self-determination at some stage in the process? Will we find ourselves doing Serbia's dirty work in preventing the Kosovars from exercising a democratic freedom that, for example, we in the United Kingdom would be happy for the people of Scotland to express?

**Mr. Cook:** The hon. Gentleman's last point is flatly in conflict with the agreed strategy of all members of the Contact Group and throughout the wider international community, which is that we will support a democratic, self-governing Kosovo. We will create the structures for a three-year interim accord, in order that that can take place. There is no commitment in the international community to the independence of Kosovo. We are not proposing, therefore, to have an independent Kosovo at the end of that time, but we will go in only if the Kosovars also accept a ceasefire, also accept the interim accord and also accept that they have to surrender their weapons.

On the issue of overstretch, the Allied Command Europe Rapid Reaction Corps, which would go in as the headquarters of the operation, would go in on the standard basis that it would be providing the headquarters for six months. We would expect the alliance to carry through its standard procedures to make sure that there was a permanent headquarters at the end of those six months, and that we could withdraw the ARRC headquarters.

I will not deny that there would be considerable strain on the British Army as a result of this deployment. That strain would be a lot less if the British Army had not been cut in real terms by one third under the previous Administration, when he advised the Ministry of Defence.

**Dr. Norman A. Godman** (Greenock and Inverclyde): I shall not comment for the moment on the murderous conduct of the Serbs, but is not the belligerent intransigence of elements of the Kosovo Liberation Army strongly reminiscent of the behaviour of those fascist mobsters in the IRA? Should not the KLA's friends in the region urge its members to play the long game? They have been offered a remarkable degree of autonomy, and autonomy must precede independence.

**Mr. Cook:** I am not sure that those friends whom the KLA has are necessarily seeking to benefit from a cessation of the conflict, but I agree with my hon. Friend's judgment about the value, on balance, to the people of Kosovo. The settlement would offer an end to the bloodshed and repression. It would mark the start of democracy and freedom of expression, and would create self-governing institutions that could run Kosovo's affairs.

At the end of the conference, we engaged in much discussion about whether there should be a referendum on independence in three years' time. I suspect that, given their present position, if the people of Kosovo were offered a referendum now on whether to accept the political settlement, the result would be an overwhelming yes.

**Mr. Mike Hancock** (Portsmouth, South): On behalf of all whom I represent, I wish the Foreign Secretary and everyone else involved well in their attempts to secure a settlement on 15 March, and thank the right hon. Gentleman for the efforts that he has already made.

Given that nearly 40 per cent. of the KLA's troops now come from outside Kosovo, what steps is the international community taking to ensure that, when those fighters return to Albania or Macedonia, they do not take the conflict back with them? What will the international community do to prop up Albania's economy so that such people return with more than the inspiration to fight another war there, and to create a decent environment for them in their own country?

**Mr. Cook:** Our evidence suggests that, by and large, the Macedonian Government—and, indeed, the Albanian population in Macedonia—have remained distant from the conflict in Kosovo. Indeed, Macedonia is playing host to a substantial build-up of NATO forces, and we welcome its close co-operation.

Northern Albania is more or less outside the rule of law and the remit of the capital of Albania. We have offered the Albanian Government support to try to improve the situation—in particular, we have offered help with the training of the local police force—and we shall continue that work; but, given the present conditions in northern Albania, it has proved well nigh impossible to prevent extra troops and weapons from crossing the border.

## Sierra Leone

5.8 pm

**The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook):** Madam Speaker, with permission, I would like to make a statement arising from my parliamentary answer of yesterday on the report of the Foreign Affairs Committee on Sierra Leone.

Yesterday, I set out the circumstances in which the Foreign Office received a draft of that report. In view of comments made subsequently by a number of hon. Members, I assure the House that neither the Foreign Office nor Ministers took any action on that draft. We did not in any way seek to interfere with the work of the Committee, or to offer comments on the draft. Indeed, the record shows that my hon. Friend the Member for Dundee, West (Mr. Ross) did not table any amendments to the draft. Nor did we publish or disclose any part of the draft to the media or to anyone else. I am therefore confident that neither I nor anyone else at the Foreign Office has committed any impropriety on the basis of the draft, or broken any of the rules of procedure set out in Erskine May; but, Madam Speaker, I shall of course accept any future ruling which you or the relevant Committees may give on the matter.

In the meantime, I remind the House that I gave the Select Committee unprecedented access to Foreign Office documents and telegrams. Indeed, its report acknowledges that the access that it obtained was a quantum leap in openness with Select Committees. I did not obstruct or impede the work of the Committee; I did not interfere with the deliberations of the Committee; and I have fully respected the role of scrutiny of both the Committee and the Chamber.

**Sir George Young** (North-West Hampshire): No one doubts that the Foreign Secretary has pressing matters before him, on which he has made a statement, but the issues that we are now discussing relate to events in his office in January and early February this year.

Should the Foreign Secretary not have prefaced his statement with an apology to members of the Foreign Affairs Committee, on behalf of the Government, for rubbishing its report in advance of publication, using a document that he and his colleagues knew that they should never have received?

May I ask the Foreign Secretary some specific questions? When did he first see the draft, and did he discuss it with any of his ministerial colleagues or officials? What action did he take to report the leak? Did he show the document to anyone else and, if so, to whom?

Did the Foreign Secretary tell the Chairman of the Select Committee that his office had received a leaked copy of the draft and, if not, why not? Did the Foreign Secretary, his Parliamentary Private Secretary or anyone in his office pass copies to, or discuss the leaked document or subsequent leaked conclusions with No. 10 and the Prime Minister's Office?

We now know who leaked a copy of the draft report in January, but can the Foreign Secretary tell the House how he subsequently became aware of "certain key conclusions", of which he made no mention in his statement, but which were referred to in his reply to my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) yesterday? Can he say whether either document was solicited by anyone in his Department or his PPS? What action did he take to report the second leak? Did he initiate any action as a result of the second leak?

When the Minister of State, Foreign and Commonwealth Office, the hon. Member for Manchester, Central (Mr. Lloyd)—[HON. MEMBERS: "Where is he?"]—replied on 16 February to my hon. Friend the Member for Chesham and Amersham by saying that copies of the report were collected on 9 February, did he know that the Foreign Secretary had received a copy of the draft in January, and that he had received a subsequent leak of certain key conclusions before the report was published?

If the Minister of State did not know, does that not reveal a breathtaking lack of liaison between two senior Ministers? If he did know, was his reply not calculated to give the House the wrong impression? If the House was knowingly misinformed, should the Minister concerned not immediately resign?

How does the Foreign Secretary's dismissive treatment of the leak square with the high moral tone that has been adopted by the Home Secretary and No. 10 about leaks over the past few days? Does not the whole sorry episode confirm all the criticisms of the entire handling of the Sierra Leone affair by Ministers, and reveal that the Government have been caught red-handed doing what we all know they have been doing since they were elected—treating the House with contempt?

**Mr. Cook:** First, as a number of Conservative Members have asked where the Minister of State is, I can tell the House that he is currently going around all the countries that are party to the conflict in the Democratic Republic of Congo, trying to achieve a ceasefire. I would have thought that he would have the good wishes and support of hon. Members on both sides of House in that effort.

Secondly, I have to correct the right hon. Gentleman. There was no briefing—no leak to the press in advance of publication by the Foreign Office or any Minister in the Foreign Office. There were two leaks published in the press on the Friday and Saturday before publication. They were both hostile to Ministers in the Foreign Office. They plainly came from someone in or around the Select Committee, but they did not come from the Foreign Office.

The right hon. Gentleman asks when I saw the document. I understand that the draft was received in the second week of January. I discussed it only with the permanent secretary. We did not disclose it to No. 10 or to anyone else.

On the issue of the key conclusions, my hon. Friend the Member for Dundee, West has already indicated to the Select Committee the circumstances in which he informed a special adviser in my Department of the key conclusions of the final report.

The Minister of State saw the same draft that I saw, but his answer was an accurate, factual and correct answer to the question that he was asked. The right hon. Gentleman appears to wish that the Minister of State had answered a different question from the one he was asked. That is a matter for which those who asked the question have to take responsibility, not those who answered it.

Of course I understand that it is proper for the House to discuss these matters and for the right hon. Gentleman to raise them, but his indignation would carry more conviction if he were to assure the House that such an event never happened when he was in office during the period of the previous Government.

**Mr. Donald Anderson** (Swansea, East): May I on behalf of the Select Committee give you, Madam Speaker, and the House an undertaking that, in this matter, the Foreign Affairs Committee will follow to the letter the procedure that is set out in "Erskine May"? The Committee has agreed—I have already, on behalf of the Committee, written to the Chairman of the Liaison Committee—that the matter will be discussed by the Liaison Committee on Thursday this week. I anticipate that there will be then be a reply to the Committee, which, if it is so minded, will then make a special report to the House. It will then be for the House, not for the Committee or the Select Committee on Standards and Privileges, to decide what future steps, if any, to take. The role of the Committee will cease because it is a House of Commons matter.

**Mr. Cook:** I am grateful to my hon. Friend for setting out the way in which the Select Committee will proceed with the matter. I am absolutely clear that I can robustly defend my conduct and that of my officials, in that we have at no stage committed any impropriety under the provision of "Erskine May" that we should not obstruct or impede the work of a Select Committee. We plainly have not done so.

**Mr. Menzies Campbell** (North-East Fife): The hon. Member for Dundee, West (Mr. Ross) has a long interest in foreign affairs, particularly the middle east. It is a matter of great personal regret to me that he should have found himself compelled to resign from the Select Committee.

May I ask the Foreign Secretary a number of specific questions? To whom was the envelope containing the document addressed? By whom was the envelope received? Is there a system in his Department by means of which any document received is registered? Was that document registered as having been received in his Department, and is there an entry in the appropriate document to vouch that?

Was the document placed in the red box of any Minister? Did the person who received the document understand the rules relating to Select Committee reports? If he or she did, why was not the document simply sent back?

**Mr. Cook:** The right hon. and learned Gentleman raises a number of questions. I cannot say whether the document was registered, but I certainly undertake to write to him and to clarify that point.

Sending back the document would not have undone the fact of transmission of the document to us. *[Interruption.]* Nor would any of those braying on the Opposition Benches for one moment have believed me if I had then said that I had sent it back without having read it. It would have been a pointless gesture. There is no obligation in "Erskine May" to return a document in those circumstances. There is an obligation to ensure that one does not interfere with the work of a Select Committee or give premature disclosure. That we have observed.

I share the right hon. and learned Gentleman's tribute to my hon. Friend the Member for Dundee, West. My hon. Friend has a great interest and great experience in foreign affairs. He will continue to use that experience and interest to advantage.

**Ms Diane Abbott** (Hackney, North and Stoke Newington): Does the Foreign Secretary agree that the matters that we are discussing, although serious, are by no means as serious as the suffering and slaughter that are still going on in Sierra Leone, and should not be allowed to divert from that? However, does he also agree that one of the principles arising from this and other debates is the principle of the independence of Select Committees?

Select Committees are Committees of the House; they are not an arm of Government. No one, from whichever side of the House, should seek to bully, to pressure or to manipulate Select Committee members for party advantage. Select Committees have not just a right, but a duty, to exercise scrutiny over Government. That is the important principle that I have held throughout all the debates on the Floor of the House about these matters.

Having had so much time to look at our report, will my right hon. Friend carefully study our recommendations, which go further and are wider than those in the original Legg report, particularly those on the arms trade and regulation of mercenaries? Will he in due course come back with a considered response to what was a serious and considered report?

**Mr. Cook:** I assure my hon. Friend that we shall indeed be producing the considered response that she seeks, and we shall seek to do it as rapidly as we can. I also entirely endorse her view that bloodshed continues in Sierra Leone, and that there is still no stability there. Britain remains the country which is providing more material and more practical support to ECOMOG forces than any other nation, as we are providing more humanitarian relief. Currently, it is an uphill task trying to restore stability to Sierra Leone. I also tell my hon. Friend that I am under absolutely no illusion about the independence of the Select Committee system; the Foreign Affairs Committee often reminds me of it.

**Mr. David Wilshire** (Spelthorne): If I heard the Foreign Secretary correctly, he said that his Minister of State also received, and therefore saw, a copy of the leaked document. Will he therefore say whether the Minister of State saw that document before or after he signed the written answer of 16 February—to a question tabled by my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan)—in which he said that he saw the official document only at 8 o'clock that morning? If the Minister had seen the document before he signed the answer, he was misleading the House by painting a half-picture. If the Minister believes in the ethics that the Foreign Secretary preaches, he will resign if he signed that question knowing that there had been a leak.

**Mr. Cook:** Of course he saw it before he answered that question—[HON. MEMBERS: "Oh."] Yes—the Select Committee report itself was published eight days before the answer. Therefore, manifestly, he had seen it. I should say also that the hon. Gentleman was incorrectly

*[Mr. Cook]*

paraphrasing the answer that was given. My hon. Friend the Minister was asked when he first saw the Command Paper; he answered that accurately and factually.

**Mr. John Home Robertson** (East Lothian): Today, we are getting some high-octane humbug from the Opposition. Does my right hon. Friend share my suspicions that, in the previous Parliament, it may well have happened that Conservative Members occasionally gave Ministers fair warning—or, perhaps, unfair warning—of impending criticism of them? Does he agree also that the big difference in the case we are considering is that my hon. Friend the Member for Dundee, West (Mr. Ross) is an honourable man and that he—someone—has resigned?

**Mr. Cook:** I cannot improve on my hon. Friend's comments.

**Mr. Shaun Woodward** (Witney): The Foreign Secretary has told the House, both today and in written answers, that he has twice been in receipt of leaked information—the draft report and subsequent conclusions. He therefore has undoubtedly "failed deliberately" to inform Parliament—to use words that he used in the House on a previous occasion. Today, he has told the House that the Minister of State also has effectively "failed deliberately" to inform the House. Does not the Foreign Secretary have a duty to report wrongdoing when he knows that it has happened? Is there not a duty on the Minister of State to report wrongdoing when he knows that it has happened? What standards does such behaviour set in public life? Cannot the public deduce from it, "Don't commit the crime, but you can receive the stolen goods"?

On 16 February, in reply to a written question tabled by my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan), the Minister of State gave essentially the same answer as the Foreign Secretary has given today to the House. The answer is simply a clever attempt at obfuscation. However, the Minister of State understood the question. Will the Foreign Secretary now tell the House whether he cleared the answer to that question, and whether he will apologise to the House?

**Mr. Cook:** No, I did not disclose the draft that I received to the House; I would be in breach of privilege if I had disclosed the report to anyone else. As to the other matters that the hon. Gentleman raised, it was his question yesterday that was fully, frankly, openly and comprehensively answered by us. There is no way in which he can possibly argue that the reply that he received to his question was an obfuscation. Indeed, it is precisely because of that that we are here now. If the previous Government had been as honest and as full in answering questions, they would not have got into so much trouble.

**Dr. Norman A. Godman** (Greenock and Inverclyde): May I tell the Foreign Secretary that, as a member of the Foreign Affairs Select Committee, I accept his statement on this sad affair? May I also point out that, from 1983 to 1987, as a then Opposition Member on the Scottish Affairs Select Committee, I was aware of wholesale leaking by Government members of that Committee? May I tell him also that I have benefited enormously from the comradeship given to me, both in that Committee and elsewhere, by our hon. and old Friend the Member for Dundee, West (Mr. Ross)? He committed a grievous error of judgment, but has behaved honourably in his resignation. That should not be lost on the odd-job lot who comprise what I call the English rural party.

**Mr. Cook:** I am grateful to my hon. Friend for his comments. I note that, as the proceedings have developed, we have still not had a further intervention by Opposition Front Benchers to give us the assurance I sought that leaking was never known to happen under the previous Government.

**Sir John Stanley** (Tonbridge and Malling): Is the right hon. Gentleman aware that a Minister who accepts and retains a document leaked personally to him by a member of a Select Committee makes himself complicit in the leak?

**Mr. Cook:** I have already said to the House—I say it again to the right hon. Gentleman—that I have been through "Erskine May" and am quite clear that I have fully complied with the obligations on me as a Minister not to impede or obstruct the work of the Committee, with which I fully co-operated during its inquiry.

**Mr. Tom King** (Bridgwater): Does the right hon. Gentleman recall that, in the Nolan committee, we drew to the attention of all hon. Members—most of all, to Ministers and senior Members—the responsibility that we all share for maintaining the highest standards of conduct in public life? May I say to him that we also drew attention to the damage that leaks cause to confidence in the integrity of officials, in the civil service and in the working of Government and of Parliament? As a very senior parliamentarian, he knew that the document he received was a document that should not have been given to him.

In those circumstances, does the right hon. Gentleman not believe that the response he has given so far is not maintaining the highest standards of conduct in public life? May I urge him very seriously indeed to consider—in the further representations that the Chairman of the Select Committee said will be made—whether the attitude and approach to what he considers to be his responsibilities should usefully change?

**Mr. Cook:** I entirely agree with the right hon. Gentleman. If there had been a leak of the report, if I had received it and if I had used it to disclose the report, I would indeed deserve all the strictures that he has offered. There were two leaks in advance of publication of the report. Neither of them came from the Foreign Office; both of them came from people who were motivated to be critical of the Foreign Office.

**Sir Peter Emery** (East Devon): Does the right hon. Gentleman recall that, on the date of publication of the report, the Prime Minister went public, and on television two hours before the report was published, made references to recommendations in the report and rubbished the report as he could not have done unless he had been shown part of the report or it recommendations? How is it possible that that could have happened if the

situation is as the Foreign Secretary describes it? Should not we be condemning not only the Foreign Secretary, but the Prime Minister for the whole matter?

**Mr. Cook:** If I followed the right hon. Gentleman correctly, he was referring to the Prime Minister's interview on the "Jimmy Young Show", which took place two hours after the press conference in which the right hon. Gentleman participated. Therefore, there was no difficulty in knowing what the report contained or what the right hon. Gentleman's view was. For the record—once again—the Prime Minister did not see the draft that I saw.

**Mr. Dennis Canavan** (Falkirk, West): Will my right hon. Friend please clarify his answer to a previous question: was the draft report handed over personally to the Secretary of State himself by the hon. Member for Dundee, West (Mr. Ross); if not, to whom was it handed over; and to whom was the envelope addressed?

**Mr. Cook:** No, it was not handed over to me; I understand that it arrived by fax. I do not know to whom the envelope was addressed, but I shall happily answer the questions.

**Mr. David Heath** (Somerton and Frome): When the right hon. Gentleman calls in aid the performance of the previous Government, does he not appreciate that he and other Labour Members were elected to do rather better than the previous Government? Does he not accept that the appropriate response is frankness, not the type of sophistry revealed in the reply that the Minister gave on Monday? Does not the right hon. Gentleman think that, given the seriousness of the criticisms in the Select Committee's report of senior officials within his Department, he was quite wrong to have prejudged the issue before giving the Committee's report the reading that it deserved?

**Mr. Cook:** My answer yesterday was fully frank, as I think would be accepted even by those who tabled the questions. On the subject of prejudging, I must remind the House that the report did not arrive suddenly; indeed, probably no Select Committee report has been longer in gestation than this one. The findings of the report were no surprise to those of us who gave extensive evidence to the Select Committee at repeated sessions. In answer to the hon. Gentleman's last question, I do not think that I was wrong; whether it was that day, the next day or now, I believe that I was right to defend officials against what I thought was disproportionate and unfair criticism.

**Mr. David Winnick** (Walsall, North): Is my right hon. Friend aware that I am totally opposed to the leaking of reports, which does Select Committees no good? I do not understand why our hon. Friend the Member for Dundee, West (Mr. Ross) did it, but he has admitted it and apologised. However, what would the people of Sierra Leone—who are suffering brutality, deprivation, crimes and atrocities—think of the scene in the House of Commons in the last 10 minutes? Are there not more important matters in the country concerned than this particular minor issue?

**Mr. Cook:** My hon. Friend highlights something which, throughout the past seven months, has been an area of bewilderment to the people of Sierra Leone, who know perfectly well that Britain has given more support to their elected and legitimate Government than any other nation. They cannot comprehend the way in which this has become a matter of deep division within our Parliament. They themselves only wish that they were allowed to have a Parliament in which they could have such debates.

**Mr. Eric Forth** (Bromley and Chislehurst): Which fax machine received the message? If the Foreign Secretary cannot tell us now, will he undertake to do so subsequently? Will he put into the public domain a copy of the fax received, so that everyone can see where it came from and where it went to?

**Mr. Cook:** Everyone knows where it came from—my hon. Friend the Member for Dundee, West has already said that. I cannot say which fax machine it came on. The Foreign Office has many fax machines.

**Mr. John Randall** (Uxbridge): Did one copy come out of the fax or several? *[Laughter.]* I would appreciate if the Foreign Secretary could listen for a moment. If there was just one, did the Foreign Secretary show it to the Minister of State, or did the Minister of State show it to him? Does that constitute a leak?

**Mr. Cook:** All I can confirm is that it came on fax paper—which is normally white—and had black lettering. The descent of this question into trivia illustrates how little of substance there is actually here.

**Mr. Andrew Mackinlay** (Thurrock): Will the Foreign Secretary clarify something? He referred earlier to other leaks in the press. I do not know whether I misunderstood him, but I understood him to suggest that those emanated from the Select Committee. Will he reconsider that and state that there is no basis whatever for that assumption about reports which were, in any event, inaccurate?

**Mr. Cook:** What I said was "in or around the Select Committee". It certainly came from somebody who had the ability to obtain the draft of the report. [HON. MEMBERS: "Your office."] The reports that appeared in the press were certainly not inspired by the Foreign Office. The one in *The Independent* was fairly accurate about exactly what was to happen, and was placed by somebody who was hostile to the interests of the Foreign Office.

**Mr. John Bercow** (Buckingham): Why does the Foreign Secretary not simply admit that, when the Minister of State said on 16 February that his Department received copies of the final report on the morning of 9 February, the impression that he was seeking to give was that Ministers in the Department had no foreknowledge whatever of the likely contents of that report? Does the right hon. Gentleman not accept, in retrospect, that by splitting hairs in his pathetic fashion this afternoon, he has managed to discredit himself further even than he has accomplished in the past 21 months?

**Mr. Cook:** The Minister of State answered the question that he was asked. Yesterday, I answered the question that I was asked. We both answered those questions fully and comprehensively, and the full facts are now in the public domain.

## Points of Order

5.35 pm

**Mr. Shaun Woodward** (Witney): On a point of order, Madam Speaker. If an hon. Member or a Minister finds himself this evening or tomorrow in receipt of an advance copy of a Select Committee report which has not been published or given to the House, what would be your advice? Should the Minister or hon. Member sit on the document, or should he immediately report having received it?

**Madam Speaker:** I fear that the hon. Gentleman is trying to continue questions on the statement.

**Mr. David Wilshire** (Spelthorne): On a point of order, Madam Speaker.

**Madam Speaker:** Is the hon. Gentleman trying also to continue the questioning of the Foreign Secretary?

**Mr. Wilshire:** I am seeking clarification, Madam Speaker. If I understood the Foreign Secretary correctly—

**Madam Speaker:** Order. I am sorry, but we have had quite some time on this matter. I am sure that the hon. Gentleman understood the Foreign Secretary correctly. That is not a matter for me. If he has a point of order, I will listen to it. However, I do not want an interpretation of what he thought the Foreign Secretary said.

**Mr. Graham Brady** (Altrincham and Sale, West) *rose—*

**Madam Speaker:** Order. The hon. Gentleman was not in the Chamber when the Foreign Secretary started his statement.

**Mr. Wilshire:** Madam Speaker, I believe that this is a genuine point of order. I heard it said that reporting a leaked document to the House amounted to a breach of privilege. Could you confirm whether that is a correct interpretation of the rules of this House?

**Madam Speaker:** I will have to have notice of that question, as I want to be clear and careful in my answer. If the hon. Gentleman will not mind, I would like notice of the question.

**Mr. Wilshire:** Thank you.

**Mr. Tom King** (Bridgwater): Further to that point of order, Madam Speaker.

**Madam Speaker:** It can hardly be further to it, because I cannot answer it.

**Mr. King:** I understand that you do not want to prolong this matter, and I entirely understand your answer to my hon. Friend the Member for Witney (Mr. Woodward). However, may I suggest that you address his point in the same way as you have decided to address the issue raised by my hon. Friend the Member for Spelthorne (Mr. Wilshire)? This is a serious matter, and the House is entitled to ask for the Speaker's guidance on the correct procedure. Will you reflect and report to the House on what the response should be?

**Madam Speaker:** I do not undertake to report to the House, but I will reflect on the matter. I quite understand that, from time to time, the House needs the Speaker's guidance, and I am willing to give it. Over the past few days, I have considered this matter carefully, and I am aware of our procedures according to "Erskine May". I will take the advice of the right hon. Gentleman and look into the matter.

**Mr. John Bercow** (Buckingham): On a point of order, Madam Speaker. My hon. Friend the Member for Altrincham and Sale, West (Mr. Brady), as you rightly observed, was assuredly not present in the Chamber for the start of the statement on Kosovo, but he categorically insists—simply for the record—that he was present in the Chamber for the start of the Foreign Secretary's second statement. I can vouchsafe that he is telling the truth, because he has been sitting next to me throughout.

**Madam Speaker:** I accept the hon. Gentleman's word. I always watch hon. Members on both sides of the House who appear late for a statement, and then try to ask a question or raise a point of order. I accept that the hon. Member for Altrincham and Sale, West (Mr. Brady) was not here for the first statement, but was here for the second, and I will take his point of order.

**Mr. Brady:** On a point of order, Madam Speaker. Could you give some guidance to the House and to Ministers on the correct procedure for answering written questions? Is it sufficient merely to answer with what is deemed to be the most narrow definition possible within the question, or should the answer seek to give the information that is required by the questioner?

**Madam Speaker:** I fear that I cannot advise Ministers or their offices as to how they might answer questions.

**Mr. Patrick McLoughlin** (West Derbyshire): On a point of order, Madam Speaker. May I refer you to page 221 of "Erskine May", which refers to the publication in *Hansard* of written answers given by Ministers? I understand that there has been guidance from the Editor of *Hansard* that he will not publish answers of more than five pages. Will you consult the Editor, or look into the matter?

I was given an answer two days ago by the Minister for Local Government and Housing, which went on to five pages. However, one page contained very little information. Therefore, the Minister stated that the requested information had been placed in the Library of the House. The question was about educational expenditure across all local authorities.

We often see full lists of local authorities published in *Hansard*, because that is a way of giving comparisons. I could have split the question to ask about shire counties and unitary authorities separately, but the Table Office would probably have told me that I should put down one question rather than two. It is important that the answers should be available in *Hansard* and we should not have

to go to the Library for the information. I hope that you will ask the Editor of *Hansard* to reconsider the ruling, and will give it some consideration yourself.

**Madam Speaker:** I had some indication of the hon. Gentleman's point of order. The House knows that the substance of replies to questions is a matter for Ministers, not for the Chair. However, Speakers have ruled that there should be a limit of four A4 pages to replies, to avoid *Hansard* being filled with a few long answers each day. That is sensible and the Minister's action in this case is reasonable. That is the ruling that Speakers have given in the past. Because I knew of the hon. Gentleman's interest in the matter, I had an opportunity to look up the ruling.

## Misuse of Drugs (Amendment)

5.41 pm

**Mr. Paul Flynn** (Newport, West): I beg to move,

That leave be given to bring in a Bill to allow the production, supply, possession and use of cannabis resin for medicinal purposes.

Yesterday, in Swansea, a pensioner was given a cruel and unjust sentence of 12 months. He was given that sentence in the name of this House and all hon. Members. Mr. Eric Mann is known to me and to other hon. Members through his correspondence over several years. He is clearly an intelligent man. This decent and otherwise law-abiding man committed the crime—in the eyes of the court in Swansea and of the House—of using his chosen medicine to relieve his chronic pain.

Like many others, Mr. Mann had tried many conventional and unconventional cures. None of them worked for him, so he decided to use cannabis, with which he found relief from the pain. He was not selling it to anyone. He was not involved in any way in the illegal market. He grew his own. For that, this pensioner is facing a 12-month term of gaol.

There have been many similar cases. In a case last month in Hove, the jury—like many others in such cases—wanted to be compassionate and asked the judge whether they should convict a man who was confined to a wheelchair even if they felt that the law was unjust. The judge told them that it was up to Parliament to change the law, and that they must abide by that and return a verdict. It is up to us to decide the sentences. The responsibility for the savage injustice that has been meted out to Mr. Eric Mann in Swansea lies here.

The House of Lords Select Committee is hardly a bunch of drug-crazed teenagers. Its members are senior and elderly scientists. The Bill reflects their recommendations on the matter—that it should be possible for cannabis to be prescribed by a limited number of doctors in an unlicensed form to named patients, just as heroin and cocaine are supplied. It may come as a surprise to many that heroin and cocaine are prescribed legally. That cannot be done with cannabis. As the Lords Committee recommended, the Bill would also allow further research without the need for a special licence from the Home Office.

The Government's reaction to the report came within nanoseconds of its publication. They said:

"The Government's view is that cannabis should not be available on prescription unless or until the safety, quality and efficacy of a medicinal form had been scientifically established and a marketing authorisation issued by the Medicines Control Agency."—[*Official Report*, 18 November 1998; Vol. 319, c. 607.]

Superficially, that may seem reasonable, but a more telling comment came in *The Pharmaceutical Journal*, which quoted a Labour party source as saying:

"Whatever the evidence, this administration is not going to risk being seen as soft on drug taking."

That shows the true position. When reading the press releases from the previous Government and this Government, it is impossible to get beyond a couple of sentences before finding the word "tough". Governments regard it as electorally damaging to be seen as soft on drugs.

I hate my party to be seen in this way, but the Government are not tough on drugs, but tough on multiple sclerosis patients, tough on cancer victims and tough on

*[Mr. Paul Flynn]*

Aids sufferers. The Government seized on the word "unlicensed", as though it is rare to have an unlicensed drug. Some 36 per cent. of the medicines that are prescribed to children in hospitals are unlicensed. They have not gone through trials. The trials for a new drug are rightly very tight, given all the tragedies that have occurred.

However, all the problems that we have had have come from chemical drugs—substances that do not occur naturally in the form in which we are taking them or injecting them in various ways. Cannabis is a natural substance which has been used for at least 3,000 years, according to the records. No medicine has been tried and tested like cannabis sativa. It was used by the people who built the pyramids to help with their eye problems. They did not know why it worked, but it did. Cannabis has been used as a medicine throughout the centuries on every continent. The word in Chinese means "big medicine". Unfortunately, our judgment has been clouded by recreational use, which has come about almost entirely since cannabis was banned.

Many other drugs are given unlicensed. Many of our established medicines would never get through the licensing rules. Several hon. Members have told me that they thought that the problem had been solved and the Government were carrying out trials. Sadly, there is no hope under the current policy of any patient receiving cannabis for at least five years, possibly much longer, because of the complexity of cannabis, which has at least 400 naturally occurring ingredients. The trials may finish in five years, 10 years, sometime or never.

Hon. Members should speak to people suffering from multiple sclerosis who are looking forward to a good night's sleep, which they cannot get without cannabis. Tens of thousands of people are taking it, including those suffering from the foul side effects of chemotherapy and the awful nausea and vomiting that can go on for days, so debilitating the cancer victims that they lose the will to struggle against the cancer. Some who suffer from the dreadful pain of Aids have found solace in this ancient medicine.

When I raised the subject some years ago, I brought three master criminals to the House to hear the debate. They were all women. One of them was in her 30s and a mother of young children. She had MS and found it impossible to control her bodily functions without the use of cannabis. There was another lady in her 60s with cerebral palsy. She was a lovely lady who had a cannabis plant the size of a bush in her garage and kept her spliffs rolled up in a silver cigarette case next to a bust of Queen Victoria, who took cannabis every month of her adult life. The third, Carol Howard, told a moving story of how she cared for her daughter Sara, who was dying from a rare form of cancer. Sara knew that she was dying. Chemotherapy was all that was available, but it had dreadful side effects. The chemical drugs left her a zombie. She could not communicate; but if she took cannabis she could talk lucidly to her family and say those precious things that one wants to say when one realises that death is at hand.

I challenge anyone in the House to say that, in that position, they would not supply their loved ones with cannabis, if that was the only thing that offered relief. If we are not prepared to obey the laws ourselves—and I am sure that none of us would in such a case—how on earth can we continue to justify them?

The principal reason for the recommendation of the House of Lords Select Committee was compassion. Members of the Committee looked into the face of Clare Hodges and of the people from the Alliance for Cannabis Therapeutics, which is a patients' organisation that does not, unlike many, get money from drug companies. All its members are seriously ill, most with multiple sclerosis, and suffer exhaustion. They have few resources, but they are behind the Bill and behind previous Adjournment debates on the subject.

Dare we say to those people, as the Government are saying, that they will have to wait for the long time that it takes for this ancient medicine, one of the safest therapeutically active substances known to humankind—

**Mr. Deputy Speaker (Mr. Michael Lord):** Order.

*Question put and agreed to.*

Bill ordered to be brought in by Mr. Paul Flynn, Mr. Austin Mitchell, Mr. Gordon Prentice, Mr. Brian Cotter, Mr. Dafydd Wigley, Mrs. Teresa Gorman, Dr. Jenny Tonge, Mr. James Wallace, Dr. Brian Iddon, Mr. Andrew George, Mr. Donald Gorrie and Dr. Peter Brand.

MISUSE OF DRUGS (AMENDMENT)

Mr. Paul Flynn accordingly presented a Bill to allow the production, supply, possession and use of cannabis resin for medicinal purposes: And the same was read the First time; and ordered to be read a Second time on Friday 26 March, and to be printed [Bill 50].

# Orders of the Day

## Social Security Contributions (Transfer of Functions, etc.) Bill

*As amended (in the Standing Committee), considered.*

### Clause 3

GENERAL FUNCTIONS OF BOARD

5.53 pm

**Mr. Quentin Davies** (Grantham and Stamford): I beg to move amendment No. 1, in page 2, line 16, leave out line 16.

**Mr. Deputy Speaker (Mr. Michael Lord):** With this, it will be convenient to discuss amendment No. 2, in page 2, line 18, leave out from 'prosecutions)' to end of line 19.

**Mr. Davies:** The most irrefutable evidence of the fact that the Government are determined to disguise from the general public the full moment and purport of what they are trying to achieve in social security by running down and eroding the national insurance system is that we have had two debates on social security Bills this week—one yesterday and one today—and they have done everything possible, using all the tricks available, to curtail debate and distract attention.

Yesterday, the Government clearly chose to have Second Reading of the Welfare Reform and Pensions Bill on a day when there was a major statement on the euro that was bound to take the time of the House and capture the headlines. Today, a Bill that abolishes the Contributions Agency and merges it with the Inland Revenue is to be discussed after we have had three ministerial statements. Our debate will again be necessarily, but very unfortunately, curtailed.

Yesterday's Bill represented the policy aspect of the Government's attack on our national insurance system, while today's represents the administrative side of the same project. Until now, the Contributions Agency has had a separate role, with responsibility, which it has taken very seriously, for collecting national insurance contributions and for the integrity of the separate national insurance fund. All that is to be abolished and the agency will be folded into the Inland Revenue, which collects direct taxation revenue, so in practice there will be no distinction between the national insurance fund and the general Consolidated Fund. That is exactly what the Government are aiming for.

Clause 3 has a peculiar quirk—it disapplies certain provisions of the Inland Revenue Regulation Act 1890. The amendment would prevent the disapplication, in subsection (3)(c), of the provisions allowing officers to conduct proceedings before justices. It is a matter of common sense that it would not always be in the public interest for the Contributions Agency or, henceforward, the Inland Revenue, to have to brief solicitors and barristers, at their usual fees, to present matters to the courts. It is sensible to provide for officers of the Revenue to have rights of audience. Why, though, is that to be disapplied in the clause but reapplied in paragraph 21 of schedule 1?

I made that point in Committee and received no satisfactory answer. The whole point of Report is to pick up either problems that have been identified and not resolved in Committee or assurances that have been given in Committee by Ministers and not fulfilled. That enables the House to take a view, in the light of those failures, on how the Bill should be amended before it finally proceeds to Third Reading.

Amendment No. 2 is, again, a commonsensical amendment. The rights under the 1890 Act of the relevant authority—the Inland Revenue subsuming the Contributions Agency—to mitigate fines and stay proceedings are to be abolished, and that is a thoroughly retrograde step. It is extremely important that any bureaucracy with the wide-sweeping administrative powers that the Revenue has should be able, when it is clearly not in the public interest to proceed against a citizen, to decide not to do so, or indeed to mitigate fines. That negative discretion should be retained, and a positive discretion could be very dangerous to the liberties of the subject.

The Minister told me in Committee that subsection (3)(f), disapplying section 35 of the 1890 Act, was there because the discretion was already provided, or would be provided, elsewhere in the Bill or in other statutes. She gave me an assurance at column 59 of the *Official Report* of our Committee that she would give me chapter and verse before the conclusion of our proceedings. She did not do so, and I hope that she will rectify that now. I am afraid that the Opposition intend to continue to take seriously such assurances given by Ministers in Committee.

6 pm

**The Economic Secretary to the Treasury (Ms Patricia Hewitt):** As the hon. Member for Grantham and Stamford (Mr. Davies) will recall, we had some interesting discussions on the points covered by amendments Nos. 1 and 2 in Committee. Since then, we have had a further, detailed look at the exceptions provided for in clause 3(3). The technical point spotted by the hon. Gentleman and covered by amendment No. 1 has also been spotted by my officials.

Clause 4 and schedule 4 of the Bill were introduced at the Lords Report stage for very good reasons. The power for the Revenue to recover small national insurance contribution debts, such as tax debts, in the magistrates courts will make the process of collecting contributions more effective. We agreed on that point in Committee. Unfortunately, at that time it was not noticed that there would be less room for doubt if the Bill also allowed section 27 of the Inland Revenue Regulation Act 1890 to apply to NICs, so no consequential technical amendment was tabled in the other place.

There is unlikely to be a problem in practice, but there is, in principle, the possibility of challenge to the right of a non-lawyer official addressing the court in any proceedings that have not been commenced in their name. Having said that, amendment No. 1 would go too far, because the wholesale removal of clause 3(3)(c) would cause duplication by section 27 of the 1890 Act of other express provision for non-lawyer representation elsewhere in the Bill. If amendment No. 1 were accepted, the whole Bill would have to go back to the other place, taking up time there which could be used much more usefully than in considering a minor technical amendment. For those

*[Ms Patricia Hewitt]*

reasons, I cannot accept the amendment, but I can reassure the hon. Member for Grantham and Stamford that the application of section 27 to NICs will be secured by a Government amendment to the Welfare Reform and Pensions Bill. Meanwhile, we intend to postpone the commencement of clause 3(3)(c).

Amendment No. 2 returns to an issue that the hon. Member for Grantham and Stamford also raised in Committee. It reflects his concern, which I share, that the Inland Revenue should be able to mitigate penalties that apply in relation to national insurance contributions. I can assure him that the amendment is not required to achieve that effect.

As I stressed in Committee, the main provisions governing what the Inland Revenue can do in relation to penalties are in the Taxes Management Act 1970, and not the considerably more ancient Inland Revenue Regulation Act 1890, which amendment No. 2 would bring further into play. Those provisions apply, among other things, to pay-as-you-earn and national insurance contributions that are recovered alongside PAYE, and will be extended to national insurance contributions generally by clause 3(2) of the Bill. It is those Taxes Management Act rules which provide the reassurance the hon. Member for Grantham and Stamford is seeking.

I promised the hon. Gentleman chapter and verse, and I refer him to section 98 of the Taxes Management Act. Hon. Members will have seen that paragraph 1 of schedule 5 to the Bill extends the penalty provision to cover failure to comply with a contributions inspector's enforcement powers, by bringing section 110ZA of the Social Security Administration Act 1992 into the table in section 98. While section 98 allows the Inland Revenue to charge penalties, it also provides—this is the crucial reassurance the hon. Gentleman seeks—for the Inland Revenue to seek less than the maximum possible penalty.

Sections 100 to 100B of the Taxes Management Act apply where the Inland Revenue decides to levy a penalty in some amount. They ensure that the person affected by the penalty charge has the right to appeal against the levy of the penalty, and its amount, to the general commissioners or the special commissioners, who are independent of the Inland Revenue. The commissioners can decide that a smaller or no penalty is payable.

There is more. Section 102 of the Taxes Management Act gives the Inland Revenue a further power to mitigate any penalty. Section 102 is short, and it may help the hon. Member for Grantham and Stamford if I read it out:

"The Board"—

the Inland Revenue—

"may in their discretion mitigate any penalty, or stay or compound any proceedings for a penalty, and may also, after judgment, further mitigate or entirely remit the penalty."

In the light of those reassurances on both points, I hope that the hon Gentleman will feel able to withdraw his amendments.

**Mr. Quentin Davies:** I am grateful to the Minister. She has now given the House full details in answer to the point raised in amendment No. 2 and I accept her comments in good faith that she has had legal advice that the protections we sought are in the previous legislation.

I do not know whether to be pleased or sorry about amendment No. 1. Most of us feel chuffed if we manage to spot a technical error in a Bill, but if I have contributed to improving a Bill of which I thoroughly disapprove, I feel unhappy. In either event and in the light of the assurances we have had, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

## Clause 10

DECISIONS VARYING OR SUPERSEDING EARLIER DECISIONS

**Mr. Quentin Davies:** I beg to move amendment No. 3, in page 5, leave out lines 30 to 39 and insert

'for an officer of the Board to resubmit a case to the Commissioners if, in his view, a material change of circumstances has occurred since an earlier decision was made by the Commissioners; and in any such case it shall be for the Commissioners to determine whether any such change of circumstances which would warrant their setting aside their earlier decision has indeed occurred.'.

This is not a technical amendment. Indeed, we take strong exception to the present form of clause 10, which, as it stands, is extraordinary. We debated the issue in Committee, but we did not get satisfactory assurances from the Government and we felt that we had to revisit it on Report. Clause 10 would mean that if there had been an appeal by a national insurance payer—a citizen—to the commissioners, and they had found in his or her favour and against the Revenue, that decision could be arbitrarily set aside by an officer of the board on the ground that circumstances have changed.

It is extraordinary that the two parties to a quasi-judicial process are not treated equally. Far from it, because if the appeal goes against the board, the officer can overrule the commissioners without taking the case back to them. That is completely wrong. The appeal procedure should be a genuine procedure. Under the Government's proposal, the appeal procedure would be bogus and it would be a deception to refer to it as an appeal. It would be a cruel and cynical charade, because the citizen would believe that he had a right of appeal, but, even if he won the appeal before the commissioners, the Revenue could subsequently overturn the decision.

The Bill provides that the decision of the commissioners can be changed

"in the event of a material change of circumstances".

However, that provides no protection, because it is the officer who decides whether there has been such a change of circumstances. Clearly, clause 10 undermines the jurisdiction of the commissioners, who have a right to decide on points of law and points of fact. We cannot have one party to an appeal overruling the commissioners in such a way. That would be arbitrary, tyrannical and bureaucratic government. Amendment No. 3 would make it clear that if the board claimed that there had been a material change in circumstances, it would have to go back to the commissioners and argue the case. That is reasonable. Then, the commissioners could decide whether there had been a material change of circumstances and, if so, whether it warranted a different judgment in that case. That is how any legal procedure should work in a country whose systems are based on the rule of law, as I hope ours always will be.

**Ms Hewitt:** As the hon. Gentleman said, we also discussed this issue in Committee, and I hope that I can

reassure him this time. However, I want to point out that his amendment goes much further than I think—and hope—that he intends. It would mean that the only decisions that could be varied or superseded would be precisely those in which an appeal against the original decision had been determined by the commissioners.

It may help if I explain the difference between varying and superseding a decision that has been made by an officer of the board. Varying a decision involves amending, in some respect, a decision that has been made; superseding a decision means that a decision that has been made covering an open-ended period of time, and which is correct for the period up to the date on which it was made, later on ceases to be correct after there is a change in the relevant circumstances.

I can illustrate that with the example of employment status. When a person is engaged to carry out some work, the question of employment status may arise in relation to income tax or national insurance contributions. The decision on the employment status might be that the person is engaged on terms that make his or her status that of an employee from the date of engagement. If it later transpires that the information on which that decision was based was incorrect or incomplete, the decision could be varied to say that, from the outset, the individual in fact had self-employed status.

However, if the decision was correctly based on the full facts and there was, later on, a change in the terms on which the person was engaged, that decision might cease to be appropriate at that point in time. In that case, the Inland Revenue could make a superseding decision that defined the point in time that the original decision ceased to be applicable and incorporated a fresh decision that was relevant from that point of time onwards.

The Bill provides that an appeal can be made against both the variation of decisions and against superseding decisions. In practice, few decisions will be the subject of an appeal, essentially because the people affected by them will be content with their terms. However, the amendment would prevent decisions from being varied or superseded in any circumstances unless there had been an appeal against the original decision which had been determined by the tax appeal commissioners and followed by a subsequent change of circumstances. That would mean that most decisions could not be varied or superseded even where it was in the contributor's interests that they should be. If we were to require that, all superseding decisions to be made by the commissioners would mean quite unnecessary hearings in cases where the contributor and the Inland Revenue were in full agreement that a change had occurred. That would mean extra costs to the national insurance fund and extra costs and worries to the contributor.

That is why we think that it is better, and fairer, to allow the Inland Revenue official to make the fresh decision and to trouble contributors with an appeal only where they disagree. I stress that there is no question of Inland Revenue officials being able to overturn commissioners' decisions at will. Each superseding decision will carry its own right of appeal, and it would be absurd—and potentially a case of maladministration—for an Inland Revenue official to supersede a decision of the commissioners unless the facts had changed, as the appellant would return to the commissioners who would, no doubt, return their original decision.

I want to reassure the hon. Gentleman that the powers in clause 10 do not give the sweeping power to officials that he fears, but are instead a necessary provision to save time and worry for contributors. I hope that, in the light of these reassurances, the hon. Gentleman will feel able to withdraw the amendment.

**Mr. Quentin Davies:** I am grateful to the Economic Secretary, who has shown that she is capable of giving a lucid and extensive exegesis of the Bill. She seemed less willing to do so in Committee.

6.15 pm

**Mr. Vernon Coaker** (Gedling): That is insulting.

**Mr. Davies:** On the contrary, I am making a complimentary remark. I see no reason why the hon. Gentleman should object, and we are making some progress as a result of the Economic Secretary's change of attitude.

I hope that the Inland Revenue officials unfortunately charged with the future administration of national insurance will read the explanation that we have just heard whenever they come across difficult cases, and that they will be guided by the limiting interpretation of the Bill's powers.

However, on the basis of what the Economic Secretary has said, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

## Clause 25

### Orders and Regulations

**Mr. Quentin Davies:** I beg to move amendment No. 4, in page 15, line 4, leave out from 'shall' to end of line 5 and insert

'not be made unless a draft of it has been laid before, and approved by resolution of, each House of Parliament.'.

The reason for the amendment is that the Bill is marked—deformed, even—by an extraordinary number of what are known as Henry VIII clauses. Those are clauses in which the Government simply write themselves a blank cheque for powers to produce regulations on just about everything under the sun. They give no indication of what those regulations might contain, or of any limitation on them.

The Bill contains even more such clauses than most Bills brought forward by this Government—for example, clauses 9, 10, 13, 14, 15—which is especially sinister—and 24, which deals with Northern Ireland. There is far too much of that sort of thing, and we have tabled the amendment to protect the House and to place some limitation on the freedom of the Executive.

Power has gone to the Government's head, so the amendment would replace the Bill's provision for resolutions to be passed by negative procedure with a requirement that affirmative resolutions be passed. That would ensure that the House has the opportunity to examine the resolutions when they are put forward.

**The Minister of State, Department of Social Security (Mr. Stephen Timms):** This amendment would require a debate in both Houses before any Order in Council or

*[Mr. Stephen Timms]*

regulations could be made by the Secretary of State or the board of Inland Revenue under the powers in the Bill. However, regulations primarily will be about the detailed procedures for appeals to go down the tax appeals route.

I suggest to the House that these are not matters of such sufficient moment that we should set down a mandatory requirement for debates on them. The House will recall that the powers in the Social Security Act 1998 to make regulations about decisions, and appeals to the unified appeals tribunals against those decisions, generally use the negative resolution procedure, as do the Taxes Management Act 1970 powers to make regulations about tax appeals.

I freely accept that the Bill, in clauses 23 and 24, contains broader powers to make secondary legislation, which will also be made under the negative resolution procedure. The appropriateness of this was considered by the Select Committee on Delegated Powers and Deregulation in another place. It is worth quoting from its first report of this Session, dated 9 December 1998, at some length. It states:

"All the powers in the Bill are subject to negative procedure . . . the Department's memorandum gives an account of each and the Committee finds it necessary here to refer only to the Henry VIII powers discussed in the next paragraphs."

The hon. Member for Grantham and Stamford (Mr. Davies) said that the Bill had an extraordinary number of Henry VIII powers, but in fact it has only two. The paragraphs mentioned at the end of the quotation from the House of Lords Select Committee cover what are now clauses 23 and 24. In both cases, the Committee considered it appropriate that the negative procedure, as provided in the Bill, should apply. Accordingly, the Committee's recommendation, at paragraph 7, was as follows:

"The Committee has noted the two Henry VIII powers. There is nothing in the Bill which it is necessary to draw to the attention of the House."

Let me add to that reassurance. For the avoidance of any [illegible] doubt, nothing in clause 25 downgrades an existing requirement in social security legislation for the affirmative procedure into the negative procedure. If there were any such downgrading, the hon. Gentleman would be quite right to express concern. For example, section 176(1) of the Social Security Contributions and Benefits Act 1992 puts under the affirmative procedure those regulations that increase the rate of class 2 national insurance contributions for certain earners. It would not be right to convert such important matters to the negative procedure, and the Bill does not do so. Paragraph 30 of schedule 3 says:

"In Section 176(3)(a) of the Social Security Contributions and Benefits Act 1992 (statutory instruments subject to affirmative procedure), after 'Secretary of State,' there is inserted 'the Treasury or the Commissioners of Inland Revenue,'."

Paragraph 30 makes it clear, therefore, that powers subject to the affirmative procedure retain that procedure on their transfer to the Treasury or Inland Revenue, and it is right that that should be so.

In the main, social security regulations are made under the negative procedure, as has long been the case. Nothing in the Bill changes the degree of scrutiny to which the House has been entitled in the past. In the light of those assurances, I hope that the hon. Gentleman will withdraw his amendment.

**Mr. Quentin Davies:** I am grateful to the Minister, but I cannot pretend that I am happy with those assurances. The Government are taking far too many powers to make resolutions that are subject to the negative procedure. There is a strong argument for considering how the House handles statutory instruments upstairs, but that is a different subject and I cannot go into it now. The fact that rafts of new powers to make regulations of this kind are being created both in the Government's social security legislation and in many other Bills should give urgency to that argument. In the light of what the Minister has said, however, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

**Schedule 1**

TRANSFER OF CONTRIBUTIONS AGENCY FUNCTIONS AND ASSOCIATED FUNCTIONS

**Mr. Quentin Davies:** I beg to move amendment No. 6, in page 22, line 8, at end insert—

'(4AA) All such deductions, withholdings and payments by the Inland Revenue from sums due to the National Insurance Fund in each financial year shall be subject to a specific audit and report by the Audit Commission.'.

Again, this is unfinished business from upstairs to which we thought it right to draw the attention of the House. The explanatory memorandum refers, on page 251, to a large number of costs, amounting in gross terms to something in the order of £50 million, which will be incurred as a result of bringing together the Inland Revenue and the Contributions Agency. It also talks about savings of £1.4 million in 2000-01, rising to £5.5 million in 2002-03.

Anyone who reads the explanatory memorandum will therefore reach the reasonable conclusion that there will be a net cost to public funds of several tens of millions of pounds at least. It was with more than some surprise, therefore, that we heard the Under-Secretary say in Committee:

"There will be savings in public money".—[*Official Report, Standing Committee D*, 16 February 1999; c. 12.]

We never heard what those savings would be. I am perfectly prepared to believe that, despite the substantial initial costs, the Government may count on some savings in future. I am prepared to believe that they will be so great that even when properly discounted to proper value, the net position is positive. However, if that is so, it does not appear in the evidence that the Government have produced, and the only reasonable conclusion that one may draw from the explanatory memorandum is the reverse impression that there will be a net cost to the taxpayer. It is clear that a further explanation is required, and I hope that we shall hear one now.

**Ms Hewitt:** I fear that the hon. Gentleman has addressed amendment No. 5, which was not selected, rather than amendment No. 6, which he moved. If I may, I shall explain why amendment No. 6 should be rejected, and I trust that the hon. Gentleman will be content with that.

Amendment No. 6 deals with the question of the Inland Revenue charging its administrative costs to the national insurance fund in relation to the collection of national insurance contributions. That was an issue on which the hon. Gentleman expressed considerable concern in the Standing Committee, and I trust that I shall be able to reassure him this evening.

My first point is that there is nothing new in the Inland Revenue charging the appropriate amount of its expenditure to the national insurance fund. That happens already, because the Inland Revenue is responsible for collecting 94 per cent. of national insurance contributions and for carrying out most of the associated administration. Of course, the Revenue charges only the cost belonging to its functions in relation to contributions to the national insurance fund.

The second point is that Parliament has already addressed, quite comprehensively, the matter that concerns the hon. Gentleman. The existing law—primarily part XII of the Social Security Administration Act 1992—specifies the expenses that can be charged to the national insurance fund, whether by the Department of Social Security or the Inland Revenue. The Act also rightly requires the Comptroller and Auditor General to examine and certify the accounts of the national insurance fund, in a report that is laid before us annually. In other words, the National Audit Office acts as the external auditor of the national insurance fund as well as of expenditure by the Inland Revenue. The NAO also provides us with an annual report detailing the outcome of its independent scrutiny of the national insurance fund. Nothing in the Bill changes that situation.

Thirdly, the amendment would involve the Audit Commission in the scrutiny of expenditure. Although I have a high regard for the work of the Audit Commission, that extension would not be sensible or appropriate. It would duplicate effort, with both the National Audit Office and the Audit Commission acting as external auditors of the national insurance fund. It would confuse the division of responsibilities between the National Audit Office, which examines the accounts of Government Departments, and the Audit Commission, which audits local authorities and national health service bodies such as hospital trusts.

I hope that I have made it clear that amendment No. 6 is both unnecessary and inappropriate. I hope that the hon. Gentleman will feel able to withdraw it; if not, I must urge the House to reject it.

**Mr. Quentin Davies:** I am extremely grateful, as may be imagined, to have had an opportunity to put on the record the considerable concerns expressed in amendment No. 5. The Government have been saved from answering those concerns, and I can see both Ministers laughing, doubtless with great relief. Amendment No. 5 relates to a serious question about the use of public funds, and our points are now on the record. Had I been allowed to do so, I should have wanted to call a vote on it if I had not received the assurances that I required. We do not know whether the Bill will cost or save the taxpayer money, although it seems certain that it will cost the taxpayer a substantial amount. We shall return to that point in another context.

I accept the Minister's assurances on amendment No. 6. The Audit Commission will plainly have a dual responsibility to audit the Inland Revenue in the normal way and to audit the national insurance fund for as long as there remains a national insurance fund, which, unfortunately, seems increasingly something of an illusion. If any future problem is identified by the Audit Commission, or in any other way, and if excessive expenses are being charged to the national insurance fund by the Revenue, we shall certainly remind the Minister of the assurances that she has given the House. I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

**Schedule 4**

RECOVERY OF CONTRIBUTIONS WHERE INCOME TAX RECOVERY PROVISIONS NOT APPLICABLE

6.30 pm

**Mr. Quentin Davies:** I beg to move amendment No. 7, in page 40, line 46, at end insert

'provided that, where such proceedings are brought without either distinguishing the amounts the employer is liable to pay or specifying the employees in question, the employer, if he be found guilty of any material default in his obligation to pay National Insurance, shall be entitled to be indemnified by the Inland Revenue for any costs and expenses incurred in defending himself in any such proceedings.'.

This is an important amendment, which would ensure that the Inland Revenue in its new guise—having taken over the Contributions Agency—would not be allowed to conduct fishing expeditions. That is not desirable. It wastes public money if agencies go through companies' books hoping to find something amiss somewhere and it creates tremendous costs for businesses—most of which are entirely honest and should not be burdened with excessive costs of that kind. Such activities can easily destroy the trust that should exist in a free society between the state revenue-raising agencies—in this case, the Inland Revenue—and the public.

We were concerned about the existing text of the Bill, which states that the Revenue will be allowed to proceed in these inquiries and investigations and to launch proceedings

"without distinguishing the amounts which the employer is liable to pay in respect of each employee and without specifying the employees in question".

That is ludicrous. We have provided alternative wording, and I hope that the Government will accept it.

**Ms Hewitt:** I think perhaps the hon. Gentleman has invented a new way of speeding up proceedings in the House: he puts on record his concerns about an amendment that has not been selected and I give him the assurances that he seeks on the amendment that has been selected. It is a case of two for the price of one.

As to amendment No. 7, I understand the hon. Gentleman's concerns about fishing expeditions, but I am extremely puzzled about the amendment's wording. It appears to introduce indemnities funded by the national insurance fund—which will remain in existence and is specifically preserved by the Bill—but makes those indemnities available only to those found guilty of a crime. That is curious, and I think that there is a technical fault in the wording of the amendment.

I stress—I hope that I can reassure the hon. Gentleman—that employers will have every opportunity to discuss with the Inland Revenue what amount of

*[Ms Hewitt]*

contribution is due before recovery proceedings are contemplated. Neither employers nor any other contributor should be compelled to defend recovery proceedings brought by the Inland Revenue just to say that they have been overcharged. However, that situation will not arise.

Under clause 11 of the Bill, the employer will have the right to take disputes about liability to the tax appeal commissioners and, beyond that, to the courts if some point of law is involved. Recovery proceedings in the magistrates court or the county court will be taken only after disputes about the amount of contributions due in law have been resolved or the time limit for an appeal has passed.

I turn to the part of paragraph 5 that provides that it is unnecessary for a recovery action to distinguish the amounts due in respect of each employee. Hon. Members may find it helpful if I give an example illustrating why that is a sensible provision—apart from the practical difficulty involved in listing possibly thousands of employees in a court document.

Suppose an employer allows private use of company cars. Class 1A contributions will be due from the employer, and he must make a return identifying the employees and the cars provided and pay the contributions due. If the employer does not account to the collector of taxes for those class 1A contributions, but chooses instead the alternative payment method, the rules in schedule 4 apply.

Let us suppose that such an employer simply puts down on the form something like "20 cars of such and such a make" without specifying each employee who uses those cars and then fails to pay some or all of the contributions that are due on those 20 cars. In the first instance, the employer will receive an informal request to pay what appears to be due. However, if the employer repeatedly fails to respond, what can the Inland Revenue sensibly do? The important point is that the Inland Revenue will depend on the employer for information. So the only practical option is for the Revenue to take proceedings for the sum that appears due and to put down what details it has in the legal paperwork, even though it cannot list each employee affected because it does not know who they are. That is what paragraph 5 allows.

If, on the other hand, the employer responds to informal requests to pay contributions by explaining why, in his view, the amount requested is not due, matters will follow a different course. If agreement cannot be reached, an officer of the Inland Revenue will make a formal decision under the provisions of clause 8 against which the employer can appeal to the tax appeal commissioners.

Paragraph 5 of schedule 4 in no sense breaks new ground. There is an equivalent provision on the statute book in respect of unpaid income tax due from employers under PAYE procedures. There is also a similar provision for contributions that are payable directly to the collector of taxes—already some 94 per cent. of national insurance contributions. For those reasons, I hope that the hon. Gentleman will withdraw his amendment.

**Mr. Quentin Davies:** It is clear from the Minister's response that some explanation was necessary regarding the way in which the powers will be used. We have received that explanation and, on that basis, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

## Schedule 6

INFORMATION

**Mr. Quentin Davies:** I beg to move amendment No. 8, in page 46, line 3, at end insert

'except that, in the case of the authorities listed in sub-paragraphs (a), (b) and (c) above, such information shall exclude the names or addresses of individuals.'.

This amendment involves the important issue of protection of privacy. The Inland Revenue has a very good reputation in this country for preserving the privacy of taxpayers and not revealing personal information to unauthorised parties. We are proud of that tradition and want to preserve it. As the Inland Revenue is expanding its empire and absorbing another agency, concerns naturally arise about this issue.

Amendment No. 8 arises in connection with paragraph 3 of schedule 6. Schedule 6 provides a list of agencies and Government Departments to which the Revenue will be able to pass information. The amendment deals with paragraph 3 which lists, among the authorities that are entitled to receive information from the revenue, the Health and Safety Executive, the Government Actuary's Department and the Office for National Statistics. Those bodies have thousands of employees, and the House should be concerned at the thought that personal information might be passed unnecessarily into their hands. Hence our amendment.

We understand that aggregated, impersonal information regarding people's life expectancies, for example, may be required by the Government Actuary's Department and the Office for National Statistics. However, we see no reason why personal details should be revealed, and the purpose of our amendment is to protect the names and addresses of individuals. We received no explanation in Committee as to why that protection could not be afforded. I hope that the Government have reconsidered the matter and will accept our amendment in order to achieve that purpose.

**Ms Hewitt:** I will, if I may, expand on the points that I made in Committee. I hope that I shall again be able to reassure the hon. Gentleman on this occasion.

My first point is that the new section 122AA, as inserted by paragraph 3 of schedule 6, is not about creating new flows of information. The Contributions Agency already passes information to the Health and Safety Executive, the Government Actuary's Department, the Office for National Statistics and the occupational pensions regulatory authority. There is no statutory provision to permit those disclosures: the Department of Social Security makes them on the basis that they are in the public interest.

However, the Inland Revenue has a statutory duty of taxpayer confidentiality that does not permit the disclosure of information unless there is a specific statutory provision. So to enable the existing disclosures to continue once the Contributions Agency is transferred

to the Inland Revenue, we must give the Inland Revenue appropriate statutory powers. That is the purpose of this section.

**Mr. Quentin Davies:** We have said all along that we do not object to information being provided for the obvious purposes that I have listed. Why does that information have to include personal details? If it does not—if it is only aggregated and impersonal information of the kind to which I referred—why cannot the Government accept our amendment, which offers explicit protection in that regard?

**Ms Hewitt:** I shall deal immediately with that point. The Contributions Agency currently provides information to the Health and Safety Executive so that it can conduct studies of mortality rates in certain industries, for example. The HSE provides a list of individuals to the Contributions Agency, which asks whether those individuals have died and, if so, the date of death and the office to which any claim for death grant was made prior to 1986. In those cases, the HSE will have the names and, usually, the national insurance numbers of the individuals involved, so it is not a question of the Contributions Agency disclosing individuals' medical records to the HSE without their prompting. The information permits identification of an individual, but only in so far as it relates to individuals whose names are already held by the HSE.

The Contributions Agency needs to be able to respond to the HSE's requests for information. To carry out the epidemiological studies for which it is responsible, it has to have information about actual individuals. If it cannot provide the details to match to the name, which would be the practical effect of the amendment, the work would have to stop.

On the Government Actuary's Department, the Department of Social Security collects statistical information from the national insurance record keeping system and the P14 employer returns—the returns of PAYE tax and national insurance contributions deducted—not least to enable me to answer statistical questions from hon. Members. This information includes personal identification details such as the national insurance number so that longitudinal studies of an individual's history of employment and pensions may be made. Some of that information is passed to the Government Actuary's Department. The identifier in this case is the national insurance number rather than the name or address, but it is unique. There may be two gentlemen called Quentin Davies, but they will have different national insurance numbers.

The Contributions Agency also provides statistical and financial information direct to the Government Actuary's Department to enable it to forecast contributions and contributory benefits. In those cases, and with transfers to the Office for National Statistics, it is highly unlikely that the information would be sufficient to identify individuals.

New section 122AA provides a statutory basis to allow the Inland Revenue to disclose certain information to four organisations to whom the agency already discloses information. It may identify individuals in the sort of situation that I described, but only so far as is necessary for those organisations to carry out their business. I hope that I have reassured the hon. Gentleman that his amendment is unnecessary because most of the information will not permit the identification of individuals, while his amendment would prevent the effective operation of, in particular, the HSE. With that reassurance, I hope that he will feel able to withdraw the amendment.

**Mr. Quentin Davies:** I am glad that the hon. Lady has evidently thought carefully about this. Once again, the assurances are on the record. It is important for the agencies that will administer the Bill that they should be. On that basis, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

*Order for Third Reading read.*

6.43 pm

**Mr. Timms:** I beg to move, That the Bill be now read the Third time.

The Third Reading debate traditionally provides an opportunity to thank hon. Members who have taken part in our debates. I am grateful for the work and help of my hon. Friends, especially my hon. Friend the Economic Secretary. This has been a good example of joined-up government and of how our Departments work together.

The Bill has also been an interesting example of disjointed opposition. It has rightly been asked why, given the clear Treasury interest in the Bill, and with Social Security and Treasury Ministers working together, no member of the Opposition Treasury team appeared during our deliberations. I can reveal the reason: the shadow Chancellor supports the measure. When the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) was challenged on the point by my right hon. Friend the Secretary of State for Social Security on Second Reading, he said that the shadow Chancellor's position would become clear when he voted that evening. He was right; it became crystal clear. The shadow Chancellor did not vote that evening. He declined to support his colleagues in the Lobby on Second Reading because he has always been a strong supporter of this measure.

The hon. Member for Grantham and Stamford (Mr. Davies) has been indefatigable in his questioning, for which I pay tribute to him. He is also on record as having supported measures along these lines. He put his name to the report last February of the Tax Law Review Committee, which called for a merger of the appeals processes for tax and national insurance. It is difficult to reconcile that with the position that he took in our debates. Nevertheless, I pay tribute to his energy.

The hon. Member for Newbury (Mr. Rendel) has been supportive, if, thankfully, less vociferous. I pay tribute to his diligence, and am pleased that he is in his place. Once we rid the debate on the Bill of the baggage that Conservative Members tried, and failed, to attach to it, we are left with a sensible administrative measure that reduces burdens on business. I have referred several times to the report of the 1994-95 deregulation task force, chaired by the shadow Chancellor, which recommended the merger of the Inland Revenue and the Contributions Agency. That urged the Government to action. The Bill takes forward that action. I urge Conservative Members to join the Government, the business community, the Liberal Democrats and even the shadow Chancellor in supporting the Bill, which I commend to the House.

6.46 pm

**Mr. Quentin Davies:** We made clear yesterday what we thought about the Government's project to undermine the national insurance system. We think that it is a very damaging and thoroughly disreputable project which not only breaks the consensus on the national insurance system that has existed since the coalition Government in the second world war, but goes against all the assurances that the Government gave the electorate in the past. As we saw last night, it is much against the principles and conscience of many Labour Members. It is a thoroughly bad project which we shall continue to oppose. We shall have many opportunities to do that in Committee on the Welfare Reform and Pensions Bill, which goes upstairs next week.

I do not want to repeat arguments that are important but which the House has heard in the past 24 hours, so I do not believe that there is any useful purpose in proceeding with discussion this evening. This is a very bad Bill for a very bad and nefarious purpose. It does no credit to the Government, who have used every trick in the book to try to disguise from the British public the reality of what is going on.

*Question put,* That the Bill be now read the Third time:—

*The House divided:* Ayes 344, Noes 89.

**Division No. 74] [6.48 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atkins, Charlotte
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corston, Ms Jean
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dafis, Cynog
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Donaldson, Jeffrey
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fisher, Mark
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Forsythe, Clifford
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Horne Robertson, John
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Linton, Martin
Livingstone, Ken
Livsey, Richard
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis

Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Oiner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Raynsford, Nick
Rendel, David
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ross, William *(E Londy)*
Rowlands, Ted
Ruddock, Joan
Salter, Martin
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thompson, William
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Trimble, Rt Hon David
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Wallace, James
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

**Tellers for the Ayes:**
**Mr. Greg Pope and**
**Mr. Kevin Hughes.**

**NOES**

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Burns, Simon
Butterfill, John
Cash, William
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Fabricant, Michael
Garnier, Edward
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Horam, John
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lidington, David
Loughton, Tim
McLoughlin, Patrick
Major, Rt Hon John
Mates, Michael
Maude, Rt Hon Francis
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Pickles, Eric
Randall, John
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Swayne, Desmond
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Trend, Michael
Viggers, Peter
Walter, Robert
Waterson, Nigel
Whitney, Sir Raymond
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim

**Tellers for the Noes:**
**Sir David Madel and**
**Mrs. Eleanor Laing.**

*Question accordingly agreed to.*

*Bill read the Third time, and passed, with an amendment.*

*It being after Seven o'clock, and there being private business set down by direction of* THE CHAIRMAN OF WAYS AND MEANS *under Standing Order No. 20 (Time for taking private business), further proceedings stood postponed.*

## City of London (Ward Elections) Bill
*(By Order)*

*Order for Second Reading read.*

7.2 pm

**Mr. John McDonnell** (Hayes and Harlington): On a point of order, Mr. Deputy Speaker. Before the start of the debate, will you clarify the exact process whereby declarations of interest, specifically with regard to the City of London corporation, should be made before contributions are made to the debate? In particular, I refer you to the code of conduct together with the "Guide to the Rules Relating to the Conduct of Members", which says on page 8, in paragraph 11:

"Any Member having a registrable interest which has not at the time been registered, shall not undertake any action, speech or proceeding of the House (save voting) to which the registration would be relevant until notification has been given to the Commissioner for Standards of that interest."

As you will be aware, Mr. Deputy Speaker, there are various categories, including a miscellaneous category that covers any relevant interests not falling into the other categories, as well as gifts, benefits and hospitality.

Will you rule whether being a Freemason falls within any of those categories, in particular the miscellaneous category, and is therefore an interest that should be registered and declared by a Member and, if it is not declared, that Member should not be taking part in this debate, save by voting?

**Mr. Deputy Speaker (Sir Alan Haselhurst):** That is not a matter on which I can rule at this point. Any further clarification that is required on the standards to be observed by hon. Members must come from the Parliamentary Commissioner for Standards, not from the Chair on an occasion such as this.

**Mr. McDonnell:** Further to that point of order, Mr. Deputy Speaker. I should like clarification. It has been alleged that the Bill—and therefore the debate—contravenes the first protocol of the European convention for the protection of fundamental human rights and freedoms, which was conferred into British law by this Parliament after the passing of the Human Rights Act 1998. That protocol relates to the right to free elections. It states in article 3:

"The High Contracting Parties"—

the United Kingdom Government—

"undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people"—

not business—

"in the choice of the legislature."

The issue is that, our having passed the convention into UK law, the Bill is in contravention of the Human Rights Act and the debate is therefore illegal. I ask for your ruling on that, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** It is not a matter for the Chair to make that determination. It is a matter for the courts. The point that the hon. Gentleman seeks to make as a point of order can certainly be raised in the debate.

**Mr. McDonnell:** Further to that point of order, Mr. Deputy Speaker. Will you therefore clarify the Speaker's role in guiding the House on any illegal activity? Surely it is a matter for the Speaker to ensure that the House remains within its powers and does not overstep any international commitments or legislation that we have signed up to.

**Mr. Deputy Speaker:** The hon. Gentleman flatters the Chair in thinking that the Chair can rule on such matters. The role of the Chair is entirely to rule on matters of order in this House, dealing with the business that comes before the House for debate. What the hon. Gentleman seeks is outside my capacity.

**Mr. Stuart Bell** (Middlesbrough): Further to that point of order, Mr. Deputy Speaker. It should not be allowed to remain on the record that the House could be in any way conducting an illegal sitting or proceedings. The House of Commons is entirely sovereign and we are duly elected to represent our constituents. It should not be thought for a minute that the House could in any way act illegally.

**Mr. Deputy Speaker:** I hope that no such implication was made in the exchanges so far.

**Mr. McDonnell:** Further to that point of order, Mr. Deputy Speaker. Of course, there was no such implication. However, we have enacted the human rights legislation, and it makes illegal any act in the United Kingdom that is in contravention of the European convention for the protection of fundamental human rights and freedoms or the furtherance of any such act. It is therefore important that, before the debate proceeds further, we should have clear guidance, if necessary from the Lord Chancellor's Department. I accept that this body is sovereign, and in our sovereignty, we passed the human rights legislation, this time last year, to sign up to the protocol. It is therefore critical—

**Mr. Deputy Speaker:** Order. The hon. Gentleman is now clearly straying into the realms of debate. He may have an opportunity to catch my eye if he wishes to develop that argument, but the Bill before us has patently not yet been passed into legislation. If there were any suggestion that it was incompatible with other legislation, that would be a matter for the courts, certainly not for the Chair on this occasion.

**Mr. McDonnell:** Further to that point of order, Mr. Deputy Speaker. I do not want to strain your patience—you have been exceptionally good to me so far.

The debate takes place under Standing Order No. 20 of "Standing Orders of the House of Commons—Public Business 1999". The Bill is private business and the Standing Order relates to private business. The motion in my name and that of my hon. Friends to delay consideration of the Bill proposes:

"That the Bill be read a second time upon this day six months."

I accept that, under Standing Order No. 20, it is open to the Chairman of Ways and Means to appoint business, but will you clarify the grounds on which the Bill has been timetabled for consideration today and what reasons there are for doing so before the end of the six-month period?

**Mr. Deputy Speaker:** It is entirely within the discretion of the Chairman of Ways and Means when to

set down business for consideration, and that cannot be questioned on a point of order. I have made a ruling and determination that this is the evening on which the Bill should be considered, and that is the end of the matter.

**Mr. McDonnell:** Further to that point of order, Mr. Deputy Speaker. Is there any method by which the Chair must explain his or her ruling on those matters and the grounds on which that timetabling has been decided, and other business has not been given priority? I would welcome, as I am sure other hon. Members would, the opportunity to debate that procedure.

**Mr. Deputy Speaker:** No, there is no such opportunity. If the hon. Gentleman wishes to criticise decisions of the Chair, he must do so on a substantive motion. I am merely trying better to order the business that comes before the House. Certain slots have to be provided for the disposal of private business, and I have tried to discharge that function in a perfectly impartial way.

**Mr. McDonnell:** Further to that point of order, Mr. Deputy Speaker. No criticism was intended; I am engaged in an honest search for the truth and clarification, and I thank you for that.

**Mr. Deputy Speaker:** I am obliged to the hon. Gentleman.

7.9 pm

**Mr. Peter Brooke** (Cities of London and Westminster): I beg to move, That the Bill be now read a Second time.

Many things in the City of London have a very long history. The local electoral system dealt with in the Bill is certainly one of them. In recent times, the shortcomings of the system have been the subject of some criticism—shortcomings that have been recognised by the City corporation itself.

Dealing with those shortcomings legislatively has, however, been less straightforward, but it is what the corporation seeks to do in the measure. It does so in the context that none of the political parties now has a policy of abolishing the corporation, so the issue is one of reform and of how the City's various interests may be more evenly represented.

Although the Bill is corrective in nature, it would be quite wrong to infer that local government in the City has failed to work. The reverse is the case. The common council, which discharges the local authority functions in the City, is widely credited for its innovative activities. Indeed, one of the foundations of the success of the City as the leading international financial centre is the support that is given by its own dedicated local authority, to which the present Prime Minister testified in a lecture in the City in September 1996.

The corporation's support for democratic rights also has a long history. This speech is not the occasion for that trawl through history, but it is perhaps worth recalling that the passage of the Great Reform Bill of 1832 through the House followed strident petitions to Parliament from the City civic urging those reforms.

The last royal commission on London local government, which sat for three years between 1957 and 1960—perhaps I should declare an interest and say that it was appointed by my father—recognised the distinct nature of local government in the City, and recommended its retention.

The approach of the commission has been continued by the present Government. In their Green Paper "New Leadership for London", the Government stated in paragraphs 1.10:

> "We have made it clear that we do not intend to abolish the City Corporation. In recent years the City Corporation has sought to play a much more positive role in order to promote inward investment and to fund schemes and studies for the benefit of London as a whole. The Corporation has assured the Government that it will continue to develop this work and has accepted that it must respond to the need to improve its electoral arrangements."

Paragraph 1.11 continues:

> "The Corporation is currently devising detailed proposals to improve its franchise, including that for Aldermen, so that it represents more accurately the various interests in the Square Mile".

**Mr. Edward Leigh** (Gainsborough): Will my right hon. Friend give way?

**Mr. Brooke:** I had not quite finished the quotation. I shall give way when I have done so.

The Green Paper goes on:

> "We look forward to detailed discussion with the Corporation in the Autumn."

I give way to my hon. Friend.

**Mr. Leigh:** My right hon. Friend mentioned aldermanic elections. A friend of mine, Mr. Malcolm Matson, was elected in an entirely proper way by his ward to the aldermanic bench. Then, for no good reason that I can divine, he was prevented from taking his place on the aldermanic bench. Will my right hon. Friend confirm that if the Bill goes through, that unfortunate state of affairs cannot arise again?

**Mr. Brooke:** I am grateful to my hon. Friend for his intervention. I, too, know Mr. Matson, and have known him for a long time. My hon. Friend describes accurately the circumstances of that episode. It is the case—arising not out of the Bill, but out of the rules of the City corporation—that such an event will not occur again. I can confirm that to my hon. Friend.

**Mr. Andrew Love** (Edmonton): I thank the right hon. Gentleman for giving way. Throughout the rest of local government, aldermen have been abolished. Does the Bill contain provision for that, and if not, should it include such provision?

**Mr. Brooke:** I understand the hon. Gentleman's question. As local government in the City of London goes back many centuries before it was developed in other parts of the country, the tradition of aldermen is a particularly old one in the City—older than in much local government that was formed in the 19th century. The royal commission to which I referred acknowledged that the City of London was different from other local government, it acknowledged that the City was an anomaly, and it argued that it should continue to exist, with reform. When aldermen were abolished elsewhere by legislation in the 1970s, the aldermen in the City of London were retained and are not affected by the Bill.

*[Mr. Brooke]*

The discussions referred to in the Green Paper have taken place and have been fruitful. The White Paper entitled, "A Mayor and Assembly for London" records in paragraphs 1.25 and 1.26:

"In *New Leadership for London* we made it clear that we do not propose to abolish the City Corporation. In reaching this decision we were relying upon the assurance that the Corporation would continue its work in promoting inward investment and financing studies for the benefit of London as a whole, and had accepted that it must respond to the need to improve its electoral arrangements. The Corporation has produced its own proposals for reform which have been the subject of consultation and discussion with those who live in the City and the variety of bodies which operate there."

**Mr. McDonnell:** I sit with the right hon. Gentleman on the Committee that is considering the Greater London Authority Bill, and am now the secretary of his fan club because of his articulateness in that Committee.

On the statement by the Labour party before the election, does the right hon. Gentleman consider that the commitment not to abolish the City corporation was conditional on adequate reform proposals being brought forward as a result of the Bill, and that if adequate proposals are not brought forward during this Parliament or this Government's term of office, abolition may well proceed? The reforms must therefore be genuine, proper and democratic.

**Mr. Brooke:** Perhaps I made the mistake of not completing the quotation before I gave way to the hon. Gentleman, as I did in the case of my hon. Friend. However, I shall respond to the hon. Gentleman. I am not, of course, privy to what went on in the Labour party in the run-up to the election. I detect, however, that the City corporation got the message that was being communicated to the City about the need to reform its electoral arrangements. The corporation has presented the proposals to the Government in order to verify that the Government were seeking that degree of electoral reform.

It may be helpful if I quote the paragraph in the White Paper, which states:

"These proposals involve both reforming the existing franchise in order to prevent abuse and the extension of the electoral system to give a wider variety of bodies and organisations voting rights within the Square Mile. We shall continue to maintain an interest in the Corporation's proposals for reforming its franchise as they develop."

In that sense, the hon. Gentleman is quite right—we are in real-time business.

I happily give way to the right hon. Member for Chesterfield (Mr. Benn).

**Mr. Tony Benn** (Chesterfield): The right hon. Gentleman will know as well as any of us that there has never been any change in our electoral system without a Speaker's Conference. It has always been understood that the Boundary Commission and electoral reform of all kinds have developed in this way. Can he explain to the House what it is about the City that allows it to change its own electoral system, without considering the impact that that would have on the rest of the country, or the interests of the parties involved? What gives the City the right to draft its own constitution? Is it a city state? Is it an offshore island? What is the status of the City that allows it even to contemplate such a change?

**Mr. Brooke:** I take the spirit of the right hon. Gentleman's question. I have had the pleasure of listening to many of his speeches down the years. The fact that the City was so early into democratic principles—much earlier, I fear, than even Parliament—means that much of what we are discussing is hallowed, but there is a charter going back to the reign of Edward III in 1341.

The right hon. Gentleman will recall that when we were discussing the White Paper on reform of the House of Lords, I raised with him the fact that he had omitted from his list of House of Lords reforms the 1857 proposal that there should be life peers in the House of Lords, which was defeated in the House of Lords. It was in exactly the same year that the last comprehensive reform of the City of London occurred.

The ability for modification has persisted. When the right hon. Gentleman was a member of the Cabinet in 1969, three wards of the City of London had their boundaries altered within the City, without reference to the Boundary Commission. I am not in any way holding him responsible for that—it would not naturally have fallen to the Postmaster General, although in a funny sort of way it might have done, because postcodes might well have been involved. It has been a persistent fact that the City has that ability.

**Mr. Benn:** Does the right hon. Gentleman agree that the Representation of the People Act 1948, which abolished the business vote, is to be repealed in part by this Bill, which will restore the business vote in contradistinction of the law laid down for the whole country by the post-war Parliament?

**Mr. Brooke:** I am very hesitant to disagree with the right hon. Gentleman, whose historical knowledge is much greater than mine. In 1948, neither he nor I was in the House of Commons, but he was a member of the Cabinet in 1969 when the business vote was taken away in local government elections. There is a slight hazard in his using parliamentary elections as a read-across into what happened within the City of London. When the 1969 Act was passed, the then Home Secretary, the noble Lord Callaghan, specifically accepted the business vote in the City and retained it because the City was different from other entities of local government. In that respect, he was echoing the judgment of Lord Herbert in the royal commission approximately a decade earlier.

**Mr. Tony Baldry** (Banbury): Having heard almost "The Guinness Book of Records" number of points of order, I wondered whether my right hon. Friend could help me. If the Bill is passed, will more or fewer people living and working in the City of London be entitled to vote for the common council?

**Mr. Brooke:** The number of people who will cast votes in the City of London will go up substantially. The number of residents voting will be the same as the number of residents allowed to vote now, but the number of people voting will rise by 39,000.

**Dr. Brian Iddon** (Bolton, South-East): What is the percentage of the total votes that residents would have in future, compared with now? Would it remain the same, would it go up—or would it go down, as I suspect is the case?

**Mr. Brooke:** In the natural order of things, and in the light of the answer that I gave my hon. Friend the Member

for Banbury (Mr. Baldry), the percentage of votes cast by residents would fall if the number of residents' votes does not go up, and the number of business votes does go up. However, it is not quite as simple as that. The residential vote is concentrated largely in certain wards, where the percentage of votes held by residents will continue at the same level. Therefore, no change will occur in terms of the election result.

**Mr. Iain Coleman** (Hammersmith and Fulham): Will the right hon. Gentleman confirm that the percentage figure in terms of resident voters will fall from one in four now to less than one in 10?

**Mr. Brooke:** I think that the hon. Gentleman is approximately right. However, that does not contradict the points that I have made to the hon. Member for Bolton, South-East (Dr. Iddon), who asked me about the percentage of residential votes. As residential votes are primarily concentrated in what I might call certain residential wards, their ability to influence the corporation will be exactly the same as before, because residents will cast votes in the wards where they are very much predominant.

I was saying that the proposals before the House deal primarily with how a wider range of bodies and organisations are, consistent with the comments in the White Paper, to be given voting rights. Because the City is overwhelmingly a place for doing business, it is inevitable that the business dimension will be prominent. The wholly atypical nature of the City hardly needs restating, having been recognised by the last royal commission, the local government commission and by the 1969 Labour Government, to which I referred in response to the right hon. Member for Chesterfield (Mr. Benn), when they kept the business vote of the City while abolishing it elsewhere.

**Mr. McDonnell:** Will the right hon. Gentleman give way?

**Mr. Brooke:** I do not wish to ration the hon. Gentleman. It was perfectly clear from his points of order that he has a profound interest in this subject. Of course I shall give way.

**Mr. McDonnell:** The right hon. Gentleman mentioned that the City is profoundly atypical, yet in my constituency is a location called Stockley park, a vast expanse of land containing numerous businesses but only two residents. It is as atypical as the City because it deals with almost as many individual companies pro rata within a smaller area. On that basis, would the right hon. Gentleman advocate a business vote within that area, and therefore the withdrawal of the democratic right of individuals to control the area via their local authority?

**Mr. Brooke:** I respond gingerly to that question, in case you, Mr. Deputy Speaker, should rule me out of order, for the hon. Gentleman takes me into the realms of the total reform of local government. Moreover, he turns his back on the noble Lord Callaghan, who specifically singled out the City from every other local authority in the country.

**Mr. Peter Bradley** (The Wrekin): Will the right hon. Gentleman give way?

**Mr. Brooke:** Yes, provided that I can remember my place in my speech.

**Mr. Bradley:** May I take the right hon. Gentleman back to the proposition that he made a couple of minutes ago that, as residents of the City of London are concentrated in certain wards, their democratic leverage on the corporation of London is somehow enhanced? I took my time considering this and cast my mind back over the 10 years that I spent on the other most democratic local authority in the country, the City of Westminster, to see whether, in my experience, his proposition was correct. Does not the fact that there will be 39,000 additional electors—all members of the business rather than the residential community—outweigh any leverage that 5,000 people, no matter how concentrated they are in certain wards, have over the policy making of the corporation of London?

**Mr. Brooke:** The hon. Gentleman misunderstands the point that I was making. I am grateful to him for his remark about Westminster, which enables me to mention briefly what I left out of my draft. I referred earlier to the 1832 reform Bill. So liberal was the franchise in Westminster in the run-up to the 1832 Bill that after it had been passed the people of Westminster still had a more generous franchise than the rest of the country was getting under the Bill.

In response to the hon. Gentleman's question, the point remains exactly the same: the proportion of members of the common council representing residential wards will be the same in the new common council as it was in the old, because members will continue to be elected for the residential ward. To be fair to myself, I do not think that I used the word "enhanced". I was saying that their position was effectively unchanged by the move.

As the hon. Gentleman mentioned Westminster, I shall return to my speech, in which I was about to make a comparison with Westminster. May I give a flavour of the distinctiveness by reference to figures taken from the two halves of my constituency? In the W1 postal district I have as many businesses as I have households. Obviously, there are a number of wards in that area. In the City, 50 times as many people are engaged in business as there are electors. The density of employees per square kilometre is more than 88,500 in the City, whereas in Westminster it is 22,325, or approximately a quarter.

The proposals in the Bill are novel, but they deal with a novel situation. They build on the existing business franchise. Clauses 1 and 2 set out the short title and define the terms used in the Bill. Clause 3, which is the principal provision, replaces the existing residential and business electoral qualifications with the qualifications in subsections (1)(a), (1)(b) and (1)(c). Subsection (1)(b) is straightforward and deals with the residential voter. Subsections (1)(a) and (1)(c) deal with the business or commercial voter. The subsections have a common thread, which is that personal physical presence for what

*[Mr. Brooke]*

the Bill terms "relevant purposes" is needed. The relevant purposes in the context of the Bill will normally be business purposes.

In the case of an individual in business on his own account as a sole proprietor or partner, that individual will have to satisfy the requirement of personal physical presence—that is, he must actually work in the City. In the case of an incorporated body—usually a limited company—or an unincorporated body, the personal physical presence must be satisfied by those representing or working for the company in the City. In other words, companies cannot be "shells". They must have people working on the premises—*[Interruption.]* I see the pleasure that that thought gives the right hon. Member for Chesterfield.

**Dr. Iddon:** My question is simple: could such persons work in the City for only one day?

**Mr. Brooke:** No, not for only one day. To respond with intellectual honesty to the hon. Gentleman's question, I should say that the figure goes down to a rateable value of £200, but £200 is calculated as being the rateable value that someone is required to have in order to have a person working in the City, even if he is working as a single individual. One day would not be sufficient. Indeed, the rateable value has been chosen to get away from transient problems, which other proposals might have involved.

In the case of an individual—

**Mr. Love:** Will the right hon. Gentleman give way?

**Mr. Brooke:** I have started on this paragraph so I shall finish it, as I have a degree of curiosity about what is at the end of the speech myself.

An individual in business on his own account as sole proprietor or partner must have people working on the premises. That approach prevents giving the vote to notional occupiers—I should not have allowed the hon. Member for Bolton, South-East to interrupt me at the moment he did—which is a distortion that can arise under the current system.

I should also mention that subsection (4) makes it clear that no individual can vote more than once, whatever the capacity by which he satisfies the electoral qualifications. That cures another latent defect in the present system. That will please the right hon. Member for Chesterfield, although it is not matched in the affairs of this House. If there are two by-elections on one day in different parts of the country, and a particular individual has a vote in both places, he is, under the laws of the land, able to exercise both votes, but he cannot vote more than once in each of the elections.

Clause 3(2) sets the period of currency for the new ward lists as annually beginning with 16 February. That aligns the City with the general law in the Representation of the People Acts. There are consequential amendments on dates in schedule 2. The administration of the City's system, particularly the compilation of the provisional ward lists, has, however, required the setting of a somewhat earlier qualifying date for entry on the ward lists—1 September as opposed to 10 October, under the general law—to enable the operative date for the annual ward lists to coincide with the national scheme.

Apart from dealing with various exceptional circumstances relating to multiple occupation, schedule 1 sets out the entitlement of limited companies and other qualifying bodies, as the Bill terms them, to appoint individuals to vote. The basic requirement is that a company—

**Ms Karen Buck** (Regent's Park and Kensington, North): Will the right hon. Gentleman give way?

**Mr. Brooke:** I will, of course, give way to my parliamentary neighbour.

**Ms Buck:** The right hon. Gentleman is very kind. Will he confirm that voters, as opposed to the occupiers who nominate them, need not be workers in the City or, indeed, need never have set foot in the City, which they will then purport to represent?

**Mr. Brooke:** The hon. Lady makes a correct statement, but—not least because of pressure from the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), whose intervention I have been constantly expecting as the debate has progressed and which I am confident that I shall, in due course, receive—the code by which qualifying bodies will choose the people who will cast their votes for them will be made public. That code carries with it the "Clapham omnibus", sensible and reasonable assumption that people will be chosen who actually have something to do with the City, for there would be little point in putting them on the body if they did not.

The basic requirement is that a company will be entitled to appoint individuals according to the rateable value of the premises occupied. Up to a rateable value of £10,000, they will be entitled to appoint one individual. Over that figure, and up to £1 million, there will be an entitlement to appoint additional individuals based on £10,000 rateable value bands. Over £1 million, they will be entitled to appoint additional individuals based on £100,000 rateable value bands. That, therefore, gives a taper to the entitlement.

The standard local government qualification—

**Mr. Love:** Will the right hon. Gentleman give way?

**Mr. Brooke:** Yes. The hon. Gentleman has been extremely patient; he might have drawn my attention to the fact that I had completed the paragraph.

**Mr. Love:** I thank the right hon. Gentleman for giving way. I did not intervene to show that he was not showing favour to his parliamentary neighbour. May I confirm that hon. Members always enjoy his contributions, so we will be listening carefully through to the end?

You have laid out for us the basis of the—

**Mr. Deputy Speaker:** Order. I am sure that the hon. Gentleman knows that he should be addressing the right hon. Gentleman, not the Chair.

**Mr. Love:** I apologise, Mr. Deputy Speaker.

The right hon. Gentleman has laid out for us the basis of the new franchise, which will concentrate control in the hands of business, but the City of London authority is a local government authority. It provides a considerable

number of services to those who live in the City. If the franchise is to be changed in such a way, is not there an argument that the authority should no longer be part of local government, as it has been in the past?

**Mr. Brooke:** The hon. Gentleman takes me into a semantic jungle that I am ill-equipped to traverse, but in any Bill applying to the City of London—when he has seen as many Bills as I have, he will begin to learn the phrase—there is always a separate, particular and specific reference to the City of London, because it is not a local authority like any other. That is a statutory observation, not simply something born of Lord Herbert's decision in the royal commission.

The standard local government qualifications governing aspects such as nationality will apply to all electors. In other words, the voting rights will be the same as for local government elections. The system proposed acknowledges that the rating list is a convenient source, and that the size of premises bears some relationship to what the occupier pays in rates for the premises and also to the number of people likely to be working there.

Clause 4 deals with the procedures by which—

**Mr. Peter Bradley:** Can the right hon. Gentleman clarify one issue? If the building is vacant and no one is working there, but the landlord is paying rates, will he still be entitled to the same franchise as someone who is trading from a building?

**Mr. Brooke:** No. I know that the hon. Gentleman has been hanging on my every word, but there must have been a moment in which he missed a sentence of mine. I have specifically said that an empty building would not have representation.

**Mr. Simon Hughes** (Southwark, North and Bermondsey): I delayed until the last possible moment before intervening.

I have two specific questions. First, will the right hon. Gentleman confirm that, as a matter of law, in the Bill as drafted, it is entirely up to what the Bill describes as the qualifying body to decide how to allocate its votes? For example, it could raffle them. Secondly, will he confirm that there is nothing to prevent someone being nominated by a qualifying body, even if he works for the City of London—the corporation—or has some commercial interest linked to it?

**Mr. Brooke:** The hon. Gentleman is quite correct in respect of his first question, although anyone who engaged in a raffle would have to pay attention, not only to the laws relating to raffles, but to those relating to criminal proceedings in British elections. That would be a slightly hazardous way of choosing a candidate.

I may have to respond later, under advisement, to the hon. Gentleman's second point. I am not conscious of a restraint in respect of the individual, although I think that he should be an employee. Even on that I am not certain, so I shall come back to the hon. Gentleman. I am grateful to him for raising the question.

Clause 4 deals with the procedures by which the individuals appointed to vote will be entered on the ward lists. The town clerk, who is responsible for administration of electoral matters, will undertake inquiries to identify the qualifying bodies and will request details from them about their appointments. The individuals concerned will then be entered on the ward lists.

Clauses 5 and 6 and schedule 2 deal with amendments and repeals and a saving for elections to be held under the current system before the new ward lists become operational. Some aspects of the reforms are not dealt with in the Bill. That is because they are being provided for through the City's legislative powers, about which the right hon. Member for Chesterfield asked me earlier. The corporation will deploy those powers to provide for four-year terms of election, consistent with the arrangements in London boroughs. The date of ward elections will be aligned with the election season for the boroughs; elections in the City currently take place in December.

The corporation will examine the ways in which turnout may be enhanced by means of practical voting arrangements, including the location of polling stations. That, too, was a worry for the hon. Member for Southwark, North and Bermondsey. The corporation has already said that it will publish a code of practice on the appointment of individuals to vote by qualifying bodies, and work on that is in hand. In the corporation's view, it is appropriate for the allocation of appointments to reflect the nature of the organisation and its work force, including its gender mix. I hope that will reassure the hon. Gentleman.

I should refer specifically to the position of residents. A number of Labour Members have already given me ample opportunities to do so. Under the existing system, some wards in the City are predominantly residential. The corporation recognises, and has always recognised, that the interests of residents should be maintained in the new system; therefore, the system has been designed to ensure that wards that are predominantly residential in character remain so. Likewise, the corporation will review the distribution of voting capacity in each ward, with the aim of ensuring the maintenance of a reasonable balance between the size of wards and their electorate.

**Mr. Benn:** May I take up the right hon. Gentleman's point about the interests of the business community in the City? Can he assure us that every shareholder in businesses there will have an opportunity to vote, and to determine who should vote on his or her behalf? One shareholder, one vote: that is the one principle that I want the right hon. Gentleman to establish.

**Mr. Brooke:** I am delighted to learn that the right hon. Gentleman still espouses the principle of one man, one vote. I understand that the Labour party no longer espouses that principle in internal elections in certain parts of the country.

I have already said that the decision on who will vote will be made by the businesses concerned. As the right hon. Gentleman will appreciate, the element of the business that is in the City may be only a small part of a much larger business. Although 118 of the 500 largest companies in the European Union have their headquarters in the City, there are many small businesses there as well, and I feel that a shareholder system would be unwieldy.

Considerable efforts have been made to involve, and seek the views of, City residents, and the corporation has no evidence to suggest that there is a significant amount

*[Mr. Brooke]*

of dissatisfaction with what is being proposed. Let me add that the proposals are not intended, or expected, to have any effects on services provided from funds outside the local government finance system, such as the provision for open spaces for which the City is responsible.

**Mr. McDonnell:** The corporation has asserted that there is no substantial opposition to the proposals. In fact, petitions have been received opposing the Bill; but, in any event, has the City organised a ballot of residents? If so, have the results been published? Has there been any consultation of the electorate of Greater London overall?

**Mr. Brooke:** I enjoy the hon. Gentleman's interventions, but I think that the idea of involving the whole of Greater London in the decision is a bit rich. As for the question of consultation, the corporation publishes a magazine called *City Review*, which is widely distributed and which I am sure the hon. Gentleman has seen. It is published every two months, and for the past 18 months or so every issue has contained references to the Bill, and invitations to readers to write in. It has produced a booklet, which I have here. People have written, and there has been an opportunity for discussions with residents. Any resident who was not aware of what was going on must be living a somewhat hermit-like life.

**Mr. McDonnell:** Will the right hon. Gentleman give way?

**Mr. Brooke:** I do not want people to forget what I was saying before the hon. Gentleman intervened. I have been pretty generous to him. Let me finish what I was saying about open spaces.

Open spaces such as Epping forest are subject to statutory protection through legislation promoted by the corporation itself, which demands that they be maintained and conserved to a high standard. That legislation is unaffected by the Bill, and the corporation has no intention of changing it.

**Mr. Harry Cohen** (Leyton and Wanstead): As Epping forest is in my constituency, this concerns me very much. The right hon. Gentleman says that the legislation will not change; but will the money change? If there were more members of the common council interested only in keeping costs down in the centre, with no commitment to open spaces outside the centre, could they, under the proposed voting system, have more power to cut financial support for the open spaces?

**Mr. Brooke:** I was going to deal with the money aspect, because I knew that the hon. Gentleman was concerned about it. I can say, however, that in addition to the many initiatives, costing about £40 million a year, that the City maintains—initiatives that are available to everyone in London, which are supported by the City fund and include the Barbican—there is a separate resource, known as City's cash, consisting of the accumulated wealth of merchants who have left money to the City for eight centuries. It is with some of that money that Epping forest is maintained. Although councillors will continue to take an interest, and, presumably, will make decisions, the funds supporting Epping forest are nothing to do with local government finance.

Although the expenditure involved in administering open spaces and the like outside the City does not constitute public expenditure, I am advised that the corporation will make available the annual estimates for them. I am sure that the hon. Member for Leyton and Wanstead (Mr. Cohen) will be able to see those estimates.

The Bill is the culmination of wide-ranging consultation within the City business community, and with residents, as well as with the Government and other interested parties. It offers a solution that, in the corporation's view, addresses the particular circumstances of the City, consistent with the White Paper.

7.47 pm

**Mr. Harry Cohen** (Leyton and Wanstead): I am the first listed objector to the Bill, but I presume that others will wish to speak.

I am grateful for the way in which the right hon. Member for Cities of London and Westminster (Mr. Brooke) expressed his support for the Bill. He accepted a number of interventions, and tried to respond to them. At one point, he said that he wanted to get on because he wanted to find out how his speech would end. We are pleased to have heard the end of the speech—but I am not sure that it was worth it.

The last time I crossed swords with the right hon. Gentleman on a private Bill was when he sponsored a Bill that related to the City of Westminster. I spoke against it for nearly three hours. I do not intend to speak for anywhere near that long tonight, but as I listened to the right hon. Gentleman's speech, I recalled that his Bill dealt with a number of businesses in Westminster, such as porn shops. I wondered whether, if the principles being applied to the business community of the City of London—allowing that community all the votes—applied to Westminster, the right hon. Gentleman would represent the porn shops.

The Bill creates a huge democratic deficit. In fact, "deficit" is a kind description; it is really a democratic negation. My hon. Friends will say more about this, but the City of London Labour party has pointed out that the residents' share of the franchise will fall from its current 25 per cent. or thereabouts to less than 10 per cent., and that voters could be nominated by occupiers or agents who might live anywhere: they might not even be United Kingdom citizens, and might not even have set foot in the City of London.

The City of London Labour party also points out that there are no guarantees in the Bill for residents, and that their position will be worse. It states:

"Business interests should not be allowed to override those of residents, as they do now, in matters like planning, traffic and the environment."

That is a fair point. Like any other local authority, the court of common council will discuss those local issues: planning, traffic, the environment in the City. It should be the residents—because they are the ones who will be affected by decisions in the main—who exercise that democratic element.

Mention was made of representations by Malcolm Matson. I have his letter. Presumably, it was sent to other hon. Members.

**Mr. Baldry:** In certain parts of the City, there are practically no residents. For example, the ward of

Farringdon Without has a substantial electoral roll, but it is made up mostly of members in the Temple, and people working in Smithfield and a diversity of other trades. There are few residents, so how will such an area in London and the City be properly represented? Who will represent it? Who will vote in that ward? Will it be left just as a void, or will residents in some other part of the City be expected, under the hon. Gentleman's ideas, to represent the people who live and work in Farringdon Without?

**Mr. Cohen:** I am surprised at that intervention. The key principle is that residents should be the voters, rather than businesses, which are in many ways absent in terms of business interests; perhaps their headquarters are elsewhere, too. However, some constituencies for this Parliament are very far flung because that is the way in which we achieve an equal number of residents voting. I do not see why all the wards have to be of an equal size in any system. Therefore, I do not think that the hon. Gentleman's point applies.

Mr. Matson sent a letter on the Bill to hon. Members. It said:

"the Corporation of London wants to extend . . . the undemocratic 'business vote'.

Actually the proposal is even more bizarre.

The Bill is the first retreat from the principle of universal suffrage since the Reform Act of 1832 . . . which began a long march to 'one person one vote'.

The Bill will give votes to companies and other bodies according to the rateable value of their offices. The higher the rateable value the more votes they will get.

For the first time in a modern western democracy you will be able to buy as many votes in an election for a local authority as you can afford—just keep on adding to your property portfolio!"

He calls on us to stop "the last rotten borough". That is a good summary of what I politely describe as the democratic deficit. My hon. Friends will want to say more about that, but the corporation of London should rethink that aspect.

As I have said, there are no guarantees to residents, but nor are there any guarantees to those who enjoy open spaces that are outside the City of London, but which are owned and run by the corporation. My main reason for objecting to the Bill—it is not just the democratic deficit—involves the representations that I have received from the Open Spaces Society.

Bernard Selwyn, honorary parliamentary consultant of the society, said that the Bill could affect the character of the court of common council and how the corporation's extra-mural duties are carried out, including, of course, those on Epping forest. He says that some constituencies have

"open spaces outside the City which the Corporation has acquired and been proudly and conscientiously maintaining for many years."

I agree. It has done a relatively good job. He says that those open spaces could be put at risk.

Mr. Selwyn adds that the corporation is responsible for the London metropolitan archives, that they should be protected, and that assurances should be given on them as well. He says:

"Over 40,000 new business votes will be created, but some of the existing votes are expected to be replaced by them so that the total electorate will reduce to more than 54,000 of which some 49,000 will be business voters."

He goes on to say:

"Many of the qualifying bodies will be foreign and have no attachment to London except as a financial centre. While we hope that they will take some pride in the traditions and wider interests of the City, some may only wish to ensure that any money raised by rates or from other sources is not used more than can be avoided for purposes of no benefit to themselves, and they may seek to appoint representatives who have no personal connection with London and can be trusted to vote and even stand as candidates for election to the common council solely to protect the selfish concerns of the body appointing them."

That is my concern. If we get more people with that selfish interest, who will be on the common council to stop them spending money on open spaces or to restrict it?

The right hon. Member for Cities of London and Westminster was right to say that the councillors make the decisions on the Epping forest land for which they are responsible, but it will be councillors with that pressure on them—with that electorate. They may say, "That is something that we are not interested in."

**Mr. Brooke:** The hon. Gentleman may have missed a sentence that I said in response to a question that he had asked me. Epping forest is not paid for out of the rates. The pressure that he is describing would not apply in the context of Epping forest. Ever since the City saved it from enclosure in 1878 and subsequently doubled it in size, the forest has been paid for by separate City funds.

**Mr. Cohen:** I hear what the right hon. Gentleman says and I heard what he said about City's cash, which presumably is a separate fund, but he said that councillors take the decisions regarding Epping forest. Those councillors will have an electorate who may not be interested in Epping forest, so that is the main basis of my objection. I look to protect the interests of my constituents who enjoy Epping forest land. I am grateful that the corporation of London has run it relatively well up to now, but I want that to be maintained and improved.

**Mr. Baldry:** The hon. Gentleman fairly concedes that the City has looked after places such as Epping forest and Burnham Beeches very well. How will the Bill change that? Already on the court of common council there are business people, men and women. The difficulty at the moment is that the franchise is restricted to certain trades because of the nature of the franchise. There are butchers, barristers and chartered accountants, but those people have not restricted the money that is spent on Burnham Beeches and Epping forest. So why, if one extends the franchise to encompass all sorts of other trading activities in the City, should the City somehow become more selfish and more inward looking?

**Mr. Cohen:** I hear the hon. Gentleman's point. I have not been critical of the corporation of London. In certain respects, I have—in individual cases where I do not think that it has done a good enough job for my local area—but the general point is that it has run matters well. However, we will have an altered balance of the franchise and businesses. Some will have foreign interests, as the Open Spaces Society has said, little interest in the City and even less interest in the area outside the City for which the corporation is responsible.

The hon. Gentleman may be right in suggesting that the policy will not change. I certainly hope that that is the case, but by changing the franchise it puts at risk that

*[Mr. Cohen]*

commitment. That is why I object—to ensure that that commitment is absolutely maintained. That is my main concern.

**Mrs. Jacqui Lait** (Beckenham): I apologise for the fact that, although I have been here for all the hon. Gentleman's speech, I was late in arriving.

Does the hon. Gentleman agree that, although the businesses may be owned outside the United Kingdom, the people whom they will be nominating to vote—

**Mr. Benn** *indicated dissent.*

**Mrs. Lait:** May I finish my point? The people whom those business will be nominating to vote have to be qualified to vote in a British election. Although they have to be either British citizens, European Union citizens or Commonwealth citizens, they have to live here, too. They are therefore not people who will have been parachuted in for the pleasure of sitting in on endless common council meetings.

**Mr. Cohen:** I appreciate the hon. Lady's point, but the Open Spaces Society does not agree with it. The society stated that the businesses that will now have the vote

"may seek to appoint representatives who have no personal connection with London and can be trusted to vote and even stand as candidates for election to the common council solely to protect the selfish concerns of the body appointing them."

That is a very real concern to the Open Spaces Society.

I am therefore not convinced by the point made by the hon. Member for Beckenham (Mrs. Lait)—that the new representatives will be dead keen to live in the City, to be active there and to work 100 per cent. in the City's best interests. I am certainly not convinced that they will automatically be interested in the City's functions outside the square mile. I also suspect that they will not be much interested in the Epping forest land in my constituency—but I am. I am very concerned about it, as are my constituents. We want to ensure that we receive assurances that the current commitment will be maintained and even increased.

**Mr. McDonnell:** It is critical that we clarify the point. I have searched the Bill, and—as my hon. Friend has pointed out in the letters he is quoting from the City of London Labour party and the Open Spaces Society—it would impose no residency condition. There is no residency qualification.

**Mr. Cohen:** I am grateful to my hon. Friend for clarifying the point.

The Open Spaces Society points out that the corporation is responsible for the management and conservation of more than 10,000 acres—more than 15 square miles—of open space. Those spaces are paid for out of the City's cash account—the private fund which has been built over the centuries and was mentioned by the right hon. Member for Cities of London and Westminster. Mr. Selwyn said:

"However, we regret that no accounts of this fund are published although the expenditure has to be approved by the common council and the duties are subject to statutory requirements."

I heard the comments made by the right hon. Member for Cities of London and Westminster on annual estimates. Although that concession is welcome, it is wrong for there to be such secrecy surrounding details of the fund, which is so important to Londoners. The matter should be opened up.

I should like to provide an example—in which my hon. Friend the Minister for London and Construction might be quite interested—of the effects of the secrecy. The Government have a new deal policy, in which one option for young people is to serve on an environmental task force, doing environmental work. The City of London corporation should want to assist the Government in the project. Perhaps we should expect the corporation to help financially with the project. However, the corporation might say, "We don't have the funds to do it", or, "We're not really interested in helping the Government or in getting young people into training and working on an environmental task force." All the time, it could be sitting on top of secret funds totalling millions of pounds, which could be helping young people and the Government's policy. That is only one example of why there should be accountability of and transparency in City's cash.

The public might have some interest—

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. The hon. Gentleman has made his point on that matter, which seems to fall well outside the scope of the Bill.

**Mr. Cohen:** I take the point, Mr. Deputy Speaker. I am saying only that there should be some transparency and accountability about City's cash. The new representatives, who will be elected on the basis of the new franchise, might say, "We don't have the money to maintain current open-spaces policies and commitments", whereas in secret they will have the money. I think that people should know the exact situation.

I should like to deal with a few local issues, if my hon. Friends will allow me to do so—I know that they would like to return to the main issue of the democratic deficit. Nevertheless, there are a few constituency matters in relation to the open spaces and the corporation's policies. I should like to mention some of them, not least because I might get them in the local newspapers and please the local residents.

The Hollow pond is run by the City of London corporation, at Whipps Cross, and is heavily used. Parts of it have become quite barren, and it requires proper replanting. There should be a better policy to that end. The land is used very heavily, proportionately more than other parts of Epping forest. Moreover, there has been much work on the M11 link road in the neighbouring area.

**Mr. Deputy Speaker:** Order. The hon. Gentleman has flagged this section of his speech too obviously, as it were. I really cannot accept that it is within the scope of the Bill.

**Mr. Cohen:** I do apologise, Mr. Deputy Speaker.

In his reply, I should like to hear from the right hon. Member for Cities of London and Westminster how the new franchise and election of a new common council will impact on those local issues. That information would interest my constituents, who clearly want the Hollow pond at Whipps Cross to be maintained and improved. The pond that has dried up and was just left at the junction—

**Mr. Deputy Speaker:** Order. The hon. Gentleman is now acting in defiance of my ruling. I tell him that the matter is outwith this debate. He has made his point generally, which is permissible, but he is now going far too far.

**Mr. Cohen:** I shall not pursue the matter further today, but I will pursue it in writing with the corporation, as it affects my constituents—such as an individual who wants, for example, to locate a bench with a plaque to his mother, but has been turned down.

**Mr. Deputy Speaker:** Order. I do not think that the hon. Gentleman has understood my ruling. I make it quite clear that he will be out of order if he continues on the same line.

**Mr. Cohen:** I do apologise, Mr. Deputy Speaker. I shall not do it again.

All these matters show the importance to my area—and many other areas of London—of maintaining the corporation's open spaces commitment. I have, up to now, had no quibble with the policy—other than those little individual ones, about which I shall be writing. However, the little matters also clarify the general issue, which is that we want the common council to maintain and improve the policy. The assurances that I seek are therefore vital. I remain concerned that the franchise change will worsen the situation for those who, like my constituents and others, enjoy open spaces. It is also important to have greater accountability.

8.9 pm

**Mr. Martin Bell** (Tatton): I shall be extremely brief, as I am trying to set an example of brief speeches. No one pays any attention, but I hope that it will assist anyway.

I speak in the debate not because I have any political interests or ambitions in London; my only political ambition is to complete one term as Member of Parliament for Tatton. There are, however, some important issues of democracy in the Bill, and the people of Tatton have shown rather clearly that they care a great deal about that. We are grateful especially to Mr. Matson for pointing out that this is a suggested retreat from the principle of the universal franchise and we should think very seriously before we go along with that retreat.

It has been a long march since the Reform Act 1832, with many difficulties, adversities, stops and obstacles along the way—one of which has been the property qualification. It is strange to see that that remains in any form to this day—yet it does, in that there are 5,000 residents of the City of London who are entitled to vote because they are residents, and 15,000 people who work there who are entitled to vote because they have offices there. It would be bad enough if all we were doing was perpetuating that—but we are extending it. We are proposing to add another 35,000 or 39,000 on an extraordinary principle.

**Mr. McDonnell:** The hon. Gentleman is well travelled, and has gained his reputation from reporting from cities across the world. Is there any city of which he is aware where the franchise is given to the business vote—not as a business district or as a section of a community overlaid by a democratic body, but in its own right?

**Mr. Bell:** I have covered elections in about 20 different countries and in none of them have I found such an archaic and strange way of voting as that which we are discussing tonight. The proposed system involves a vote for £10,000 of rateable value; two votes for £20,000; three votes for £30,000; 100 votes for £1 million. What is this—votes for sale? Can we not buy them over the counter at Harrods? It is extraordinary, and out of keeping with the kilter of the times.

It is suggested that we are being asked tonight to vote for a world-class City, but that is what we already have. We need a world-class City with democratic institutions from end to end, and that is not on offer in the Bill.

It may be said that the present system, even as amended—and the amendment is worse than the original proposal—is at least quaint and British, and that it sort of works. However, we are saying that about the House of Lords, and the reason we are in the process of ending the right of hereditary peers to sit and vote in the House of Lords is because it is undemocratic. The reason we need full democracy in the City of London is because the proposed system is undemocratic. I suggest that right hon. and hon. Members consider the Bill well, and vote as far as is possible in a free vote. The Bill is undemocratic, anti-democratic and oligarchic, and we should have nothing to do with it—except to reject it.

8.12 pm

**Mr. Tony Benn** (Chesterfield): I congratulate the right hon. Member for Cities of London and Westminster (Mr. Brooke) on a speech of great charm, skill and knowledge. I congratulate him also on extending the principle of the private finance initiative to the electoral system. With the help of private capital, you can get more voters, Mr. Deputy Speaker.

I suppose that I am grateful to the right hon. Gentleman for not adopting the full principle that instead of an election, a ward councillor's job would be put out to tender. That would be the simplest thing. Then, on polling day, the common clerk would announce the bids that had been submitted. That would save the cost of the election and would introduce a system in line with the philosophy that is becoming more widespread.

I am glad to see my hon. Friend the Minister for London and Construction on the Front Bench because, knowing as I do Government Front Benchers' commitment to modernisation and democracy, I know that he will advise the House to reject the Bill, for the reasons given by the hon. Member for Tatton (Mr. Bell). It is an act of brazen effrontery, as we approach the end of the century, to say that voters should be bought and appointed to run a city of such distinction.

*[Mr. Tony Benn]*

The right hon. Member for Cities of London and Westminster said that he had a hereditary interest—and so do I. My grandfather was a founder member of the London county council in 1889. I have been looking at what he said at the time, and he said that

"the city remains socially and municipally isolated, as if it still hated the enemy without its invisible gates and feared contagion from contact with the world."

Being a scholarly man, my grandfather referred to the legislation. In 1837, the commission set up to look after the administration of the legislation in various towns said that

"there was no argument for applying the Act to other towns which did not apply with equal force to London."

London was excluded from the legislation. I can go back 160-odd years to argue that the case for reform has always been there. The House is a motorbike with four-wheel brakes—it deals so slowly with any movement that it detects. That is what I fear about the second Chamber. However, I will not go into that at all.

A Select Committee was set up in 1856 and, in 1867, another Select Committee was set up. In 1884, legislation was proposed to unify the City of London with the rest of London. Surely that is not too speedy for the House, even in its present mood. The Home Secretary, Mr. Harcourt—who used to have a dining room here, but lost out to Churchill—said that he could not give London control of the police because of "Irish outrages". Therefore, it was not possible for the Metropolitan police to be controlled by London. Maybe if it had been, we would not have had the Lawrence inquiry, because there would have been some local accountability.

From the beginning, there has been a tremendous struggle to make the City of London not only democratic, but a part of the greater city from which it draws much of its wealth. The commission of 1837 declared that it was

"unable to discover any circumstances justifying the distinction of the City from the rest of the metropolis".

Mr. Asquith—if I may cite some Liberal support in the spirit of consensus politics—said that it was both

"constitutional law and common sense that the Corporation of the City holds its property and privileges in trust, not for that square mile".

**Mrs. Lait:** Is the right hon. Gentleman aware that there is a separate police force, called the City of London police, and that the force is responsible to the police authority, known as the court of common council?

**Mr. Benn:** The problem is that there are two police forces in London. There are the bobbies with the big hats which make them look like Roman centurions, and the Metropolitan police. If the police had been handled as they were in every other city, they would have been accountable to the police authority. The Lawrence case did not arise in the City of London—maybe it would have been different.

In response to a question from the hon. Member for Tower Hamlets on 21 February 1893, the President of the Local Government Board said that the Government intended to appoint a commission

"to consider the proper conditions under which the amalgamation of the City and the county of London can be effected, and to make specific and practical proposals for that purpose."

That was 110 years ago—the man who asked the question was my grandfather. Alas, I did not know him—he died before I was born. However, he would turn in his grave if I did not speak on the matter to which he devoted his life.

In 1894, the royal commission presented its report. It said that it had

"conceded the whole case for unification, and for the inclusion of the City in the new London. It was proposed that the governing body of London should be elected in the same way as the existing County Council".

However, the Government lost office. A new Government came in, and Lord Salisbury—the Salisburys are always in there when skulduggery is to be done—addressed the Conservatives on 7 November 1894 and delivered a violent attack on the London county council. He described it as

"the place where Collectivist and Socialistic experiments are tried . . . a place where a new revolutionary spirit finds its instruments and collects its arms."

That was before the Labour party was formed. I can understand why Lord Cranborne and others are still at it.

You either believe in one man—or one woman—one vote, based on human rights, or you sell it all off, Mr. Deputy Speaker. The right hon. Member for Cities of London and Westminster, with great charm, advised us that the centre of our great city—our capital city—should be subject to commercial purchase. The hon. Member for Tatton—I think that the Tatton doctrine will go down with the Nolan doctrine and others—said that that was unacceptable.

The right hon. Member for Cities of London and Westminster is such a nice man—he is such a good loser. I hope that he prepares himself to show that talent again when the House votes at 10 o'clock.

8.20 pm

**Mr. Simon Hughes** (Southwark, North and Bermondsey): I am happy to follow the right hon. Member for Chesterfield (Mr. Benn) who, like the hon. Member for Tatton (Mr. Bell), has made it clear that the case for the Bill is a difficult one to make.

It is unfortunate that we are having to have such a Gilbertian debate about the government of such an important place. Whatever our view about the outcome, the City of London is hugely important to Britain. I hope that nobody will confuse the ridiculous set of propositions and counter-arguments that we are having to go through with a view that the City is not important and should not continue to be important, in the interests not just of London, but of Britain.

I should declare my interest, although even that too may have become a bit Gilbertian. As a member of a set of chambers in the Temple, although it is outside the City, I am a City of London elector, because tenants of chambers currently get a City business vote. I said somewhere else the other day that I had an interest because I was a voter, and was then telephoned by one of the elected representatives, who told me that I did not appear on this year's electoral roll. My clerk told me that he had left me off by mistake, so I may not be a voter this year, but I am normally a City of London voter and I have sometimes voted.

I have a second interest to declare. My borough and my constituency—Southwark: south walk; south ward—were nearly part of the City. We also should be a city, but that

is a separate debate. We further have a lot of interest in the City because many of my constituents live in properties owned by the City of London. They are in the unsatisfactory position of being council tenants, but, like private tenants, being unable to choose the people who are their council landlord. They are, however, grateful—perhaps this is the only point that will offend Labour Members—that the City of London runs its housing stock much better than the London borough of Southwark. Many tenants are happy to live in City of London properties rather than Southwark council properties.

**Mr. Gerald Bermingham** (St. Helens, South): I think that I lost my vote when I changed chambers, but I was one of the 15,000 voters in the City of London. Does the hon. Gentleman agree that if the Bill goes through, if two or three major companies get together in any ward, they will be able to control the elected person? If that happens on a large enough scale, the City could be sold over the head of the citizens by the common council, without any recourse to justice.

**Mr. Hughes:** I shall come to that. The hon. Gentleman's proposition is in the right direction. We should be careful, because the Bill has some worrying aspects, while it also does not contain certain other measures that should be enshrined in law rather than in a document that does not have the force of law.

Picking up on a point of order made by the hon. Member for Hayes and Harlington (Mr. McDonnell), as someone who once took a case to the European Commission of Human Rights and also worked there for a while, I believe that there may well be a case, though not necessarily a winnable one, for claiming that article 3 of the first protocol of the European convention, which says:

"The High Contracting Parties"—

of which this country is one—

"undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature",

could be difficult to uphold properly if the free expression of the opinion of the people who live in the place can be overridden by the free expression of the opinion of people who live outside. I am not saying that such a case would definitely win. I have not taken legal advice on that, but it is an arguable point.

**Mr. McDonnell:** Is the hon. Gentleman offering to undertake that case on a no win, no fee basis? If so, we shall talk about it later.

**Mr. Hughes:** The current state of my finances might mean that I would have to negotiate a different arrangement, but the hon. Gentleman was right to raise the issue.

There is no Liberal Democrat whip on the Bill, so I am not speaking on behalf of my party. I am just making a contribution as someone who has followed the issue. My hon. Friends are free to vote or not as they choose.

I should like to put a logical sequence of questions. Should the City of London have its own local government? We have been persuaded, as the Labour party was nationally in recent years, that that is acceptable, reasonable and appropriate.

What sort of local government should the City have? Should it be different from the rest of local government, which has just residents electing the people who administer their affairs? Like the London Labour party, the Liberal Democrats in London have debated the issue and come to conclusions, some of which are central to the debate: the City must have procedures and practices that are transparently democratic and accountable; the electorate and service users must be involved in decision making; and, most importantly, the system should be based on a democratic franchise under which City residents can elect their government, but which recognises that the City is an exceptional case and requires the business community to have some contribution to corporation policy.

Can we have local government for the City that has more than just residents as electors? We believe that the case can be argued. The hon. Member for Hayes and Harlington made a linked point on that. There is no logical reason why other places in Britain cannot have business voters if the City of London can. There are good reasons why cities such as Glasgow or Birmingham might want similar business votes. There is no reason—other than the historical reason—why the City has different rights from other places.

However, we believe that City of London residents should have the majority say. They do not at the moment and the Bill is defective in that it will not rectify that. The right hon. Member for Cities of London and Westminster (Mr. Brooke) said, as the chairman of the policy and resources committee—the effective leader of the City council—has also told me, that there has been consultation with residents and that they are happy with what is proposed. I am satisfied that that is true. A system that does not give the majority of votes to residents would, however, be more satisfactory if there had been a proper referendum with a clear, independently scrutinised result. The City might think of doing that.

We had a debate on this issue in a Committee of the whole House on the Greater London Authority Bill a couple of weeks ago. I said that the City's proposals to reform itself—like us, the Labour Government said, "City, reform thyself", and the City has come back with some proposals—are pretty timid. I repeat that: they are pretty timid proposals. Although, on balance, the Bill would make the system slightly better than before, there must be much more change for the system to be a democratic form of local government. I hope that those in the City who support that view will be able to persuade those who do not that they need to change quickly in that direction.

Is the City willing to be braver? The jury is out. There is no suggestion of that in the Bill, but there are other encouraging signs. I thank those in the City and outside who are enlightened enough to realise that considerable further reforms are needed.

What is the effect on residents? Are they being disfranchised by the Bill? They are not. Are they being given less power? The right hon. Member for Cities of London and Westminster correctly said that they are not. I have learnt something about the City in preparing for this debate. It has a strange anomaly; there are 25 wards in the City, four of which currently have a majority of residential votes. Under the proposed reforms, there will

*[Mr. Hughes]*

still be a majority of residential votes in four wards, so the relative balance of power for the residents will remain the same.

There are also plans, although not in the Bill, to increase the residents' power as against that of businesses, even though—this is one of the Gilbertian circles—the number of businesses and business people with votes increases as a result of the Bill.

**Mr. Love:** I listened carefully to the right hon. Member for Cities of London and Westminster (Mr. Brooke) when he tried to explain this matter, and I have listened carefully to the hon. Gentleman's explanation, yet I still have some difficulty. If there is a vast increase in the number of electors, and representation on the common council is not based on a specific number of electors, there will be a considerable increase in the number of representatives of the business interest, which will dilute representation of the interests of those who live in the City. How can that be called protecting their interests?

**Mr. Hughes:** The hon. Gentleman is right to ask questions, because the subject becomes almost fiendishly complicated. I do not want to give a seminar on it, but because it is germane, I will try to answer the question in a few sentences.

**Mr. Love:** Perhaps the hon. Gentleman would prefer to write to me.

**Mr. Hughes:** I would rather talk to the hon. Gentleman than write to him.

There is a proposal that the number of business voters should increase, but not the number of people who will be elected. There is another proposal, which is not in the Bill, to reduce the number of councillors. At present, there are more than 100 councillors and aldermen, and the City is already reducing the number of councillors per ward. There is a debate about how far that should go, but I share what I think is the Government's view—that the objective should be that the City council ends up being about the same size as any other local council, with about 50 or 60 people. Greater influence and power can be achieved by allowing residents to elect more of the representatives even while businesses are given the right to have a say in the electoral system.

The business vote change is, on balance, welcome. At present, only sole traders and partners get votes in the City. That group is diminishing: there used to be about 40,000 electors in this group and now there are about 15,000. Many accountants, for example, who would have been partners in the past, are now in companies. If we are to have a business vote at all, it would be nonsense to keep only the present category of business voter.

**Mr. McDonnell:** It is critical that we understand the hon. Gentleman's mind. As soon as one takes the first step on that path, one accepts the principle of the business vote. There are no compromises on democracy. Either we have one person, one vote or the system is not democratic. What is his view?

**Mr. Hughes:** My view is clear: the majority of people elected in the City of London as local government representatives should be elected by residents, but I am prepared to accept that, because of the authority's particular nature, a minority could come from a business franchise. I do not comment on whether that should be limited to the City or whether, if other places wanted to do it, they should be allowed to.

**Mr. McDonnell:** That is a startling revelation of Liberal Democrat policy. I fear for the hon. Gentleman's leadership chances as a result. He is willing to countenance in his own borough businesses having control in some areas, or having a direct vote on the delivery of services. That is a startling development.

**Mr. Hughes:** It is perfectly proper to have a debate on the subject. Personally, I would countenance such a proposal only if the electors, who are the residents, agreed to it by ballot. In my borough, I would countenance some business votes only if the people of Southwark voted for that to be the structure of their council. Ideally, the whole of this debate should have taken place in the context of a debate about local government, so that we could first sort out the rules by which local government is structured before considering specific councils.

**Mr. McDonnell:** On that logic, if the electorate of the hon. Gentleman's constituency were willing to give a vote to business for his parliamentary election, would he support that? That is the logic of the path down which he is going. We cannot differentiate between elections. Either we have democracy at the local, regional, national and European levels or we do not have it at all. As soon as we trespass on the right of individuals to have a say via the ballot box, we undermine the whole principle and, eventually, the practice.

**Mr. Hughes:** We in Parliament should decide about elections to Parliament. I have no doubt at all that the House will retain the view that the only people with the right to vote for Members of Parliament are those who vote on the basis of residence. The debate about whether we should allow business a vote in local elections should start in Parliament, and if Parliament here thought that a sensible option, as some countries do, we could allow it to be implemented. I am not arguing that it is my preferred model, but if the residents of the City of London want a majority resident vote with a minority business vote, I am not prepared to say that they should not be allowed to have it.

**Mr. McDonnell:** If the majority of the hon. Gentleman's constituents agreed to businesses being able to vote for or against his being elected to Parliament, would he support that? That is the ultimate logic of what he is saying.

In business districts elsewhere, for example in the United States, the system is based not on a business vote, but on an overarching democracy in the city, allowing businesses, largely in an administrative or advisory role, to have some involvement in their area. The ultimate responsibility lies with the overarching authority; and the new strategic body for London will be such an authority.

**Mr. Hughes:** There is a difference between deciding how councillors are elected, which could reasonably be left in part to local determination, and deciding how

Members of Parliament are elected. How Members of Parliament are elected is clearly a matter for Parliament to decide, or for the electors of the country as a whole to decide by referendum; those are the only two ways of deciding that matter. However, it is perfectly logical to argue that it is for the people of Southwark or those of Hillingdon to have a say in how their local government representatives are elected.

Let me try to link that to the hon. Gentleman's second point. I am not trying to defend the propositions in the Bill. I would not have chosen to start from the Bill; nor do I think that, in logic, it is easy to persuade people to vote for the Bill. However, on the issue of how to arrange business votes, there might be a logical argument in favour of giving certain powers, influence over and contributions to decision making to business, but within a remit that is ultimately controlled only by those who are residential electors. That is a model used in other parts of the world.

**Mr. Benn:** To put it crudely, in constituencies or boroughs where there is a Conservative majority, the majority of electors would see the case for a business vote to keep that seat or that council Conservative; but in Labour or Liberal areas, there would be no such advantage, so the case would be rejected. The result would be a two-tier system in which Conservative areas backed by business were always Conservative, but other areas were not. The hon. Gentleman's reading of his speech is taking him back to a Liberal position that has not been seen since the Whigs disappeared.

**Mr. Hughes:** I am not taking the Liberal Democrats back to any such position. I understand the right hon. Gentleman's points, which is why I said that business votes should be contemplated only if they have first been discussed by Parliament in the context of local government; and only if Parliament agrees the framework should they be agreed to, for exactly the reasons the right hon. Gentleman cites. I am not saying that the proposition is one that is, in logic or in democracy, defensible. However, given the starting point of this Bill, the proposition to allow other than single traders or partners to have a vote is better than keeping the current system. That is all that the Bill is about.

**Mr. Peter Bradley** (The Wrekin): The trend of the hon. Gentleman's thinking is extremely worrying, and it is greatly to his advantage that none of his Liberal Democrat colleagues are present to hear him—I hope that they do not read *Hansard* tomorrow. He suggests that it would be open to a majority of residents in a borough or a constituency to vote to dilute the value of their own democratic vote by ceding part of it to the business community, but what about the minority of residents who might vote against such a proposition? Do the majority have the right to undermine the value of their vote and their democratic rights?

**Mr. Hughes:** I think that I have dealt with that argument by pointing out that the Bill is here, being debated, because it is Parliament that has to decide such matters; Parliament has to set the framework and decide what is acceptable. Under our constitution, lacking a bill of rights or a written constitution, Members of Parliament are the only people who can ensure that the rights of minorities are defended. At the end of the day, it is Parliament which must act, and that is why the Bill is here—in spite of its history and its statutes, the City cannot get proposals through unless it puts them through this place. I should add that I have none the less discovered that some measures, such as boundary changes in the City, can be carried out without their having to pass through the normal processes of Parliament, but that is another matter.

**Mr. Bradley:** To complete the circle: when we started, my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) was trying to identify the hon. Gentleman's own position on the concept that he has unveiled to us. If he had the vote in his borough or constituency, would he vote for such a proposition? Would he cast his vote in favour of enfranchising the business community, or against it?

**Mr. Hughes** *rose—*

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Order. We should confine our arguments to the subject of the Bill and not stray beyond the boundaries of the City of London.

**Mr. Hughes:** To answer the question put by the hon. Member for The Wrekin (Mr. Bradley), I would support the retention of the status quo, in which only residents should vote. The only argument that I would make in strong support of the Bill is that, given where we start from, it is better that there is a slightly wider electoral base than currently exists. That is the only proposition that can be advanced if the Bill is the only measure put before us and if it represents one inch of movement in the right direction. However, I hope that I have made it clear that, if the City is not bolder than is shown in the Bill, it will be in trouble before long.

**Mr. McDonnell:** I am grateful for the hon. Gentleman's generosity in giving way. I have not tried to pin him down before, but I fear that I must do so now. The Bill would clearly extend and confirm the right of the business vote, which goes against every tradition of the hon. Gentleman's party since its foundation in the philosophy of liberalism and individualism. Does he support the Bill?

I believe that the Bill is unamendable and that we may well ask for another Bill, one that can be properly debated and discussed. The element—

**Mr. Deputy Speaker:** Order. The hon. Gentleman is making speeches during his interventions. Interventions should be brief.

**Mr. Hughes:** I shall answer the hon. Gentleman's question and then endeavour not to give way again, Mr. Deputy Speaker. I clearly expressed my view during the Committee stage on the Floor of the House of the Greater London Authority Bill. My personal view is that the Bill does not represent sufficiently adequate reform; the City should go away and come back with a different Bill, because the current one does not meet the test of democracy. However, the Bill is here and the question we have to ask is whether or not it is amendable in Committee, if it gets that far. I shall not be a member of the Committee; nor will the hon. Gentleman.

*[Mr. Hughes]*

The right hon. Member for Chesterfield and the hon. Member for Tatton asked who would get the business vote. It is difficult to defend the proposals in the Bill that would allow votes to be dished out by business with no legal control over that process.

I have made my position clear to the City, which must come up with rules. The guidance is to be improved, but, without the power of statute, any system to control the mechanism ensuring fair voting seems to me to be one that could leave voting in the hands of a very small number of people.

**Mr. Ian Pearson** (Dudley, South): Will the hon. Gentleman give way?

**Mr. Hughes:** In a second. As the Bill stands, that small number of people could be made up only of directors, or rich people, or men—all unacceptable propositions that would have to be amended.

**Mr. Pearson:** I thank the hon. Gentleman for giving way. Does he agree that the City of London is unique, and that separate franchise arrangements can and should apply? Does he also agree that the City's financial institutions are Britain's only world-class industry cluster? We must think very seriously about any proposals to change that. On balance, although I accept that the Bill, in many respects, is defective, should we not consider giving it a Second Reading and then amending it in Committee, given that we need to modernise arrangements?

**Mr. Hughes:** The hon. Gentleman has identified the central question. Will the Bill, as drafted, improve people's participation in voting in the City, or will it make it worse? I repeat what I have said already: the Bill is an improvement because it gives the little newsagent and the City firm a chance to have a say, whereas before they had no say. However, I hope that the City comes up with something more because the Bill is still not good enough to pass the democratic test.

The Bill also does not deal with ward boundaries, or with the fact that some wards have fewer than 100 electors, but my final point has to do with the aldermen. No qualification is necessary for that position: if I understand the Bill correctly, a person could live in Cornwall and still become an alderman. However, the Lord Mayor of London can be chosen only from among the company of aldermen. That is entirely indefensible. The City has improved matters a bit recently, by providing that aldermen are elected only for six years, rather than for life. However, I do not think that anyone could defend the proposition that the senior representative of the council—its figurehead—should be selected only from a group of people who have so little in the way of electoral justification. I hope that the City deals with that, too.

It is clear from the debate that, although the Bill's sponsor, the right hon. Member for Cities of London and Westminster (Mr. Brooke), may win the vote, the argument has not been won. I do not think that it can be easily won. As the right hon. Member for Chesterfield said, if we are reforming the House of Lords, introducing devolution to other parts of the country and trying to modernise the constitution, the City of London must realise that it cannot go on in this way, and that it cannot expect to persuade the House with a proposition that is so timid and still so far from being democratically acceptable.

8.49 pm

**Mr. John Cryer** (Hornchurch): I, too, oppose the Bill. I found the speech by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) absolutely extraordinary. He took his party's views on democratic representation back to the era before that of Earl Grey, who saw the great Reform Bill through Parliament.

I was also amazed by the intervention by my hon. Friend the Member for Dudley, South (Mr. Pearson). He seemed to want to take us back to an era before the Labour party even existed. When we challenge the principle of one person, one vote, and hand power and votes to people because they have property or a certain amount of wealth, we start to undermine the whole democratic process.

**Ms Diane Abbott** (Hackney, North and Stoke Newington): Does my hon. Friend share my surprise that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), who once aspired to be the Liberal Democrat party's mayoral candidate for London, should take democracy in London so lightly?

**Mr. Cryer:** The hon. Member for Southwark, North and Bermondsey is fortunate that no other Liberal Democrats are in the Chamber because his speech was quite extraordinary.

I may be called a sentimental old fool, but I have always believed in democratic accountability and in one person, one vote.

**Mr. Pearson:** I do not want to stop the flow of my hon. Friend's Liberal bashing, but he referred to my earlier intervention and I wanted to make it clear that my view is that the City of London is a unique institution for which unique arrangements might apply. I would by no means support any arrangement other than one person, one vote for any other franchise.

**Mr. Cryer:** I support nothing but one person, one vote anywhere, at any time, under any circumstances.

The right hon. Member for Cities of London and Westminster (Mr. Brooke) seemed to argue that the City is unique in part because of its radical history. It is true that the City once had a radical tinge when the coffee shops were radical centres. It was so, for example, during the campaign to abolish slavery.

However, things have changed a bit since then. Two hundred years ago, the City was not full of toffs in red braces, driving Porches and moving large amounts of money around the globe. The City is no longer a radical centre. Far from it; it is a centre for wealth, privilege and power. I have always seen the City as one of the great bulwarks of the unfair capitalist society, to coin a phrase that is none too fashionable these days. The City has stood in the way of every reforming Labour Government, and even in the way of a few reforming Liberal Governments.

Despite what the hon. Member for Southwark, North and Bermondsey said, changing the franchise to reduce, as the Bill would, the residents' share from 25 to 10 per cent. would be an attack on democracy. I do not think the present system worth defending; we should get rid of the corporation completely. However, to reduce the residents' franchise would be to extend the power of wealth, privilege and business in the City.

A minimum rateable value of £10,000 would entitle companies to one voter, and they could have another one for every additional £10,000. That is indefensible under any circumstances. Those who would nominate the voter would not have to be resident in Britain. They could be resident anywhere. It could be that a business man in the City who was resident in Peru could nominate a voter who was resident in Sri Lanka.

My main objection is not residency, however. The real objection is that political power will be distributed according to wealth. That takes us back to before the great Reform Act of 1832. Earl Grey—hardly a radical figure, ready to man the barricades on behalf of working people—managed to get that Act through because the system was so patently unfair. I have looked over some figures from before 1832 to judge how much power individuals wielded. The Society of the Friends of the People estimated in the 1800s that 154 individuals sent 307 Members of Parliament to Westminster. That might go down well on the Tory Benches; it would certainly give them an edge at the next election.

A Tory Member of Parliament, Croker, estimated in the late 1820s that 276 Members of Parliament—which was about half the House of Commons in those days—were returned by individual patrons. We are reverting to that sort of system, whereby a handful of individuals could potentially control thousands of votes on the City corporation.

I am concerned about the cosy relationship between the Tory party and the City—my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) mentioned that earlier in a point of order. I wonder how many Tory Members who will vote for the Bill tonight have close connections with certain City companies. The Tory party has always had a cosy relationship with the City and its institutions: banks, corporations, and so on. That relationship became much closer in the 1980s when the then Conservative Government passed legislation that gave great breaks to those corporations—the big bang, for instance—and allowed even greater profits to be made.

**Mr. Deputy Speaker:** Order. We must discuss the Bill before us, not events in the City. The hon. Member for Hornchurch (Mr. Cryer) should keep his remarks within the scope of the Bill.

**Mr. Cryer:** I am sorry, Mr. Deputy Speaker. I was simply drawing attention to certain connections that I hope will be apparent tonight. I hope that Tory Members who speak in the debate will be honest about their interests in the City.

Several defences of the Bill have been offered, but none of them holds water. The documentation that I have received from the Corporation of London does not attempt to defend the Bill. It simply says that the present system is pretty awful so we must move to a different system that is not quite as bad. I believe that the proposal this evening is even worse.

Surprisingly, the Association of London Government thinks that the Bill is worthy of support. That came as an enormous shock. The association wrote to me—I suppose it wrote to quite a few hon. Members—and said, in defence of the Bill, that the Corporation of London has

"contributed financial and administrative support to many London-wide initiatives, including the London Study, the Agenda 21 process and the London Drugs Policy Forum."

We could mount a similar defence of hereditary peers by saying that a few of them are quite nice old boys who donate a lot of money to homes for retired donkeys and other causes.

**Mr. McDonnell:** I am grateful to my hon. Friend for giving way as I think it is important to clarify this point. I am happy to suspend the sitting so that we may ask the Chair of the Association of London Government, Lord Harris. The correspondence from the ALG on this issue makes no reference to any leaders or boroughs meetings that have endorsed the policy. Does my hon. Friend know whether the boroughs have met to discuss the matter? When the ALG discussed business districts, the London boroughs of Westminster, Wandsworth and every other Conservative authority threw out the idea. They prevented the Association of London Government from promoting business districts in the London Local Authorities Bill. I wonder about the authority of the letter from the ALG.

**Mr. Cryer:** That is an interesting intervention. I was not aware that there had been no meeting to discuss the Bill.

It has been argued in defence of the Bill that there is some sort of link between the prosperity and wealth of the City and the corporation and that, if we do not keep the corporation sweet, we might lose some of that money. I have always believed that we should intervene in the City and redistribute its wealth to the people who naturally support the Labour party. Leaving that issue aside, there is no substantive link between the corporation and the success of the City. There is no link between the corporation's happiness or the way in which the franchise works and the kind of wealth that is produced by the City. More importantly—this is a crucial point for many of my constituents—there is no link with jobs in the City. I do not believe that there will be a huge capital flight from the City because we have insisted on a bit of democracy for a change.

I assume that this three-hour debate is in Government time. I am amazed that they found time for a debate on this Bill, which is an affront to democracy, when we have not had time to debate other Bills that many of us have been keen to get involved with. I believe that the City of London corporation should be abolished, which was Labour party policy for many years; its wealth should be put at the disposal of the wider Greater London population. Tower Hamlets and Islington are very poor boroughs which sit on the border of an immensely rich corporation with wealth approaching £1.5 billion, if memory serves. That money should be put at the disposal of the poorer people in London in those boroughs. It does not look like that will happen now, but I would like it to.

**Ms Abbott:** My hon. Friend makes a good point about the City's enormous wealth, which is not related to its

*[Ms Abbott]*

system of local governance. That wealth could do much good in the adjoining borough of Hackney, which is my borough.

**Mr. Deputy Speaker:** Order. Perhaps we could keep within the limits of the City of London. Hon. Members go wide of the Bill if they talk about other boroughs and their poverty.

**Mr. Cryer:** I will bear that in mind, Mr. Deputy Speaker.

I want to ask my hon. Friend the Minister for London and Construction a question. Labour's document, "New Leadership for London", concerns the creation of a Greater London authority. Among other things, it said that the Government's objective is

"restoring democratic city-wide Government to London".

How does that sit with the creation of the authority envisaged by the Bill, which will vest more political power in the hands of the wealthy and those who own property and land in the City of London?

We should remember, particularly as Labour Members, that, except in the City, the business vote was effectively abolished in the 1940s by the Clement Attlee Government. If Attlee came back today, he would be amazed that we were debating this Bill and even considering putting it through Parliament. My hon. Friends should bear that in mind.

9.2 pm

**Mr. Nigel Waterson** (Eastbourne): I am pleased to have the chance to make a brief intervention in this fascinating debate to make the point—

**Mr. McDonnell:** Will the hon. Gentleman give way?

**Mr. Waterson:** When I have made some progress-like finishing my first sentence. The Opposition support the measure and wish it a fair wind because we acknowledge the role of the City of London in our economy and in our country generally. We support the corporation in its intention to extend the franchise in its governance.

I should declare an interest. I have worked in the City since 1976 as a solicitor involved in maritime and commercial matters. I am a member of the Baltic Exchange. I have seen at first hand how crucial the City is to the economic success of our country and seen something of its history and traditions. It is the world's leading international financial centre. I am not one of those affected by the legislation. I do not have a vote under the existing system and would not have one if the Bill became law.

**Mr. McDonnell:** What did the hon. Gentleman find fascinating about the debate? Was it the Liberal Democrat commitment to the business vote? Was it the fundamental analysis of how anti-democratic this institution is, or were there other elements that fascinated him? What I find fascinating is that he has registered an interest in the matter yet has the effrontery to speak in the debate. How dare hon. Members speak in the Chamber when they have an interest in defending an interest. I find that obscene.

**Mr. Deputy Speaker:** Order. I was in the Chamber when the hon. Gentleman raised the question of Members' interests. It is for the hon. Gentleman speaking to declare an interest. That has been done, and there is therefore no reason why the hon. Member for Eastbourne (Mr. Waterson) cannot take part in this debate. It is within the rules of the House.

**Mr. McDonnell:** On a point of order, Mr. Deputy Speaker. Of course it is within the rules of the House, but in local government, a declaration of interest usually means—

**Mr. Deputy Speaker:** Order. That is not a point of order. The hon. Member accepts that such conduct is within the rules of the House. I am here to look after those rules.

**Mr. Waterson:** The hon. Member for Hayes and Harlington (Mr. McDonnell) may have noticed that I declared an interest. If he is suggesting otherwise, perhaps he would like to repeat that outside the House. I understand that he has some experience of the civil courts.

**Mr. McDonnell:** On a point of order, Mr. Deputy Speaker. I was very explicit in saying that the hon. Member for Eastbourne (Mr. Waterson) had declared an interest. I did not accept that he should continue to speak. I accept the rules of the House, and ask him to withdraw his comment.

**Mr. Deputy Speaker:** As far as I am concerned, the hon. Member for Eastbourne (Mr. Waterson) was in order. It is up to him whether he wants to withdraw any comment. It is not a matter for the Chair.

**Mr. Waterson:** If I can, I shall make my speech, which was intended to be short.

How depressing it has been to listen to some Labour Members. Obviously, they were not around when their right hon. Friend the Secretary of State for Trade and Industry recently lectured the Labour party on the importance of wealth creation rather than wealth redistribution. Were those bold words merely skin deep to some Labour Members?

We have certainly had a stroll down memory lane. We have heard the authentic voice of old Labour: a deep-seated hostility to enterprise, business and, above all, the City. The right hon. Member for Chesterfield (Mr. Benn) unwittingly revealed the prejudice that lies beneath all this when he said that some Conservative constituencies want a business vote in order to remain under Conservative control, whereas, of course, a Labour constituency would never want such a vote. Leaving aside the fantasy behind that suggestion, it indicates the notion among old Labour that it would never want to be associated with business and the City.

**Mr. McDonnell:** Will the hon. Gentleman give way?

**Mr. Waterson:** No, I will not give way.

The honourable exception in the debate has been the hon. Member for Dudley, South (Mr. Pearson), who has some knowledge and experience of these matters, and spoke up for the success of the City of London in our economy.

We heard a little from my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) about the history of the matter, going back to the charter of Edward III in 1341. We also rightly heard about the massive contribution that the City makes to this country's economic well-being. In 1997, there were net overseas earnings of £25 billion. In addition, the City contributes £12 billion surplus to the country's balance of invisible trade.

**Mr. Love:** Hopefully, I shall draw the hon. Gentleman back into the debate. I think that everyone in the Chamber would accept the capacity of the City to generate wealth. Indeed, as a Labour Member, I am acutely aware of my constituents' interests in their connections with, and as employees in, the City. The issue before us is the commitment to reform and democratise City institutions. The basis of our debate is whether the Bill satisfies that requirement.

**Mr. Waterson:** I am grateful to the hon. Gentleman for indicating common ground between us on the success and importance of the City. I promise him that I am coming to the points that he has raised.

The City of London corporation has undertaken widespread consultation on its proposals through *City Review* and in other ways. It has published a rather excellent leaflet, "Improving the City's Franchise", which makes several telling points in the context of the Bill. It talks of the need for the corporation to be

"constantly . . . attuned to the needs of the business City",

and the fact that

"businesses pay considerable sums towards the cost of local government."

The corporation states:

"We believe that a corporate voting system is a natural development of the existing system".

There is also discussion of the nature of a commuter vote. One reason why the City is totally different from anywhere else and cannot be regarded as a local authority in the traditional sense is that while it may have about 5,000 adult residents, some 250,000 people go there every day to earn their living. How are they to be given any say in the running of their place of work?

I do not remember which hon. Member intervened on the hon. Member for Tatton (Mr. Bell) to ask whether any other city in the world has such a system, but interestingly, the leaflet describes similar systems in Melbourne and Sydney, and there are examples in other parts of Australia and New Zealand.

A recent MORI poll in the City showed that 83 per cent. of City businesses are strongly in favour of extending the vote to businesses and corporate bodies, and a further 9 per cent. are in favour.

As I have said, the City is successful partly because it is special and different.

**Mr. Peter Bradley:** I want to find out how close the hon. Gentleman's views are to the Liberal Democrat proposition. He said that there is a massive influx of commuters into the City of London, which heavily outweighs the residential population of 5,000, and therefore it is not unreasonable that commuters should be considered in the corporation's affairs. Would he extend that proposition to the many other cities and boroughs, such as Westminster, the population of which is swelled by commuter traffic every day? Does he agree with the Liberal Democrat spokesman, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes)? That proposition would undermine the democratic principle not only in the unique setting of the City of London, but in every employment-generating borough in the country.

**Mr. Waterson:** I can assure the hon. Gentleman that on this issue, as on every other, any similarity between my views and those of the Liberal Democrats is entirely coincidental.

**Mr. Bradley:** Will the hon. Gentleman give way again?

**Mr. Waterson:** No, I shall not.

**Mr. Bradley:** Will he answer my question?

**Mr. Deputy Speaker:** Order.

**Mr. Waterson:** The special nature and distinctive quality of the City was recognised by Lord Callaghan as long ago as 1969, when the non-residential vote was abolished. The then Labour Government recognised that the City required a business vote because it is primarily a place for doing business. A figure almost as Olympian as Lord Callaghan, the Minister for London and Construction, who will respond to the debate, referred in December 1997 to

"the Lord Mayor continuing to act as a marvellous ambassador internationally for the City and, indeed, for London's financial sector."

He made further flattering remarks about the role of the City of London.

The hon. Member for Hornchurch (Mr. Cryer) referred with horror to the Association of London Government's support for the measure. We have all received the same letter from the association, in which it says:

"The Association recognises the unique nature of the Corporation of London and agrees that special electoral arrangements need to apply to the governance of the 'square mile'."

We agree with that. The provision sensibly extends the franchise in the City of London and it has our support.

9.13 pm

**Mr. Bill Etherington** (Sunderland, North): Thank you, Mr. Deputy Speaker, for calling me to speak when I had to miss such a large part of the debate because I had other business with a Minister.

I am pleased to have the opportunity to speak in the debate, but I am far from pleased that it is necessary. I start from the premise that as a democratically elected MP, it is my responsibility to try to ensure that the best democratic standards are upheld at all times. The Bill not only negates that principle, but would perniciously amend existing legislation.

Since the great Reform Act of 1832, there has been constant progress through universal suffrage and general improvements in voting procedures which has led to our position today. We can all be proud of that, except for the situation in one small part of Britain.

*[Mr. Bill Etherington]*

I apologise to the many London Members present who may not be called to speak because I have had my few minutes. I apologise because I realise that they must feel as angry as I do about the fact that the Bill is before the House. What is worse, I am almost 300 miles away from the City. We are not speaking of the democratic deficit; we are speaking about a system that is fundamentally undemocratic and anti-democratic, and the Bill will make matters worse.

I have heard many good things said tonight. The hon. Member for Tatton (Mr. Bell) struck a chord with me when he spoke about democracy. I am speaking about democracy and nothing else. I have no interest in speaking for or against the corporation or the City of London. They exist, they do a job, and I have no strong feelings one way or the other. However, I feel that they should have no part in the democratic process in the place in which they are situated.

I am pleased to see my hon. Friend the Minister for London and Construction on the Front Bench. I should like my Government to introduce a Bill to bring the corporation and City of London into the same democratic procedures as we have everywhere else in this land. I invite my hon. Friend to do so.

It is not unusual for me to be mildly critical of my Government when I speak in the House. That is part of the democratic process. I would much rather the time of the House tonight had been spent dealing with a Bill such as the Wild Mammals (Hunting with Dogs) Bill, or some other matter of real importance to the people of Britain.

I feel both angry and sad—sad that we have to debate the issue, and angry because of what it stands for. I do not imagine that many of my constituents are aware of the circumstances of the corporation and City of London and the totally undemocratic process by which they are governed. I shall try to make sure that they get to know a little more, as it is as important to them and to people in every other constituency as it is to the people of London, although I accept that it is more annoying to London Members. From what I have heard tonight, it is clear that they are much more knowledgeable on the subject than I am, but their feelings about democracy are no stronger.

Several hon. Members have said that there is nothing comparable in other democratic countries. I believe that that is correct. I have heard a special case being pleaded, and I am always wary when I hear about a special case, because it is usually a matter of vested interests and attempts to take people's minds off the main issue. The main issue in this case has nothing to do with the wealth-creating abilities or otherwise of the corporation or the City of London, and everything to do with democracy and what people in this country expect.

From what I have heard said by Opposition Members, it seems that if people work somewhere, they should be entitled to a vote there, because they should have a say in the place where they work. When I worked at the colliery, I did not expect to have a vote where the colliery was. I had one where I resided. That should be the cornerstone of all democracy. A vote should be based on where one resides. Are we saying that people who have a caravan should have a vote in the place where their caravan is sited? That is the analogy with the City of London.

I hope that every Labour Member will vote against the Bill, because the democratic situation will be worsened if the Bill goes through. Others will use it as an example. People will say, "Why can we in the north-east not have two votes? Can I not have a vote where I have my little corner shop? Can I not have a vote where I work?" The cornerstone of democracy is one person, one vote, in one place. That is paramount.

I am employed in the constituency of the right hon. Member for Cities of London and Westminster (Mr. Brooke), who introduced the Bill. I would not expect to have a vote in his constituency. I do not expect to have a vote in Sunderland, where I also have an office. I expect one vote, and one vote only. If I were offered more, I would turn down the offer, because that would be fundamentally wrong. That is what the Bill is about—giving a certain number of people extra voting power. Once we go down the line of giving one person one vote and others more than one vote, we shall start seriously to undermine this country's democratic processes.

The right hon. Member for Cities of London and Westminster must be proud that he has this palace within his constituency. However, it is ironic that the mother of Parliaments—we should all be proud of the fact that this place stands for everything that is best as far as democracy is concerned—is within shouting distance of a place where attempts are being made by Opposition Members to negate the democratic process. That is the issue at stake.

I warn all hon. Members that if the Bill is passed, it will be the start of a slippery slope, because it will be noticed and others will want the same rights. It is not anti-business to say that it is wrong for business people to have more than one vote. I remember the problems caused in Northern Ireland by the property vote. Some hon. Members know more about that than I because they were here when it existed. I have talked to people who believe in property votes; they want an advantage.

There is no reason to apologise for saying that it is totally wrong for people to expect to have a voting influence because of where they work. There may be exceptions, for example someone who owns a public house and also lives in it, so it is their business and home. Voting rights should be based on residence and nothing else—one person, one vote, where the person resides. Those who seek to move away from that do everyone a great disservice.

I am surprised at the right hon. Member for Cities of London and Westminster. He is almost a doyen to me in terms of democracy and courtesy. I cannot understand why such a thoroughly decent person would put his name to such a pernicious, insidious and invidious Bill. I say once again to my hon. Friend the Minister, let us see a little bit of democracy and some modernisation. Let us have the democratic powers of the corporation of London taken away from it, so that it gets on with what it does best—the business of creating and distributing money. It is not always distributed how I would like, but I recognise that that is what it does, and that is all it should do. Businesses have plenty of influence within local authorities and this House. That should not be added to by allowing them to have additional votes.

I have brought with me just three pieces of correspondence. The first is from the parliamentary agents of the Bill, a good organisation that I had a lot to do with on the Channel Tunnel Bill. It does that organisation no good

to be introducing this Bill. The second correspondence is from the London Labour party, which all my hon. Friends should support. It deals with this problem day in, day out—it must be terrible to have to live with it.

The third piece of correspondence is from Malcolm J. Maxton, of London EC2Y, whom I thank for drawing this matter to my attention. Although I remember reading about it years ago, so I was vaguely aware of it, I must admit ignorance. I did not know how dreadful the democratic position was in that part of London and I am pleased that I have learnt about it. I hope that the Bill will be defeated tonight.

9.24 pm

**Mr. Humfrey Malins** (Woking): First, I apologise to you, Mr. Deputy Speaker, and the House, and to my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) for being a little late for the start of this debate. No discourtesy was intended. I shall speak very briefly because other hon. Members want an opportunity to speak.

I support the Bill because it will give the business community in the City a voice in its local government and enable voters to represent more accurately the various interests in the City. May I make a couple of narrow points? First, I believe that the present distribution of the electorate around the wards in the City is grossly unsatisfactory.

Perhaps I should declare an interest: my brother, Julian Malins, who is a barrister and Queen's Counsel, is the senior counsellor for the Temple and Fleet street, and for the whole of the Smithfield market area. His electorate numbers more than 8,000 and there is a contested election almost every year. Another ward has about 2,000 electors, but the remaining 23 wards have extremely small electorates, some of which are too embarrassing to mention because the number is so low. Three wards have fewer than 100 electors. Although each ward will have larger numbers after the proposed reforms, the smaller wards will still be far too small and there will still be one ward that is hugely bigger than all the rest.

Although the City of London corporation has the power to alter the ward boundaries, that power cannot deal with the gross imbalance in the numbers. Whatever way the boundaries are altered, there is no way that 6,000 voters in the Temple and Fleet street can be spread around the other wards. The court of common council recognised that. It debated the Bill in autumn 1997 and—on an amendment tabled by my brother—voted to seek from the House the power for the council to reduce the number of wards from 25, which was too many, to a more sensible number—perhaps 12.

Such a motion was passed by the elected councillors, by 44 votes to 34, but voted down by the aldermen, by 18 votes to two. The aldermen do not want the council to have exclusive power to amalgamate wards—although only the court of common council should have such a power and the aldermen should be excluded from it—because, then, the number of aldermen might, and probably would, be reduced. Although I support the Bill, I hope that the House will look carefully at the distribution of the electorate in the City and provide a power to ameliorate that by the amalgamation of wards.

If necessary—although I trust that it will not come to this—the council's power could include the power to have two aldermen, or more, for the amalgamated wards. I hope that such a compromise will not be needed, because, as a further beneficial result of simple ward amalgamations, the present balance in numbers between the aldermen and the councillors, which would move adversely to the councillors if the Bill were passed unchanged, will remain. I will support the Bill's Second Reading.

9.27 pm

**The Minister for London and Construction (Mr. Nick Raynsford):** It may be helpful at this point to give the House the Government's view on the Bill. As hon. Members have already pointed out, the City corporation is a unique institution for a unique place—the premier financial centre of Europe. The City is almost entirely a business district, with a resident population of barely 5,000—about a thirtieth of the population of the smallest London borough—and, because of that, the City corporation has a different role from that of other local authorities.

The City corporation has also shown, particularly in recent years, that it has a valuable contribution to make to the success of London as a world-class city. For example, it promotes inward investment, helps to finance schemes and studies for the benefit of London as a whole and manages open spaces such as Epping forest and Hampstead heath.

The Lord Mayor, Lord Levene, who has had a distinguished career in business and public service, has made clear his and the City corporation's commitment to build on that positive contribution, particularly in the context of the new structure of London governance being put into place by the Greater London Authority Bill. His commitment has been matched by that of Judith Mayhew, the chair of the City's policy and resources committee, who is listening to the debate. She has been a powerful advocate for modernisation of the City corporation's structure and role.

**Mr. McDonnell:** I echo what my hon. Friend has said about the work that Michael Cassidy and Judith Mayhew have done over the years to encourage the backwoodsmen on the common council to accept some reform, and I look forward to welcoming them in the Labour party. However, can he say, in all honesty and without shame, that the Bill, not other proposals that may be made subsequently, is a step forward for democracy—the democracy to which our party has committed itself since its foundation? Can he, hand on heart, say that the Bill is a step forward, when it increases the business vote and reduces the percentage of the residents' vote?

**Mr. Raynsford:** I agree entirely with my hon. Friend about the current chair and her predecessor on the City's policy and resources committee. If he will bear with me, I shall make clear the Government's view of the context of the Bill, and the way in which it can, we think, make a useful contribution to a programme of reform in the City—a programme introduced in response to a challenge issued by the Government before our election in 1997. I shall elaborate on that shortly.

The Government welcome the commitment to reform in the City. Although the current structures and electoral arrangements for the City corporation are in many respects wholly anachronistic, we have made clear our view that we do not think it right to abolish the

*[Mr. Raynsford]*

corporation. We reached that view in the full knowledge of the corporation's assurance that it would continue its work promoting inward investment and the interests of London as a whole. Our decision was also made on the basis of the corporation's assurance that it had accepted the requirement for it to respond to the need for it to reform its electoral arrangements. The Bill is one part—only one part—of the response that the corporation promised. It is part of the corporation's agenda, designed to modernise its structure and electoral arrangements.

My hon. Friend the Member for Hornchurch (Mr. Cryer) asked how the Government's commitment to the establishment of citywide democratic government in London married with the Bill. I have partly answered my hon. Friend's question already, but I owe it to him to clarify what I said earlier. Before the last general election, the Government, then in opposition, made clear their commitment to restore democratic citywide government to London, thus putting right a serious wrong that was done 13 years ago when a Conservative Government abolished the Greater London council. At the same time, we made it clear that we did not intend to abolish the City corporation, but expected it to produce proposals for reform.

**Mr. Benn:** Just before the election, the Labour party was asked to adopt a new constitution stating that it committed itself to the many, not the few. The Bill allows the few to buy more votes from the many, and I cannot believe that the Government could ask the House to accept it in any circumstances.

**Mr. Raynsford:** My right hon. Friend argued earlier that the problem was that the Bill increased the number of people with the business vote, which seems to me to represent the many rather than, as it were, the less many; but I shall pass over that. The key issue is whether the corporation should, because it has a special and unique role, have a constitutional arrangement for the election of members of the common council that is different from the arrangements applying to every other part of the United Kingdom. If we intended to abolish the corporation, it would unquestionably have come to an end; but, before the general election, we made clear our commitment not to abolish the corporation, but to seek reform of it.

**Mr. McDonnell:** Will my hon. Friend give way?

**Mr. Raynsford:** I have given way already, and I want to make more progress.

**Mr. McDonnell** *rose—*

**Mr. Raynsford:** My hon. Friend has intervened many times throughout the debate, and I want to make a little more progress.

The City presented its proposals for reform following extensive consultation and debate between September 1997 and February last year. The right hon. Member for Cities of London and Westminster (Mr. Brooke)—who spoke with characteristic wit and erudition, and who has taken a close interest in the process—referred to that consultation, which covered key City interests, businesses, residents and various bodies, and involved the three main national political parties.

The resulting package of reforms was agreed by the City last September. It included not only the extension of the franchise in the Bill, but a number of other reforms to the City's procedures and decision-making structures.

The City have introduced a period of office for aldermen, so that they will no longer hold their positions for life and will have to seek re-election at least once every six years. The infamous aldermanic veto whereby the Court of Aldermen could prevent a properly elected alderman from taking office has been abolished and replaced by a more open vetting procedure based solely on qualification for the magistracy.

The City has also set in train some important structural changes, including reducing the size of the court of common council. Until recently, that comprised 155 members—130 common council men and 25 aldermen. It does seem curious that one of the smallest local authorities in the country in terms of area and population should have the largest number of members of any local authority—larger even than the largest local authority in Britain, Birmingham, which manages with 117 councillors.

Even more stark is the contrast with the composition of the new Greater London authority, which, for a population of upwards of 7 million, will have to make do with a single mayor and just 25 assembly members. Therefore, I am pleased that the City corporation has recognised the need to reduce the size of the common council. It is already cutting it to 125 members and aldermen and has agreed to reduce the number further—to 100—following the passage of the Bill.

The Bill, along with the other reforms to which I have alluded, are a step in the right direction. Further improvements will also be possible. Those could include the review of the ancient ward boundaries and the allocation of members between the wards to overcome a number of anomalies, as identified by the hon. Member for Woking (Mr. Malins).

**Mr. Etherington:** I have a predicament, and I hope that my hon. Friend will bear with me. May I go back and tell my constituents that it is now Labour party policy to allow employers and property owners to appoint electors for local elections in areas where they do not reside?

**Mr. Raynsford:** My hon. Friend made a passionate speech in defence of democracy. I would not disagree with much of what he said. If asked by electors and residents in his area, I would urge him to say openly that what we have been discussing has been a reform of an ancient institution that, for hundreds of years, has enabled people to vote on the basis of a business franchise. In place of procedures that are riddled with anomalies—whereby several people can vote on several occasions, pluralism is rampant, and where the distinctions under which people are entitled to a business vote bear no relationship to the current pattern of business in that community—we want a Bill that proposes a reform of that business franchise.

I accept that many of my hon. Friends have strong reservations about the concept of any business vote at all. I fully understand that, but I put it to hon. Friends,

who have spoken passionately, that we are dealing with the reform of an existing institution that has a history of several hundred years.

**Several hon. Members** *rose—*

**Mr. Raynsford:** Had we intended to abolish the institution altogether, it would have been appropriate for us to say so before the general election. We did not do that. We gave an undertaking before the general election—*[Interruption.]* The Prime Minister gave an undertaking before the general election that Labour, if elected, would work with the City corporation to reform its institutions. That is exactly what the Government are doing.

**Several hon. Members** *rose—*

**Mr. Raynsford:** We gave undertakings to the electorate.

**Several hon. Members** *rose—*

**Mr. Deputy Speaker:** Order. It appears that the Minister is not going to give way.

**Mr. Raynsford:** Thank you, Mr. Deputy Speaker.

We gave undertakings before the general election. I hope that all my right hon. and hon. Friends will accept that it is right for a Government to honour their undertakings and to act in accordance with the undertakings that they gave before they were elected.

**Mr. Love:** I accept my hon. Friend's statement on our commitment before the general election. Today, therefore, we have to decide whether the Bill matches that commitment on reform and democratisation. Is the Minister saying that it does?

**Mr. Raynsford:** My hon. Friend makes a very fair point. If he will bear with me, I shall deal in a moment with precisely that point.

I was describing what had been achieved, and saying that, in the Government's view, further reform would be beneficial in achieving a more equitable distribution of voters and elected representatives.

**Mr. Peter Bradley:** Will my hon. Friend give way?

**Mr. Raynsford:** No; I have already given way, and should make a little more progress.

I hope that the City corporation will take full advantage of the opportunity to improve further its democratic credentials by pursuing those and other reforms.

The corporation's proposal to extend the franchise is certainly novel. It seeks to recognise the special circumstances and unique demographic structure in the City, and it seeks to recognise the benefits that can be realised by including a much wider range of interests in the local decision-making structure. It includes also significant reform of current arrangements under which certain businesses and professional interests are included within the franchise on a basis that reflects past rather than current patterns of commercial activity and property ownership in the City. Those who have criticised the proposed reform must recognise that the status quo is simply not defensible. If the Bill does not progress further today, the status quo will prevail.

The Government welcome the fact that the City is beginning to face up to the need to put governance of the City on a more modern footing, so that it represents more accurately the various interests in the square mile. The Committee will be by far the best place to consider the Bill fully—to consider the substance, to examine the detail and to hear expert evidence. I have no doubt that, if many of the views—which are strongly held ones and have been passionately expressed in this debate—on the respective merits of different forms of electoral arrangements are properly debated and considered in Committee, the Bill can be both changed and improved.

**Mr. Peter Bradley:** Surely the Bill should not proceed to Committee, as it is wrong not only in practice but in principle. If the Government were applying the same principle to reform of the House of Lords—which we are not—surely we would be arguing that we should leave hereditary peers in the other place, and somehow reduce their proportionate power by selling places in the other place to business.

**Mr. Deputy Speaker:** Order. I have already ruled that we cannot go beyond the scope of this Bill.

**Mr. Raynsford:** I crave your indulgence, Mr. Deputy Speaker, in drawing one parallel in responding to the question of my hon. Friend the Member for The Wrekin (Mr. Bradley). The Government pledged in our manifesto that we would reform the other place, and we are doing that. We pledged also that we would seek reform in the City rather than abolition of the City. If the Bill receives a Second Reading today, reform will be possible. If it does not receive a Second Reading today, the current arrangement—which is fundamentally unsatisfactory—will remain in place. I do not think that anyone who believes that we should be seeking reform and modernisation could justify that.

**Mr. Alan Simpson** (Nottingham, South): Will my hon. Friend give way?

**Mr. Raynsford:** No; I am finishing.

I hope, therefore, that the Bill will be given a Second Reading, and will be allowed to proceed in the conventional way to Committee for the detailed consideration that I believe it needs and deserves.

9.44 pm

**Mrs. Jacqui Lait** (Beckenham): I apologise to you, Mr. Deputy Speaker, and to my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke), for my late arrival. May I welcome to the Dispatch Box my hon. Friend the Member for Eastbourne (Mr. Waterson) and say that we look forward to many equally impressive occasions with my hon. Friend?

I am possibly unique in the Chamber. Not only do I share with the hon. Member for Leyton and Wanstead (Mr. Cohen) the pleasure of having West Wickham common in my constituency, but, for 17 years, I have lived in the City. I am one of those potentially rare people—a

*[Mrs. Jacqui Lait]*

resident of the City of London. I have lived in two wards—Cripplegate and Aldersgate. I can recommend highly living in the Barbican—the City is a pleasant place to be. My husband worked in the City, but is now retired—I am pleased to say, due to his success in business.

When I was the chairman of the Conservatives in the City of London—on behalf of my right hon. Friend the Member for Cities of London and Westminster—we fought European parliamentary and general elections. However, we never fought elections for common council, because those elections—and there always was a contest—were for independent representatives. All residents knew that there was a distinct imbalance between the vast number who were able to vote in wards with residents and the appallingly few voters in most of the other wards. Therefore, I welcome the proposal to increase the number of voters in the other wards.

It is very important that a degree of democracy is brought to what is a unique institution. I agree with the Minister that we must ensure that there is a much better balance between the views of the residents and the views of business. At present, the views of business come from a narrow constituency, and the increase proposed by the corporation will modernise the voting role in the City.

**Mr. Peter Bradley:** Will the hon. Lady give way?

**Mrs. Lait:** I will not, if the hon. Gentleman does not mind, because I know that others wish to speak.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) pointed out that we are not depriving the residents of a vote. In fact, in percentage terms—and with the City's other proposals—we will ensure that there is an increase in their representation.

**Mr. McDonnell:** Not in this Bill.

**Mr. Deputy Speaker:** Order. The hon. Member for Hayes and Harlington (Mr. McDonnell) has made quite a contribution through interventions. He cannot speak from a sedentary position—it is unfair.

**Mrs. Lait:** It was obvious to residents of the City that we needed to widen the franchise, and to ensure that there was a much more representative basis for the common councillors. The corporation was very responsive on the matters affecting the residents, such as planning, traffic and environmental matters, and I cannot speak too highly of it.

I should like to reiterate to the hon. Member for Leyton and Wanstead that, although this matter is not in the Bill, it is governed by the Representation of the People Acts, as amended by the Maastricht treaty, so that the only people who can be chosen by businesses either to go on the electoral register or to stand for election are those who have been able to vote in local government elections in the UK. Foreign people with no interest in the City will not be able to stand.

We have seen enormous confusion tonight among those who are opposed to the Bill: those who wish to go back to a residents-only basis—in which case, there would be an even smaller voting population than at present in terms of businesses—those who favour the status quo and those who want to abolish the system altogether. On behalf of the City corporation—*[Interruption.]*

**Mr. Deputy Speaker:** Order. The House must come to order. An hon. Member is addressing the House and there are too many private conversations going on. There are even private conversations going on at the moment below the Gangway. That is wrong and unfair.

**Mrs. Lait:** There is enormous confusion in the aims and objectives of those who oppose the Bill, but those of us who support it are unanimous that the corporation needs to be reformed in the way proposed.

9.50 pm

**Ms Karen Buck** (Regent's Park and Kensington, North): I shall be very brief, because I know that the right hon. Member for Cities of London and Westminster (Mr. Brooke) wants to reply to the debate. I am also conscious of the fact that most of my arguments have been made eloquently and powerfully by others.

As my hon. Friend the Minister said, the City was given a clear message about the need for reform. It has responded with one or two concessions outwith the Bill on the election of aldermen and the end of the veto. However, the Bill merely modernises the business vote qualification. That is a tragic missed opportunity. Those who have spoken in favour of the Bill have missed the point. The issue is the distribution of the franchise and the representation that each vote buys.

In his very eloquent introduction, the right hon. Member for Cities of London and Westminster admitted that the share of the franchise held by residents would fall from 25 to 10 per cent. He advised us that they would maintain their representation because of the ward system. That is not good enough, although I accept that the argument is technically correct. We had some discussion about that earlier.

The argument is not good enough, partly because it is not enshrined in the Bill, so we have no guarantee. The Bill also does nothing to ensure progress towards greater democracy for residents. Progress could have been demonstrated by a significant shift towards improving the residential franchise, but that has not happened. Worse still, the business-nominated voters need have no connection with the City through either residence or work place. The right hon. Member for Cities of London and Westminster said confidently that common sense would dictate that there would be such a connection, but it is no disrespect to common councillors to say that democracy should not rest on such vagueness.

The City corporation is a local authority with responsibility for schools, personal social services, police and traffic control for a residential population as well as the vastly inflated daytime population—a characteristic that the City of London shares with Westminster and with Kensington and Chelsea.

That the City is an unusual local authority by virtue of its scale is not in dispute. That it should have the right to a unique system of government is entirely disputable.

9.53 pm

**Mr. Brooke:** This has been a remarkable debate, although I shall not say that it has been wholly enjoyable. I thank my hon. Friend the Member for Eastbourne (Mr. Waterson) and the Minister for putting the positions of the Opposition and the Government.

The hon. Member for Leyton and Wanstead (Mr. Cohen) was concerned about Epping forest and the open spaces. It is only 10 years since the City of London took on further responsibility for Hampstead heath. It has won golden opinions for the manner in which it has carried out that responsibility.

I should like to link the speech of the hon. Member for Tatton (Mr. Bell) with that of the hon. Member for Sunderland, North (Mr. Etherington). The hon. Member for Tatton was expressing the spirit of J. S. Mill in his remarks about universal suffrage. J. S. Mill was the Member of Parliament for my constituency in the days when my ancestors were Liberal Members of Parliament.

I should point out to the right hon. Member for Chesterfield (Mr. Benn) the irony that the City police force is governed by a local police authority, but the police force in the greater city of London is not.

The rules of common council would prevent the issue that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) raised with me in an intervention.

I have great good will towards the hon. Member for Hornchurch (Mr. Cryer), so there is no edge to my remarks to him. An encapsulation of his speech would have been the moment when Blücher was taken up on to the dome of St. Paul's and, looking down on the City of London, said, "Vot a splendid city to sack!"

My hon. Friend the Member for Beckenham (Mrs. Lait), formerly one of my constituents, and the hon. Member for Regent's Park and Kensington, North (Ms Buck), my parliamentary neighbour, came in on an essentially local basis at the end of the debate, and I am grateful to both.

The heart of the issue lies with the speech of the hon. Member for Sunderland, North, echoing the earlier speech by the hon. Member for Tatton. He paid me a compliment, and I pay him one in return. It was a remarkable and eloquent statement on the principle of universal suffrage—I see the right hon. Member for Chesterfield nodding—and I could not dissent from the philosophy expressed, but, as the Minister said, we are dealing with a unique institution.

The City of London is a curious animal. In about 1800, there were 200,000 people living in the City; there were still 60,000 or 70,000 in 1870; and still 14,000 at the end of the war; but it has shrunk. It consists of some pockets of flats, and there are publicans, caretakers and people in nurses' homes, as well as those in the Temple, but it is essentially a deserted area at night. Between 250,000 and 300,000 people come to work there in the day. It is a part of our nation which has essentially—by history, as it has been occupied for commercial purposes for 2,000 years—become a business district, just as the citizens of Melbourne have made the heart of Melbourne a business district, with a similar franchise.

The City is different, and the hon. Member for Sunderland, North need not worry that we are on a slippery slope and every body in the country will follow. Other bodies have not followed since Lord Herbert made the remark that the City was a unique body in the royal commission of 1957-60. Nobody has suggested that the business vote should be brought back since it was abolished in 1969 in any other local authority because it has continued in the City of London.

The Liberals under Gladstone proposed that there should be home rule for Ireland and the great Dicey argued that it was appropriate to have different methods of government in different parts of the country. The present Government have followed that thesis in their various devolution arrangements.

On the European Parliamentary Elections Bill, the Home Secretary said:

"electoral systems should be appropriate to the nature and functions of the body that is being elected."—[*Official Report*, 26 February 1998; Vol. 307, c. 546.]

The proposals in the Bill are there because it is felt to be desirable that a business district with a remarkable past should have a remarkable future. I hope that the House will respond to the views of the three main parties expressed tonight in favour of the Bill.

**Mrs. Lait** *rose in her place and claimed to move,* That the Question be now put.

*Question,* That the Question be now put, *put and agreed to.*

*Question put accordingly,* That the Bill be now read a Second time:—

*The House divided:* Ayes 198, Noes 91.

**Division No. 75]** **[9.59 pm**

**AYES**

Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Ancram, Rt Hon Michael
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Baldry, Tony
Battle, John
Bayley, Hugh
Beard, Nigel
Bell, Stuart *(Middlesbrough)*
Bercow, John
Beresford, Sir Paul
Betts, Clive
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bradley, Keith *(Withington)*
Brand, Dr Peter
Brinton, Mrs Helen
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Cabom, Richard
Campbell, Menzies *(NE Fife)*
Casale, Roger
Chidgey, David
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Cormack, Sir Patrick
Cranston, Ross
Cunningham, Jim *(Cov'try S)*
Curry, Rt Hon David
Curtis-Thomas, Mrs Claire
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon David *(Haltemprice)*
Denham, John
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Dowd, Jim
Duncan, Alan
Duncan Smith, Iain
Eagle, Angela *(Wallasey)*
Edwards, Huw
Emery, Rt Hon Sir Peter
Ennis, Jeff
Evans, Nigel
Fabricant, Michael
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flynn, Paul
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Gale, Roger
George, Andrew *(St Ives)*
Gilroy, Mrs Linda
Gorrie, Donald
Graham, Thomas
Green, Damian
Greenway, John
Gummer, Rt Hon John
Hall, Mike *(Weaver Vale)*
Hammond, Philip
Hanson, David

Hawkins, Nick
Heath, Rt Hon Sir Edward
Hill, Keith
Hinchliffe, David
Hoey, Kate
Horam, John
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hutton, John
Ingram, Rt Hon Adam
Jack, Rt Hon Michael
Jackson, Ms Glenda *(Hampstead)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Keetch, Paul
Kennedy, Jane *(Wavertree)*
Key, Robert
King, Andy *(Rugby & Kenilworth)*
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Kumar, Dr Ashok
Lansley, Andrew
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Lock, David
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
Maclean, Rt Hon David
McNulty, Tony
MacShane, Denis
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury)*
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moran, Ms Margaret
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Moss, Malcolm
Norman, Archie
Oaten, Mark
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Paice, James
Pearson, Ian
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prior, David
Quinn, Lawrie
Radice, Giles
Raynsford, Nick
Redwood, Rt Hon John
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Rogers, Allan
Rooker, Jeff
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Spellar, John
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stoate, Dr Howard
Syms, Robert
Tapsell, Sir Peter
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thompson, William
Timms, Stephen
Touhig, Don
Tredinnick, David
Trickett, Jon
Turner, Dr George *(NW Norfolk)*
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Waterson, Nigel
Wilkinson, John
Williams, Rt Hon Alan *(Swansea W)*
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wright, Dr Tony *(Cannock)*
Young, Rt Hon Sir George

**Tellers for the Ayes:**
**Mrs. Jacqui Lait and**
**Mr. David Amess.**

**NOES**

Adams, Mrs Irene *(Paisley N)*
Allan, Richard
Ashton, Joe
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Beggs, Roy
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Bradley, Peter *(The Wrekin)*
Buck, Ms Karen
Butler, Mrs Christine
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Tony *(Northampton S)*
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Dalyell, Tam
Davidson, Ian
Dawson, Hilton
Dean, Mrs Janet
Etherington, Bill
Fyfe, Maria
Galloway, George
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Golding, Mrs Llin
Heath, David *(Somerton & Frome)*
Heppell, John
Hinchliffe, David
Hood, Jimmy
Hopkins, Kelvin
Hurst, Alan
Iddon, Dr Brian
Ilsley, Eric
Jones, Dr Lynne *(Selly Oak)*
Kemp, Fraser
Kidney, David
Laxton, Bob
Lepper, David
Levitt, Tom
Linton, Martin
Love, Andrew
McAllion, John
McDonnell, John
Mackinlay, Andrew
McWilliam, John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Maxton, John
Michie, Bill *(Sheffd Heeley)*
Mullin, Chris
Naysmith, Dr Doug
Pickthall, Colin
Pike, Peter L
Prentice, Gordon *(Pendle)*
Ross, William *(E Lond'y)*
Salter, Martin
Savidge, Malcolm
Shaw, Jonathan
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Taylor, David *(NW Leics)*
Walley, Ms Joan
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Winnick, David
Wood, Mike
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

**Tellers for the Noes:**
**Mr. Stephen Pound and**
**Mr. John Cryer.**

*Question accordingly agreed to.*

*Bill read a Second time, and committed.*

## BUSINESS OF THE HOUSE

*Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),*

That, at this day's sitting, the Rating (Valuation) Bill may be proceeded with, though opposed, until any hour.—*[Mr. Kevin Hughes.]*

*Question agreed to.*

# Rating (Valuation) Bill

*Not amended (in the Standing Committee), considered.*

## Clause 1

RATEABLE VALUE

10.12 pm

**Mr. Simon Burns** (West Chelmsford): I beg to move amendment No. 4, in page 1, line 9, leave out from 'substituted' to end of line 20 and insert

'"if the landlord undertook to execute prior to the start of the tenancy such repairs, if any, as the tenant might reasonably expect to be carried out to put the hereditament in a state to command that rent and the tenant undertook thereafter to bear the costs of repairs and insurance and to pay all usual rates and taxes".'.

Throughout the Bill's passage, both on Second Reading and in Committee, there has been serious concern that it does not do what the Government seek to do. There is a widespread fear that the legislation is too complex and convoluted. *[Interruption.]*

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Order. I must call the House to order. The hon. Gentleman is moving an amendment.

**Mr. Burns:** By making the Bill too complex and convoluted, the Government may achieve the exact opposite of their aim. Far from stemming the threat of further litigation, the Bill may open the floodgates to more.

To be fair to the Minister for Local Government and Housing, I should note that she genuinely sought to allay those fears in Committee, saying that she thought that our fears would not come to pass. However, one problem with the Bill is that it is so technical that no one on either side of the House knows exactly what might happen. It is the clear duty of both the Government and the Opposition parties to try to minimise the problems that might, or might not, emerge from the Bill.

The amendment's purpose is to try to clarify the situation and to prevent litigation and confusion. I shall try to explain this highly complex subject briefly. Before the 1990 revaluation, everyone tended to agree that there was an obligation on a hypothetical landlord to take some responsibility for putting a property into repair. The relevant definition was contained in section 19(6)— *[Interruption.]*

**Mr. Deputy Speaker:** Order. There is still far too much noise in the Chamber, and that is unfair to the hon. Gentleman who is trying to speak to his amendment.

**Mr. Burns:** Thank you, Mr. Deputy Speaker. *[Interruption.]*

**Mr. Deputy Speaker:** Order.

**Mr. Burns:** I am indebted to you, Mr. Deputy Speaker. The relevant definition is contained in section 19(6) of the General Rate Act 1967. Everybody understood that: there was an obligation upon landlords to put property into repair if it was not in repair. Whether or not it was reasonable for the hypothetical tenant to expect the repair work to be done was a matter of fact and degree. In other words, the obligation to put property into repair was in statute. Whether or not it was reasonable for works to be deemed to have been done in any particular case was a matter of fact and degree to be determined by agreement or, in default of agreement, by the appropriate tribunal.

The Inland Revenue developed what is now known as the "economic test", which it adopted as a golden rule. It took the line that, if the cost of doing the work required to put the property into a full state of repair did not exceed the annual rent of the property in a full state of repair, the hypothetical landlord was to be deemed to have carried out the work concerned. The proposals in this legislation seem incredibly complicated and they go a great deal further than any intention declared by the Government hitherto.

The Local Government Finance Act 1988 shifted the assumed burden of repair in order to make the hypothetical tenancy closer to the standard full repairing and insuring lease found in the market. The burden of repair was shifted to the tenant, and it would seem that nobody thought to include in the provisions any obligation upon anyone to put the property into any particular state of repair. Hence the difficulties that have led to this Bill.

If the agenda is simply to try to end the problems caused by the Anston case and impose an obligation to put into repair upon a hypothetical landlord, I believe the formula in this amendment is the best one. Such an approach would have the effect that the Government have declared they are seeking in this legislation. Most importantly, it would go no further.

For those reasons, I hope that the Government will consider sympathetically if not the amendment—because it is wrongly or badly drafted or whatever—then at least the aims of our amendment.

**The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale):** The Bill, as drafted, requires an assumption to be made for valuation purposes. The assumption is that, on the relevant date, the property is in a state of reasonable repair, subject to the test that repairs are assumed to have been carried out only when a reasonable landlord would consider it economic to do so.

The amendment would substitute for this assumption a slightly different one: that, before the tenancy begins, the landlord would have carried out any repairs that a tenant might reasonably expect in order to put the property in a state to command an annual rent. The tenant would then— as the Bill already stipulates—be assumed to maintain the property during the tenancy.

As the hon. Member for West Chelmsford (Mr. Burns) pointed out correctly, this is a very technical Bill and my Department has examined it carefully. This amendment appears to be an attempt to achieve the main purpose of the Bill by using slightly different words. Even if that is the case, it may not do so exactly. The amendment puts the emphasis on the repairs that a tenant might reasonably expect to be carried out. That is not the same as the test applied before 1990 under the gross value basis of valuation, which was directed at what repairs a reasonable landlord would consider it economic to carry out himself.

In response to the queries of the hon. Member for West Chelmsford, it is our intention, as he rightly noted, to return the law to what it was understood to be before 1990. The Bill therefore adopts the test that existed before 1990 and not that set out in his amendment.

*[Mr. Alan Meale]*

Perhaps more importantly, the amendment does not expressly address uneconomic repairs, which, under the Bill would be reflected in valuations in their actual state. It could be argued that it must be assumed as inherent in the concept of reasonableness that no one could reasonably expect repairs to be carried out at all if it is not economic to do so. However, that point has been argued as far as the Court of Appeal. In that light, we should not return to the matter being left open to argument. The hon. Member for West Chelmsford pointed out that that is one of the reasons why we have had to come here tonight. To leave it open could create cases under which uneconomic repairs are assumed, for rating purposes, to be repaired. I cannot accept an amendment that runs a risk of getting us into a similar dilemma to that which caused the need for the Bill. I ask the hon. Gentleman to withdraw the amendment.

**Mr. Paul Burstow** (Sutton and Cheam): I shall be brief. Hon. Members who saw me shuffling papers will note that only three sheets remain from the seven or eight that I had a little while ago.

This debate is appropriate for this time of night because it will assist hon. Members in getting off to sleep quickly. It is a dry, technical subject, but, for, some people, it is of great concern. The Bill introduces some uncertainty, which is why I support the amendment of the hon. Member for West Chelmsford (Mr. Burns).

The problem that this provision attempts to address is not real, but perceived. It arises out of a misreading of the Anston case in the Lands Tribunal last year. For some reason, the Government are holding to advice that is unsound and that leads them to believe that the judgment is about disrepair in the most general of forms rather than exceptional disrepair, which is what full reading of the case shows it to be about. In Committee, I asked for evidence of the Government's concern that the judgment would unleash a flood of appeals. We found from written answers that there was none. The Minister told us:

"the valuer cannot assume anything other than a reasonable state of repair. However, what is reasonable will depend on the real-world situation on the day by reference to which he makes his valuation."—[*Official Report, Standing Committee A*, 19 January 1999; c. 25.]

Would that the Bill said that, but, unfortunately, it does not do what the Minister for Local Government and Housing said in Committee. I had hoped that by the time that we got to Report she would have tabled an amendment that put into law what she said in Committee. Sadly, that has not happened, and this amendment has been tabled to try to do what the Government should have done.

I urge the Minister to accept the concerns that are still being expressed by many outside this place who work in this profession and are concerned that the Bill removes an element of compromise and flexibility in the valuation system at the expense of businesses that could, as a result, be driven out of business by rates bill rises. I hope that he can give us further reassurance that the Bill will not have that effect, but from what we have heard and what the profession believes, the Bill is a mistake that the amendment would go some way to rectify.

**Mr. Meale:** Many of the fears and worries of the hon. Member for Sutton and Cheam (Mr. Burstow) will be addressed by my hon. Friend the Minister for Local Government and Housing, when she addresses amendment No. 1, shortly. She has consulted a sufficient number of bodies outside this place to give a satisfactory answer.

As the hon. Member for West Chelmsford admitted, the amendment does not fundamentally change the effect of the Bill. It goes in a slightly different direction, changing the wording. I therefore hope that the assurances that I have given are sufficient for the hon. Gentleman to withdraw the amendment.

**Mr. Burns:** I am very grateful to the Minister. I listened very carefully to what he had to say. Although there is still confusion and some concern, it would not be appropriate at this stage to force a Division on this amendment. When the Bill leaves the House and goes to another place, there will be another opportunity to get to grips with the outstanding issues that are causing concern. For that reason, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

**Mr. Burstow:** I beg to move amendment No. 1, in page 1, line 16, at end insert

'provided that there shall be excepted from any deemed reinstatement occurring in the course of the exercise of this assumption any want of actual repair to a hereditament arising from any peril customarily insured against, Acts of God, civil commotion, war or terrorism, or arising from the rebuilding or substantial refurbishment thereof'.

I speak with trepidation bearing in mind recent comments of the Under-Secretary of State for the Environment, Transport and the Regions on what the Minister will say.

The amendment will be familiar to hon. Members who served on the Standing Committee, and to the Minister particularly. It addresses an issue that I raised on Second Reading. The Bill, as drafted, precludes valuation officers being able to reflect in their evaluations the effect of natural disasters that result in temporary disrepair. The amendment provides a mechanism by which the practice may continue in respect of damage caused by acts of God, civil commotion, war or terrorism.

In Committee, the Minister graciously said that she would look at the matter further, and that she recognised the anxiety expressed in Committee and outside this place. She said that, if she thought it necessary, she would seek to table amendments. I therefore draw one of two conclusions. Either the Government find my amendment acceptable, or they are able to reassure those, along with myself, who have raised concerns. I look forward to the Minister's response—one way or the other.

**Mr. Burns:** The House will be relieved to know that I do not intend to speak for very long.

We had a full debate on this amendment in Committee, during which the hon. Member for Sutton and Cheam (Mr. Burstow), my hon. Friends and I expressed concern. Indeed, we remain concerned—hence the tabling of the amendment—about the issues that are thrown up by the Bill. Clearly, we are not in a position at this stage to know exactly how the Government will react to the amendment. As the hon. Gentleman said, I hope that, on reflection, and having had an opportunity to study the debate in

Committee and think again, the Government will be minded to accept it. Obviously, we are in the dark until the Minister speaks. The hon. Gentleman and I will listen very carefully to the Minister's comments before reaching a decision on how to progress further.

10.30 pm

**The Minister for Local Government and Housing (Ms Hilary Armstrong):** As we can see, the Bill has riveted the attention of the whole House and highlighted the serious consideration that Members have given to the important issue of how hereditaments are rated, the practices that are used and the assumptions that are made.

We have had full discussions and consultation with organisations that have expressed concern, as I promised in Committee. Officials met the representatives of the professional bodies on 2 February and the professions restated their concern that the Bill should define reasonable repair and accidental damage that should be excluded from rating assessments. They put forward a number of specific cases in which they feared the Bill might produce unfair consequences and treatment for ratepayers different from those under current legislation.

The professional bodies remain opposed to the Bill in principle because they do not think that it is necessary, but the Government are convinced that it is necessary, and the professions accept that our intention is not what they originally thought it was. They accept also that it would be counterproductive to try to include in the Bill all the different circumstances in which the assumption of a reasonable state of repair would or would not have effect. It would be almost impossible to produce a definitive list. We would have to regularly rewrite that list because it would not correspond with practical examples.

To help allay the concerns of the professions, the Valuation Office agency has drafted a practice note on its approach to valuation following enactment of the Bill. That will deal with the treatment of the marginal cases that the professions are most concerned about and draw on existing case law in support of the approaches that they propose should be taken in respect of each one. The Valuation Office is consulting the professional bodies on the drafting of that practice note. I thought that it might be helpful to explain to hon. Members the negotiations that we have been conducting about the professions' concerns.

Amendment No. 1 reflects hon. Members' concern that any lack of repair arising, for example, from accidental damage, should be reflected in the valuation until that damage is repaired. I understand those concerns. I have repeatedly said that the Government and the Valuation Office have only one intention: to ensure that the assumption as to repair is that which was made in preparing rating valuations before the Lands Tribunal decision in Anston, and nothing more and nothing less.

The current position is that if a property is incapable of beneficial occupation or, in other words, it is unusable, it will be removed from the rating list and no rates will be payable. That is clear. If only part of the property is rendered incapable of beneficial occupation, it has generally been the practice of valuation officers to reduce the rateable value of the premises with effect for the period during which that part of the property cannot be used, to reflect that loss of beneficial use. That applies as much to disrepair occasioned by accidental damage as it does to all other types of disrepair.

I recognise the concerns of the professions and hon. Members that the Bill may affect that position, but I do not believe that it does so. I hope that hon. Members will accept that we have carefully considered the matter, and in discussions the Valuation Office has made it clear to the professions that it will continue to value properties affected in that manner in precisely the same way as before.

I believe, therefore, that the amendment is unnecessary. The Valuation Office has prepared a draft practice note which draws on existing case law and aims to set out how rateable values should be assessed in particular circumstances. I know that professional bodies are co-operating fully in the production of that practice note, to try to ensure that matters of concern are addressed. I believe that that offers a constructive way forward in an area of understandable concern.

That is the right way to proceed. The practice note will be clear to the Valuation Office and to the professions. Accordingly, I hope that the hon. Gentleman will withdraw his amendment. If not, I ask the House to join me in opposing it.

**Mr. Burstow:** I listened carefully to the Minister's comments, especially the extended references to the practice note that is being drafted in consultation with the various organisations that have an interest in the matter, such as the Institute of Revenues, Rating and Valuation and the Rating Surveyors Association. I know that other organisations have also been engaged in dialogue with representatives from the Department, to try to allay their concerns about the way in which the Bill, as drafted, will affect their activities and, more to the point, the way in which it will affect many businesses or hereditaments, as they are called for the purpose.

I am sure that those organisations welcome the Government's co-operative approach, but they question the need for the practice note and the Minister's comments. The need to elaborate in such detail begs the question whether the drafting of the Bill has caused the confusion that the practice note is intended to dispel. That is one of the reasons why I did not find the Minister's comments as persuasive as she might have hoped.

The statement by the Minister about acts of God, civil commotion and so on, which are dealt with in my amendment, relates to a serious concern which many of the professional bodies believe should be dealt with in the Bill. Only one professional body has withdrawn its objection and says that the practice note is sufficient. I have seen letters of representation from the other organisations, which hold to the view that the Bill as drafted does not give them confidence that they can give comfort to those who will lose out through the change in the system.

The Bill does not merely put the law back to where it was on the day that Judge Marder in his judgment at the Lands Tribunal allegedly changed it. The Bill moves the goalposts to disadvantage businesses seeking to secure a fair valuation of their property.

One of the points that has been made and that is germane to the amendment was that the Aniston case would unleash—

**Ms Armstrong:** Anston.

**Mr. Burstow:** I am corrected by the Minister from a sedentary position—the Aniston case—

**Ms Armstrong:** Anston.

**Mr. Burstow:** The Minister has tried again, and I missed it again. [HON. MEMBERS: "Anston."] I am sure that *Hansard* will show that it is Anston. I may have misread it in the *Official Report* of the Committee proceedings, where such errors creep in a little too often. I am grateful to the Minister for that correction.

The judgment was alleged to have unleashed a process of perpetual revaluation. It was said that there would be a need continually to revalue properties to ascertain whether they were in a decent state of repair. If there was a chip in the paintwork or some other defect, a fresh valuation would be needed. That argument was nonsense from the outset. The profession had never believed that that would be the outcome and I doubt whether the Valuation Office genuinely believes that to be the product of the Anston case. The arguments for seeking to impose an unreasonable valuation on business premises made by the Valuation Office during that case boiled down more to administrative convenience and its own efficiency than to fairness.

This is about whether the Government should be allowed to stretch the term, "reasonable" to unreasonable lengths. That is effectively what they will do, to the disadvantage of many businesses. I hope that hon. Members will take the opportunity of supporting my important amendment, because I intend to divide the House on it. It will ensure that the current practice, on which the Minister has sought to give us assurances, is in the Bill. Practice notes can be rewritten; this Bill should state specifically that those matters will continue to operate as they do now.

We shall not withdraw the amendment, and I urge hon. Members to join me in the Lobby to protect businesses from the unfair additional burden that the Bill will place on them.

*Question put,* That the amendment be made:—

*The House divided:* Ayes 27, Noes 206.

**Division No. 76]** **[10.41 pm**

**AYES**

Beggs, Roy
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Campbell, Menzies *(NE Fife)*
Davey, Edward *(Kingston)*
Donaldson, Jeffrey
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gorrie, Donald
Harris, Dr Evan
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kirkwood, Archy
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Ross, William *(E Lond'y)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Tyler, Paul
Willis, Phil

**Tellers for the Ayes:**
**Mr. Richard Allan and**
**Mr. David Heath.**

**NOES**

Adams, Mrs Irene *(Paisley N)*
Allen, Graham
Armstrong, Ms Hilary
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Benn, Rt Hon Tony
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Richard
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Dobson, Rt Hon Frank
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Edwards, Huw
Etherington, Bill
Fisher, Mark
Fitzsimons, Lorna
Flynn, Paul
Foster, Rt Hon Derek
Fyfe, Maria
Gapes, Mike
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Healey, John
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Dr Lynne *(Selly Oak)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Laxton, Bob
Lepper, David
Levitt, Tom
Linton, Martin
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'ld Heeley)*
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick

Reid, Rt Hon Dr John *(Hamilton N)*
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salter, Martin
Savidge, Malcolm
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Soley, Clive
Spellar, John
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Winnick, David
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Noes:**
**Mr. Robert Ainsworth and Mr. Keith Hill.**

*Question accordingly negatived.*

*Order for Third Reading read.—[Queen's consent, on behalf of the Crown, signified.]*

10.52 pm

**Ms Armstrong:** I beg to move, That the Bill be now read the Third time.

It became clear in Committee that the professional bodies representing the valuation profession, and Opposition Members, feared that the Bill went rather further than the Government had suggested. We have said that our intention in introducing the Bill was to restore the position on rating valuations to the one which existed before the Lands Tribunal decision in Benjamin *v.* Anston Properties.

As I said earlier, since the Bill went into Committee on 19 January my officials, together with officers from the Valuation Office, have met representatives of the professional bodies. We have sought to reassure them that the Bill only returns the assumption regarding the state of repair for valuation purposes to that which applied before 1990—which assumption the agency has applied to valuations since then.

I hope that we have now at least convinced the profession of our intentions. I believe that we have, but, for the benefit of the House, let me say a little about the background to the Bill, and why the Government felt compelled to act.

Until the introduction of national non-domestic rates in 1990, the rating hypothesis allowed for two different bases of valuation, depending on the type of property to be valued. The first was a valuation to gross value. It was established by case law that, in valuing to gross value, an assumption was made that the property was in a state of reasonable repair unless the cost of repairs would be uneconomic. The majority of commercial properties were assessed on that basis. The second basis of valuation was valuation to net annual value, which is equivalent to rateable value. While the situation with regard to the repair assumption was less clear in relation to valuations made direct to rateable value, leading authorities suggested that the same assumption regarding repair had to be made.

The rating hypothesis was changed in 1990 as a result of the Local Government Finance Act 1988, which was introduced by the last Government. Schedule 6, paragraph 2 of that Act, which the Bill seeks to amend, placed the obligation to repair on the hypothetical tenant where, under gross value, it had previously rested with the hypothetical landlord.

That change in basis reflected the general movement in the non-domestic property market towards leases where the tenant had a repairing obligation. It reflected the real-world position. It allowed valuers to use direct rental evidence obtained from leases without having to adjust that evidence to accord with the hypothesis, as happened before 1990. However, it was not the then Government's intention that the approach to valuation should change in respect of the repair assumption. Indeed, the Valuation Office continued to apply the assumption that, in most cases, properties are in a state of reasonable repair.

Then we had the decision by the Lands Tribunal in the case of Benjamin *v.* Anston Properties on 11 March 1998. That directly contradicted this view. The Lands Tribunal found instead that rating valuations should reflect the actual repair condition of the property on the valuation date. We therefore believe that the decision calls into question all valuations carried out by the Valuation Office for both the 1990 and 1995 rating lists. As hon. Members will appreciate, that would give serious problems to the prospect of rating. As we are entering a new valuation period, it is important that there should be clarity as to precisely what the law intends.

The Bill seeks to underpin the rating valuations that were made for both those lists by confirming the basis on which they were made. It also establishes firmly that property is in future to be valued on the assumption that it is in a state of reasonable repair.

So much for our intention. It was clear in Committee that hon. Members had concerns—raised by the professional bodies—that, in drafting the Bill, we had gone further than was intended. That is not our objective. Despite having listened, gone back and looked at the matter again and again following representations from the professions and hon. Members, I do not believe that that is what the Bill does.

As I said in Committee, I was entirely happy for consultation to take place with whoever wanted to have it, and that has happened. In essence, the professions were concerned that, in introducing the specific assumption of a state of reasonable repair to the rating hypothesis, we would affect some properties that currently benefit from a reduction in rateable value in particular circumstances.

I shall deal with the concept of reasonable repair itself. The Bill requires that assumption to be made subject to the economic test that previously applied. In doing so, it codifies the practical effects of previous cases, notwithstanding the fact that those were decided in the context of gross value.

Case law going back well before 1990, and the practice established as a result of that case law, means that what it is reasonable to expect in relation to the repair condition of any hereditament will depend on the age and type of the property, the locality in which it is situated and all the surrounding circumstances. That follows, necessarily, from the fundamental principle for valuation that such matters relating to the hereditament are to be taken as they stand.

*[Ms Armstrong]*

In the light of that case law, I do not believe that it is necessary to import into the legislation a definition of reasonable repair. Indeed, I believe that, in seeking to do so, we would run the significant risk of introducing an unintended restriction and so lose the flexibility that valuers and the courts need in deciding what is reasonable in the particular circumstances of each case.

A further concern was how, following enactment of the Bill as drafted, the Valuation Office would treat properties that would previously have had rateable values reduced, often for short periods only, to take account— *[Interruption.]*

**Mr. Deputy Speaker (Mr. Michael Lord):** Order. There are far too many private conversations going on. Hon. Members must listen to the Minister. If they do not, they must hold their conversations somewhere else.

**Ms Armstrong:** Thank you, Mr. Deputy Speaker—although I understand why hon. Members might like to have private conversations during this summary. However, it is my job, so I have to proceed with the summary.

A further concern was how the Valuation Office would treat properties that would previously have had rateable values reduced, often for short periods only, to take account of circumstances affecting the property; examples include a property that has been damaged by fire, or one that is undergoing substantial building work. I understand that concern, and have repeatedly said that the Government and the Valuation Office have only one intention—to ensure that the assumption on repair is that which was made in preparing rating valuations before the Lands Tribunal decision in Anston.

The current position is that if a property is incapable of beneficial occupations—if, in other words, it is unusable—it will be removed from the rating list and no rates will be payable. That is clear—certainly it is clear to the public, even if it is not yet clear to Opposition Members. I appreciate the concerns expressed by the professions and by Committee members that the Bill may affect the current position, but I do not believe that it will. As I said, I have examined the matter many times. In discussions, the Valuation Office has made it clear that it will continue to value properties affected in precisely the same way as before.

The Valuation Office shares the Government's concern that the Bill should take us back only to the position we believed we were in prior to the Anston decision. As I said, the agency is preparing a practice note on application of the Bill post-enactment, and it is sharing drafts of it with the professional bodies. I really do believe that that is an effective way to proceed. I have also given very clear reasons why it would be irresponsible to put in the Bill matters that should be in a practice note. Including them in the Bill would necessitate subsequent changes to primary legislation to deal with new or changed matters, which would not help in the evaluation process, in which evaluation officers operate by tight timetables.

I hope that my comments in this debate, and the Valuation Office's practice note, will serve to clarify our intentions in introducing the Bill. Although it is a small and technical Bill, we have the responsibility of passing it—so that businesses that are currently facing revaluation will know that those revaluations are clearly in conformity with the expectations of the law, and so that they will know the basis on which their premises are valued.

Although we have a responsibility to ensure that there is such clarity, hon. Members have failed in this debate to convince me that such clarity exists. The longer the debate has continued, the more convinced I have become that the Bill is necessary. I commend it to the House.

11.4 pm

**Mr. Burstow:** I appreciate that it is the time of night when hon. Members would rather be at home reading the Bill than listening to speeches about it. However, I shall be very brief.

I appreciate the lengths to which Ministers and their officials have gone, both before and after the Bill's Committee stage, in consulting and holding a dialogue with the professions. I should like to place on record the appreciation of those efforts that the professions have expressed to me. The dialogue has been important.

There is a genuine and honest difference of opinion as to the interpretation of the case, and of the Bill in future. I am grateful for the way the Minister has dealt with the matter, both tonight and earlier. There is however a need for clarity, and I do not believe that the Bill provides it.

I was concerned that the explanatory notes were longer than the Bill, and we must be cautious when that happens. It was for that reason that we hoped that some of the points in the explanatory notes would be in the Bill.

Shortly after the Committee, I received a letter from the Rating Surveyors Association—[HON. MEMBERS: "Oh!"] I knew that hon. Members would perk up at the reference to that body. It drew to my attention the words of Justice of Appeal Godfrey, which I thought I would share with the House:

> "The world of rating appears to one unfamiliar with the arcana to be cloud-cuckoo land, a world of virtual unreality from which real cuckoos are excluded altogether, although it seems that permission to land will be granted to a cuckoo flying in the form of the real world if it can be demonstrated that, in the presence of cloud-cuckoo land, it is essential and not merely an accident."

You will wonder, Mr. Deputy Speaker, why I read that out. Even I am wondering why. However, the Bill feels like cloud cuckoo land, with its hypothetical tenants and landlords. I have had to explore those issues for the first time, as Ministers have had to. However, the fact that the Minister has had to read into the record such a detailed statement about the Bill—and has had to give an undertaking about producing detailed practice notes—indicates that it is not straightforward.

The Bill would have benefited from amendments, but it has not been amended. However, the Government have done what they believe to be right and tried to correct the law. There is an honest disagreement about that, but the Government are proposing mechanisms that have given some comfort to the profession. For that reason, we do not intend to divide on Third Reading.

11.7 pm

**Mr. Burns:** Although this clearly is not a party political matter, there is concern that although the Government are seeking to block a loophole that emerged

from a court case, they will not achieve that with the Bill. I share the concern of the hon. Member for Sutton and Cheam (Mr. Burstow) that the Government have not accepted any amendments. I am concerned that the ministerial statement and the draft practice notes will not be in the legislation, which could cause problems in future. The hon. Member for Sutton and Cheam said that he would not divide the House, but I am not convinced that the Bill will succeed. I am not prepared to support it on Third Reading.

*Question put,* That the Bill be now read the Third time:—

*The House divided:* Ayes 165, Noes 140.

**Division No. 77]** **[11.9 pm**

**AYES**

Adams, Mrs Irene *(Paisley N)*
Allen, Graham
Armstrong, Ms Hilary
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Benn, Rt Hon Tony
Berry, Roger
Best, Harold
Betts, Clive
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Browne, Desmond
Burden, Richard
Butler, Mrs Christine
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Doran, Frank
Dowd, Jim
Drew, David
Etherington, Bill
Fisher, Mark
Fitzsimons, Lorna
Flynn, Paul
Foster, Rt Hon Derek
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Healey, John
Heppell, John
Hesford, Stephen
Hinchliffe, David
Home Robertson, John
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Dr Lynne *(Selly Oak)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Laxton, Bob
Lepper, David
Levitt, Tom
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
MacShane, Denis
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'ld Heeley)*
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Quinn, Lawrie
Rammell, Bill
Raynsford, Nick
Rogers, Allan
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salter, Martin
Savidge, Malcolm
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, John *(Glamorgan)*
Spellar, John
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Touhig, Don
Turner, Dr Desmond *(Kemptown)*
Twigg, Stephen *(Enfield)*
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Winnick, David
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Ayes:**
**Mr. Robert Ainsworth and**
**Mr. Keith Hill.**

**NOES**

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat–Amory, Rt Hon David
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim

Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Major, Rt Hon John
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Swayne, Desmond
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

**Tellers for the Noes:**
**Sir David Madel and**
**Mrs. Caroline Spelman.**

*Question accordingly agreed to.*

*Bill read the Third time, and passed.*

## DELEGATED LEGISLATION

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

LOCAL GOVERNMENT FINANCE

That the Local Government Finance (England) Special Grant Report (No. 40) (HC 205), which was laid before this House on 10th February, be approved.—*[Mr. Kevin Hughes.]*

*Question agreed to.*

## War Pensions

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Kevin Hughes.]*

11.21 pm

**Mr. Paul Stinchcombe** (Wellingborough): I am grateful to you, Mr. Deputy Speaker, for giving me the opportunity to raise in the House the issue of the backdating of war pensions. In the debate, I shall refer to two of my constituents: to preserve their anonymity, I shall call them service man 1 and service man 2, although the Minister has, of course, been given details of their identity and their history. At the outset, I declare an interest in respect of the first of those two constituents: he hand-crafted a dolls' house for my seven-year-old daughter—a beautiful and touching gift, for which I am proud to express my thanks on her behalf.

Service man 1 will be 80 years old in July, but the past 58 of those years have been years of great suffering. Following the evacuation at Dunkirk, mines were laid by our own troops around the south coast as a defence against possible invasion. They were anti-tank mines, not anti-personnel mines; they were designed to destroy enemy landing craft and, when they exploded, they made craters 8 ft deep. During storms, in heavy seas, those mines shifted and service man 1's unit was sent to recover and replace them. They had no mine detectors, only bayonets, as they went into the storm, on to the shifting shingle.

Service man 1 was squatting on his heels, replacing the arming lever in one such mine, with two of his comrades beside him, when the mine exploded. The two men with him were killed. He survived, but was blown 40 yd into the sea. He suffered lacerations to his hands and face and within his mouth; his teeth were blown out at gum level; an injury to his right elbow prevented it from being fully extended; and flash blindness meant that he was without sight for five weeks. His nerves were shattered and he suffered deep concussion, memory loss, frequent nightmares and flashbacks. He was treated for seven months by the leading expert of the age, William Sargant, about whom I shall say more shortly.

On 19 August 1941, service man 1 was discharged from hospital suffering from, among other things, war neurosis—post-concussion, which is better known today as post-traumatic stress disorder. It is a chronic condition, whose symptoms include severe depression, awful dreams, flashbacks, aggressiveness, massive mood changes, gross irritability, anxiety, nervousness, insomnia, excessive fatigue, headaches and stress-related heart disease. On 15 September 1941, he was discharged from the Army and he applied, of course, for a war disablement pension.

On 18 September, service man 1 was sent Ministry form MPB 240, which stated that, despite the range of injuries suffered, only post-concussion syndrome and the injury to his elbow were to be recognised for war pension purposes. Worse still—bizarrely, even hideously, one might think—the Ministry denied that the conditions were directly attributable to war service and that exploding mine. It said that the war may have exacerbated prior conditions.

In consequence, service man 1 was awarded a partial war pension only, even in respect of the limited conditions that the Ministry recognised. However, worse was to follow. The partial award, made in 1941, was reduced steadily until it was removed altogether in 1953.

Some people may think that service man 1 must have been making a remarkable recovery, but post-traumatic stress disorder is a chronic condition. The available medical records—which I have seen and forwarded to the Secretary of State—show conclusively that service man 1 received medical treatment for the various indicia of the condition in every decade from the date of injury to the present.

After discharge, he was unable, because of illness, to recommence his pre-war trade. He was forced to take a menial job. In 1981, just weeks after seeing his doctor for depression yet again, he was forced to take early retirement on medical grounds from that menial job.

Service man 1 tells me, and I believe him, that he made no miraculous recovery, that he suffered throughout and that he suffers now. He cannot even be treated for cataracts because of feared internal head injuries. Yet from 1941, this brave man received a reduced war pension and, from 1953, no war pension at all.

Some people may say that he should have continued to appeal, year after year. He did appeal, from 1941 to 1955, and was rebuffed. Why? William Sargant, the doctor to whose care service man 1 was entrusted gives us the answer in his seminal work on traumatised world war two veterans entitled "The Unquiet Mind". The book demands greater scrutiny than I can give it today, but in it he states:

"Just before the declaration of World War II, a group of official advisory experts . . . decided that war neuroses could best be abolished by simply pretending that they did not exist; or at least that they were not caused by a man's war experiences but by an inherited predisposition or early childhood trauma. So, although we could discharge mentally ill patients from the Army, if they were clearly of no further military use and might relapse when returned to duty, any applications for war pensions on their returning still partially disabled to civilian life were brusquely rejected."

Service man 1 was not just a victim of war, of an exploding mine or of post-traumatic stress disorder: he was a victim of official blindness to his suffering.

In world war two, we may not have executed personnel traumatised by the conflict, as happened a quarter of a century earlier, but neither did we give them war pensions. We cannot have expected such men, who were already damaged, to continue to apply for war pensions, year after year, in the face of official denial. Even the loving wife of service man 1, who has stood by him and suffered with him all these years, could not bring herself to apply on his behalf, at further risk to his fragile peace of mind.

In 1996, with the encouragement and support of the Royal British Legion and the organisation Combat Stress, service man 1 reapplied for a war pension. It was then conceded that mistakes had been made, that he had suffered a wider range of injuries than had been recognised all those years before, that he was suffering from post-traumatic stress disorder and that that was caused by the exploding mine in 1941. That had been denied when he first applied.

A war pension was at last awarded to him again, and even upgraded after the War Pensions Agency found papers that had previously been lost. However, even though it related to suffering that dated from 1941, that war pension was backdated only to 1996, the date of the latest application.

Service man 2 also lives in my constituency. He joined the Royal Army Medical Corps as a regular before the second world war. He was 17. He had excellent eyesight, he was an athlete and he weighed 12 st 7 lb. He boxed at the upper limit of the light heavyweight division for the RAMC team. He was stationed in north China between 1937 and 1939, and he contracted typhoid, amoebic dysentery and other diseases. During the battle of Singapore, his first aid post was bombed and shelled from air and sea. He was shot in the leg, and he suffered a fracture and shrapnel wounds. He was taken prisoner by the imperial Japanese forces. He spent three and a half years in captivity, and he worked on the Burma-Siam railway.

Service man 2 contracted terrible tropical diseases. He was beaten, and he suffered loss of teeth, ruptured ear drums and a broken nose. He was starved; the former light heavyweight boxer's weight fell to under 7 st. He became so emaciated that he was blinded for three months by malnutrition. When he could see, he witnessed depravity—man's inhumanity to man, and sights no man should have to endure. They cannot bear repeating in the House.

On his release, like service man 1, service man 2 suffered from post-traumatic stress disorder. He returned to this country after the war, after 11 years of unbroken military service. That regular soldier, who had expected to serve for 18 years, was found unfit for further service. He was part of the human debris of war.

Service man 2—a brave man—was subjected to ridicule. Broken, physically and mentally, he was abused and humiliated. In 1946, he changed his name by deed poll to try to bury the traumas of his past.

The very least that service man 2 might have expected was proper treatment by those responsible for war disablement pensions. Yet, in 1946, he was awarded disablement pension in respect only of myopia with astigmatism, malaria and dysentery—just three of the conditions on the list of injuries and conditions from which he was suffering. In 1950, his war pension in respect of the three recognised conditions was reduced to 20 per cent. In 1955, it was reduced to the range of 6 to 14 per cent. In those days, assessments of under 20 per cent. took the form of a small weekly pension followed by a lump sum payment, and that was made in February 1957. For 30 years and more, that was his lot.

Service man 2 had to wait until access to medical records legislation came into force in 1989 before he could scrutinise medical documents he had not previously seen. Afterwards, he presented himself for medical re-examination, and it was confirmed several months later that, in addition to the three conditions previously recognised, he had been suffering from seven further long-standing—I stress long-standing—conditions induced by war. They were bilateral hearing loss; Meniere's disease; shrapnel wounds to his legs; a fractured left ankle; an injury to his pelvis; malnutrition; and, again, post-traumatic stress disorder.

In 1990, the seven additional disabilities were acknowledged, and service man 2 was awarded a war pension accordingly. As with service man 1, it was backdated only to the date of latest application—1990.

My two brave constituents were wrongly denied war pensions for many years. Some disabilities were missed, others wrongly stated not to have been caused by war.

*[Mr. Paul Stinchcombe]*

Post-traumatic stress disorder was ignored, airbrushed out of medical history as if it simply did not exist. We do not need to condemn out of hand those responsible for the errors; they were made in times very different from today. However, in a humane society, we must condemn any system that prevents those mistakes from being rectified now.

My hon. Friend the Minister will known that, until 7 April 1997, the Secretary of State was vested with a broad discretion to issue backdated war pensions in appropriate and exceptional cases. That discretion afforded the Secretary of State the capacity to act and to do justice in appropriate and compelling cases. From that date on, however, the Conservative Government all but removed the discretion.

On 3 February 1999, I asked my right hon. Friend the Prime Minister whether he thought it sensible to restore to his Secretary of State the discretion that the Conservatives had removed. He said that the Government would

"always consider ways of improving the situation . . . within the Government's overall cost budget."—[*Official Report*, 3 February 1999; Vol. 324, c. 931.]

On the issue of cost, I remind my hon. Friend of two things. First, on this point, all I am asking for is restoration of a discretion to backdate in appropriate and compelling cases. That is not a huge spending commitment. Secondly, as I understand it, the first year of the Labour Government yielded a saving of £53 million on war pensions alone. Even after conceding to the Royal British Legion's demand—which I support—that we reverse restrictions on deafness pensions for ex-service men and women, there must still be money available from that pot to make restoration of the discretion a real and a worthy measure.

I ask my hon. Friend tonight—just as I asked our mutual right hon. Friend the Prime Minister a short time ago—whether he thinks it is sensible to restore to the Secretary of State the discretion to issue backdated war pensions in cases that truly merit it. If not, why not? What conceivable reason could any Secretary of State have for wishing to deprive himself of at least the capacity to exercise mercy, compassion and discretion when fairness compels it? I await my hon. Friend's answer with great interest. I have thought hard about that question, and I can think of no reason whatsoever.

My hon. Friend does not have to go that far—although I implore him to do so—to help service men 1 and 2. After all, they applied for backdating before 7 April 1997. The Secretary of State retains his discretion to remedy the unfairness that they have suffered. It is about discretion—it is not about rigid rules to which there must be slavish adherence. As of 1 April 1998, the then Secretary of State did not even know when the discretion was last exercised or how many times it had been exercised since the general election. I consider that to be a lamentable state of affairs. I also think it begs the question whether past Secretaries of State have acted lawfully.

How can discretion have been exercised fairly and consistently in the past if we do not even know how and when it was exercised? How can we be sure that we have been treating like cases in a like manner? Can my hon. Friend tell me tonight whether the discretion has ever been exercised by this Government? It certainly has not been exercised thus far in favour of either of my constituents.

There has been nothing by way of backdating for service man 1, who was blown up by our own land mine. He was forced to abandon his trade through shattered nerves and to take early retirement by reason of depression. He has received nothing, despite known errors in the way in which his case was handled and despite medical evidence of on-going suffering for nearly 60 years.

There has been nothing for service man 2, who was starved on the Burma-Siam railway and whose post-traumatic stress disorder was ignored. He has received nothing, despite the six other missed long-standing medical conditions from which he has been suffering since the war.

There has been nothing for either of them.

Will my hon. Friend ask the Secretary of State, in whom the discretion is vested, to examine both cases again? Will he ask him to exercise that discretion—a discretion which is still available to him—so as to right the wrongs inflicted on my two constituents? They do not want huge sums of money, but they want the mistakes of the past acknowledged and corrected. They want fairness—a fairness that they have been denied by successive Governments for far too long. I want fairness too: I want it for my constituents. Until we have it, there will be a scar on the soul of this country.

11.39 pm

**The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley):** I congratulate my hon. Friend the Member for Wellingborough (Mr. Stinchcombe) on securing this debate on such an important subject. The way in which he has made his case tonight will go further to enhance the reputation that he already enjoys as an excellent constituency Member of Parliament.

I begin by paying tribute to those members of our armed forces who have been killed or injured in the service of their country.

Members of Parliament of my generation must remember that the democratic liberties that we enjoy to seek election to Parliament and to speak freely when we get here were kept alive by the sacrifice of British service men and women during two world wars. All hon. Members owe a deep debt of gratitude to soldiers such as my hon. Friend's constituents. I share his belief that those who have served their country and suffered injury should be properly compensated. I do not want there to be any doubt of that in his mind.

My Department is committed to ensuring that decisions about war pensions are made fairly and consistently on the basis of the facts in individual cases and the law pertaining to those facts. The war pensions scheme provides a basic pension or gratuity for disablement due to, or aggravated by, military service, whether in time of peace or war, and a range of allowances that may be paid in addition to the basic pension. The basic pension is currently £111.10 a week, and allowances for severely disabled ex-service men or women can increase that to slightly more than £400 a week. Entitlement to basic pensions and allowances is decided only after advice from doctors appointed by the Secretary of State.

For many years, the law has provided that the date of commencement for a war pension is normally the date of the claim or review that led to an increase in the pension.

However, my hon. Friend raised a question about the discretion for backdating that was vested in the Secretary of State before 1997. The War Pensions Agency observes guidelines that are in the public domain in dealing with such cases. This is a discretionary provision, so each case must be considered on its merits and not according to precedent. Both cases raised by my hon. Friend have been considered in that manner.

My hon. Friend asked whether I believe that the Government should restore a facility to backdate. That facility is there—in 1997, just before the general election, the facility to backdate was changed from one of discretion by the Secretary of State to one prescribed by regulations. However, it is the previous discretionary provision that concerns the two cases that my hon. Friend raised. I am of course aware of his long-standing interest in the cases, which is reflected in the parliamentary questions that he has asked and his detailed correspondence with my noble Friend Baroness Hollis, the Minister responsible for war pensions.

Service man 1 enlisted in the 204th (Wessex) Field Company, Royal Engineers, Territorial Army in 1939. He transferred to full-time service on the outbreak of war in September that year and performed all his Army service in the United Kingdom until sustaining his injuries on 7 January 1941. He received immediate medical treatment and, later, hospital treatment in Deal, Chatham and Sutton. He was discharged from the Army on 15 September 1941 as permanently unfit for any form of military service because of his injuries. He was awarded a war disablement pension from the following day for post-concussive syndrome and a loose body in the right elbow joint, which were the only conditions for which he claimed.

Service man 1 was readmitted to hospital in Sutton in February 1942 for further treatment due to the post-concussive syndrome and blast effects. His file then records several medical examinations over the period from August 1942 to May 1954. The examinations indicated that although still suffering from the effects of his injuries sustained in January 1941, his disablements, when compared with a fit person of similar age, were improving. A final gratuity was awarded in December 1950 for the period to November 1953.

Those decisions about service man 1's war pension entitlement were not taken arbitrarily or in isolation, but based on the facts that were established at the time. Service man 1 sought help from at least two ex-service organisations and had his case considered by the local war pensions committee. There matters rested until 1996, when a further claim was made and a war disablement pension was awarded from the date of that claim. My hon. Friend says that the War Pensions Agency was blind to the needs of his constituent. I regret that I cannot accept that, because it considered properly and fully the claims each time that one was made.

**Mr. Stinchcombe:** My hon. Friend will know that I referred to an extract of "The Unquiet Mind" by the expert of the age, William Sargant, which I have sent to his Department. He will therefore know not only that we air-brushed out post-traumatic stress disorder from second world war medical history books, but that after the second world war although those with bunions but fit and able enough to fight for their war pensions got one, those who suffered brain damage did not, because they were unable to fight and their families were too ashamed to fight for them.

**Mr. Bayley:** I have not read the whole of William Sargant's book, but I have read the extract which my hon. Friend has drawn to my attention. The books suggests—my hon. Friend seems to be suggesting, too—that, at the time of the second world war, the Government had a general policy of rejecting war pensions claims made in respect of psychological injuries. I have made inquiries as a result of my hon. Friend's representations and found that, in 1939, £22 million was paid in respect of war pensions for psychiatric illness, largely in respect of non-psychotic conditions, which these days might be described as post-traumatic stress disorder, and that psychiatric illness accounted for 15 per cent. of all conditions compensated by the scheme. So it is not true to say that the Government in the war period sought to air-brush psychiatric conditions out of the war pensions scheme.

Service man 2 was awarded a war disablement pension from May 1946 until February 1957 in respect of disablements from which he was suffering at that time. The level of war pension, as in the case of service man 1, was decided not arbitrarily, but following medical examination. Service man 2 was examined on seven occasions between March 1946 and April 1954. He also exercised his appeal rights. The pensions appeal tribunal—a body totally independent from the then Ministry of Pensions—upheld the decision on the level of disablement, and found that two disablements for which he had claimed were not attributable to military service. By 1955, service man 2's level of disablement was such that he was not entitled to a weekly pension payment, and a final gratuity was paid.

Service man 2 did not make a further claim for a war disablement pension until March 1990. That claim resulted in an award, and the assessment of service man 2's disablements has subsequently increased to 100 per cent. In both cases, the war pension has been awarded from the date of a new claim, which is what the law prescribes, since there was nothing that prevented either ex-service man from approaching the Department at any time during the intervening years and reopening their case.

My hon. Friend also raised the question of war pensions for hearing loss. That concerns two distinct issues. First, the war pensions scheme was amended in 1993 to introduce a 20 per cent. cut-off, which aligned the war pension rules for noise-induced hearing loss with those for industrial deafness under the industrial injuries scheme. Secondly, in 1996 the Department changed the rules to ensure that only hearing loss due to service attracts an award under the war pensions scheme. War disablement pensions can be paid only for disablement due to service. They cannot be paid for hearing loss that is due to aging or any other non-service cause. To pay a war pension for conditions unrelated to service would run counter to the basic principles of the scheme.

My hon. Friend claimed that the War Pensions Agency has not fully recognised the psychological trauma of the two ex-service men whose cases he has raised. I do not believe that that is so.

In the case of service man 1, his war pension assessment included disablement through service-related psychological injury from the outset, and in the case of

*[Mr. Bayley]*

service man 2, from 1991 when he claimed for malnutrition and privation with associated nervous features.

In deciding whether there are grounds for backdating a war pension, the medical question that has to be considered is whether there is any mental or physical disablement that would prevent the war pensioner from lodging a claim at an earlier date than he did.

In conclusion, I have studied the files about the cases of service men 1 and 2 and listened carefully to all that my hon. Friend has said about those two brave ex-service men. I congratulate him on the forceful way in which he has argued their cases. He will understand that I have to respond to his constituents on the same basis as for any other claim for backdating a war pension and that I am therefore unable to give any undertakings in either case. Nevertheless, if my hon. Friend submits new evidence that he believes would have permitted the Secretary of State to exercise favourably his discretionary powers before 1997 in respect of either case, I will arrange for that evidence to be considered.

*Question put and agreed to.*

*Adjourned accordingly at nine minutes to Twelve o'clock.*

# House of Commons

*Thursday 25 February 1999*

*The House met at half-past Eleven o'clock*

PRAYERS

[MADAM SPEAKER *in the Chair*]

# Oral Answers to Questions

**Madam Speaker:** Mr. Burden.

**Mr. Christopher Gill** (Ludlow): On a point of order, Madam Speaker.

**Madam Speaker:** I always take points of order after questions.

**Mr. Gill:** It relates to my question, which has been wrongly printed in the Order Paper.

**Madam Speaker:** May I deal with that when I call the hon. Gentleman to put his question? He can make a correction then. I think that that is how we shall do it, so that it gets printed properly in *Hansard*.

## TRADE AND INDUSTRY

*The Secretary of State was asked—*

### Automotive Engineering

1. **Mr. Richard Burden** (Birmingham, Northfield): If he will make a statement on the prospects for automotive engineering in the United Kingdom. [71592]

**The Secretary of State for Trade and Industry (Mr. Stephen Byers):** With £3 billion of new investment and the creation of 6,500 new jobs announced in 1998, and with yesterday's announcement by Vauxhall that it will locate its European centre of research at Luton, it is clear that the overall prospects are good.

**Mr. Burden:** I welcome the announcement by Vauxhall of the investment in Luton. Does not that show that it makes sound business sense for motor manufacturers to invest here in the United Kingdom? Against that background, would not it also make sound business sense for BMW to confirm production of a new model range at Rover in Longbridge? My right hon. Friend visited the plant a few weeks ago and I welcome the positive attitude that he has shown to that possibility. Will he confirm that Government assistance to back such investment by BMW would in no sense be a bail-out, but would be investment to transform the plant and ensure that motor manufacturing remains here in the European Union?

**Mr. Byers:** I compliment my hon. Friend on the role that he has played in representing the interests of his many constituents at the Longbridge plant in Birmingham. I was pleased to visit the Longbridge plant with my hon. Friend a few weeks ago to discuss the situation with management and representatives of the work force.

The House will know that BMW is at present reviewing the position regarding the development of a new medium-sized car. I am confident that Longbridge is in a strong position. Provided that skills can be raised and improved productivity achieved—and also that BMW is prepared to make a substantial investment in Longbridge—the Government will do all that we can to assist the plant financially, to save the 14,000 jobs of people directly employed there, and to save the jobs of the many tens of thousands of people in the west midlands economy who depend on Longbridge.

**Mr. Nicholas Winterton** (Macclesfield): Will the Secretary of State accept that the automotive engineering sector is a vital part of the manufacturing element of the United Kingdom economy? Does he also accept that added social costs at a time of globalisation and increased competitiveness across the world are very dangerous to the sector, which is already highly competitive? Will he also have a word with the Chancellor of the Exchequer and suggest that he should not adopt such a hostile attitude to the motorist, who sources so much employment in this country?

**Mr. Byers:** I am afraid that the hon. Gentleman is denying what is happening in reality. Yesterday, Vauxhall announced its new research and development centre here in the United Kingdom, and last month Nissan announced an extra 800 jobs in Sunderland. Those companies are looking world wide and choosing to invest in the United Kingdom. This is a good place to do business, and the Government are taking the steps and putting in place the measures to ensure that it will remain so.

**Jacqui Smith** (Redditch): Does my right hon. Friend share my concern about the comments that have appeared in a national newspaper calling for the withdrawal of support from the Longbridge plant, presumably with a consequent loss of jobs and investment there? Will he assure me that he will continue to give positive support to the west midlands and to the Longbridge plant? Will he call on the Opposition also to condemn the comments in that newspaper, which they usually support?

**Mr. Byers:** The Opposition have been notable for their total silence on the question of support or otherwise for Rover at Longbridge. Not a word has been said—apart from by the right hon. Member for Wokingham (Mr. Redwood), who speaks on these matters for the Opposition and who sought to denigrate Longbridge in a debate a couple of weeks ago. I regret the words that he used on that occasion.

I can however confirm that there is no question of the Government bailing out Longbridge. We are prepared to support the plant, to help to improve productivity and raise skill levels there, and to work towards leveraging in much more money from BMW. If we can secure that, the prospect for Longbridge is bright, and I look forward to visiting the plant in the not-too-distant future, when its future is secured.

**Mr. John Redwood** (Wokingham): The Secretary of State should withdraw his last remarks about Longbridge.

The Opposition have made it very clear that we want a strong motor manufacturing industry in Britain, and we have supported the case for strong manufacturing in the west midlands.

Does the Secretary of State accept that the problems experienced by Rover and other motor manufacturers stem largely from the high value of sterling, which is the result of this Government's policy? That has meant that it is one fifth dearer to make things in Britain than in France or Germany. Will he confirm that stability of exchange rates is crucial to the euro scheme? Does not that mean locking Britain into an uncompetitive exchange rate that will make it too dear to make things in Britain?

We welcome the odd piece of good news, but the overall background is one of factory closure after factory closure and job loss after job loss. The Secretary of State does not care, and does not seem to realise the consequences of the Government's actions. Does he now accept that the Government's change of gear on the euro is a crash of gears for British industry?

**Mr. Byers:** The right hon. Gentleman talks about a single piece of good news, which Vauxhall's decision yesterday certainly was. However, it was not the only one. Last month, Nissan created 800 jobs in Sunderland. Last year, Honda announced investment of £500 million in Swindon, creating 1,000 jobs. In addition, Peugeot has announced 900 jobs in the past three months. Vauxhall has announced an additional 1,000 jobs at Ellesmere Port and Toyota has invested £180 million at Deeside, which will create 310 jobs. That makes nearly 4,000 new jobs in the past 12 months.

The right hon. Gentleman allows prejudice to rule over fact, and he cannot see the good news. He should listen to the managing director of Vauxhall, who has said that if the Government were to adopt the policies proposed by the right hon. Gentleman on the single currency, Vauxhall would not consider further investment in the United Kingdom. He should talk to the managing directors of Nissan, who say exactly the same. That is the reality that the right hon. Gentleman chooses to ignore because he is not prepared to recognise that our future lies in Europe. Business believes that it does, but for prejudiced reasons, the right hon. Gentleman will not recognise it.

**Mr. Dennis Skinner** (Bolsover): My right hon. Friend needs no lectures from that lot opposite about the manufacturing base because 40 per cent. of it went during the 18 years of Tory Government. They shut nearly every shipyard in the country, and they closed every coal mine in Derbyshire. And Deadwood walked through the Division Lobby with the rest of the Tories to close down the pits.

**Madam Speaker:** Order. The hon. Gentleman tends to get carried away. I thought we might have a good kick-off this morning, not an abusive one. Please use appropriate language when referring to Members of the House.

**Mr. Skinner:** I did not think you had caught on, Madam Speaker.

**Madam Speaker:** I am wide awake this morning.

**Mr. Skinner:** I only got "Deadwood" from the Tory paper, *The Sun*, when the right hon. Gentleman stood for the leadership.

If BMW starts to throw its weight about and fails to honour the pact agreed with the Transport and General Workers Union and other unions by saying that Rover is worthless, will the Secretary of State tell BMW that we will take Rover back—just as we did when we nationalised Rolls-Royce—so that we can run it for the public benefit?

**Mr. Byers:** I have to say that that is not one of the options being considered by the Government. To be serious, however, the work force at Longbridge showed their clear commitment to the future of the car industry by voting last autumn for radical changes to their working practices. We all want BMW to show a similar commitment to Longbridge.

## Transport Costs

2. **Mr. Christopher Gill** (Ludlow): What assessment he has made of the effect upon the competitiveness of British industry of (i) United Kingdom transport costs and (ii) those relative to those of continental Europe. [71593]

**Madam Speaker:** I am going to ask the hon. Gentleman to read out his substantive question so that it will be recorded correctly.

**Mr. Gill:** Thank you, Madam Speaker. My question was correctly recorded in the Vote a fortnight ago, but it has been altered subsequently. It should read: "What assessment he has made of the effect upon the competitiveness of British industry of United Kingdom transport costs relative to those of continental Europe."

**The Minister for Energy and Industry (Mr. John Battle):** The Government recognise that transport costs can be a significant factor in the competitiveness of some sectors, and comparisons have been made. My right hon. Friend the Deputy Prime Minister set out the Government's strategy for supporting economic growth through an improved and more efficient transport system in his White Paper, "A New Deal for Transport", which was published last year, and I am sure that the hon. Gentleman will have read it.

**Mr. Gill:** The House will have noted that totally inadequate response. It can hardly have escaped the Minister's attention that 2,000 truckers massed outside the House of Commons yesterday to try to draw the Government's attention to their problems—problems that will not be solved by the integrated transport system. The difficulties are occasioned by the fact that truckers pay so much more for fuel and excise duty in the UK than their counterparts pay on the continent. Is the Minister aware that truck drivers can fill their tanks for £200 less per tankful of diesel on the continent than they must pay in the UK? Is he further aware that the continental hauliers against whom the British trucker is competing can employ two east European drivers for the price of one British driver? What is he going to do about that particular problem? The truckers will not be fobbed off by the pathetic answer the Minister has given.

**Mr. Battle:** The hon. Gentleman, and the industry as a whole, might look to issues wider than the direct costs—indeed I know that the industry does so—because the

overall tax burden on the haulage industry is less than the European Union average. The industry here pays lower corporation taxes, lower employment taxes and lower social costs than it would in any other European country.

I know about the demonstration that took place outside the House yesterday, and I note that the director general of the Road Haulage Association Ltd is none other than Mr. Norris, the former MP for Epping Forest. I seem to recall that, as Minister for Transport in London, he contributed to the disintegration of transport policy—remember his lines about those dreadful people who travel on public transport? Our Labour Government are introducing policies to integrate public road, rail, and vehicle transport in this country. It was the Opposition, when they were in government, who undermined the competitiveness of British industry; we are setting it on the right road.

**Mr. Barry Sheerman** (Huddersfield): My hon. Friend will hear a lot of special pleading as we run up to the Budget, but will he bear in mind the fact that we have an effective haulage industry in this country? The industry is competitive and very good logistically, and I hope that he will not take too much notice either of the question put by the hon. Member for Ludlow (Mr. Gill) or of the demonstration yesterday.

**Mr. Battle:** I appreciate my hon. Friend's remarks and should like to point out that we have a good working relationship with the haulage industry. The industry endorsed our intentions to improve enforcement throughout the industry, through improvements in the efficiency of enforcement agencies and by considering the introduction of modern information technology systems to allow better co-ordination. The industry has been constructive in helping us to formulate proposals for hauliers in a competitive regime that will be fair and honest and will lead to reduced congestion, improved delivery times, efficiencies and profitability. That is the whole point of an integrated transport policy. The haulage industry realises that; it is only the Conservatives who have not yet caught on.

**Mr. David Heath** (Somerton and Frome): Is the Minister as alarmed as I am to hear Conservative Members calling for tax harmonisation? Does he recognise that many small haulage operators are facing a difficult period, with competition from continental European operators who are coming into Britain and taking British haulage jobs? Will he consider whether, without abandoning the quite proper environmental basis for Government policy, he can reach agreements with other European countries on fuel tax convergence, to ensure that we have a fair playing field for this important industry?

**Mr. Battle:** The hon. Gentleman puts the point well, but I cannot speak for the contradictions that emerge from the Conservatives. I agree that it is important that the rules of the European Union be applied equitably and fairly throughout the whole of the EU and are applied to all on a level playing field. We shall do our best to ensure that that happens.

I would add that it is right that there should be a balance between the amount paid by the industry in dues and environmental responsibilities. We cannot unlink those responsibilities; the industry realises that taking its environmental responsibilities and its social obligations seriously is an important part of building and maintaining a competitive edge nowadays. I cannot understand why Conservative Members hanker after a single instrument all the time; they seem to be so locked in the past that they have not caught up with the agenda.

**Mr. Denis MacShane** (Rotherham): Is the Minister aware that trucking companies on the continent admire the flexibility of their counterparts in the United Kingdom? They admire the fact that, because of the national health service, United Kingdom companies do not have to pay extra social costs and they would welcome the corporation and other taxes that apply in this country. The hon. Member for Somerton and Frome (Mr. Heath)—if I may go off message briefly—is quite right: we need harmonisation of these duties in Europe. If the Conservative party is now officially the party of harmonisation, I, for one, welcome it.

**Mr. Battle:** Until 9 March, there is a kind of ministerial purdah preventing comment on tax and changes in duties. I must admit—in all honesty and in the privacy of this quiet room—that I do not know what is in the Budget. Changes in fuel duty will obviously be a matter for the Chancellor, but I am sure that he will take notice of all representations made to him—including those from hon. Members.

**Mr. Jeffrey Donaldson** (Lagan Valley): In developing an integrated transport strategy for the United Kingdom, the Minister will be aware of the tremendous burden of the transport costs that apply to businesses in peripheral regions, such as Northern Ireland. Will the Minister clarify what consideration has been given to peripheral regions of the United Kingdom in developing an integrated transport strategy?

**Mr. Battle:** The hon. Gentleman raises an important point. If he reads "A New Deal for Transport", which was published by my right hon. Friend the Deputy Prime Minister, he will find that rural areas and the regions—Northern Ireland, Wales and Scotland—feature in that report.

It is important to ensure that "integrated" means the whole of these islands. We must have systems that work, not just for road but for rail. There will be an announcement today about our attempts to sort out the mess in the rail industry that we inherited from the Conservatives. We must ensure that road, rail, public and private transport and the haulage industry are integrated properly. That means having a decent system: ensuring that roads are maintained properly and so on and that the regions and outlying and rural areas are not discounted from the equation. It is not just an urban integrated transport strategy, but a strategy for the whole of Britain.

## Physical Sciences

3. **Mr. Ian Stewart** (Eccles): What plans he has to increase the budget for research in the physical sciences. [71594]

**The Minister for Energy and Industry (Mr. John Battle):** The allocations of the science budget to the separate research councils following the comprehensive spending review provision of an additional £700 million over the next three years were announced on 27 October 1998. That increase compares with the last settlement of the previous Administration, which resulted in a real-terms reduction in spend. Spend on the physical sciences for the years beyond 2001-02, like all other areas of science, will be reviewed in due course.

**Mr. Stewart:** Technical and engineering-oriented universities such as Salford will welcome this settlement—particularly as the physical sciences and engineering have done better from the comprehensive spending review than from 18 years of Tory rule. It was difficult for universities to train graduates and post-graduates because of the state of disrepair that the Conservatives permitted during their period in Government.

Will the Minister join me in calling on all fields of science to work in partnership to make the most of cross-disciplinary projects and the joint infrastructure fund in order to advance knowledge in the United Kingdom? That fund—comprising £300 million from the Government and £300 million from the Wellcome Trust—is much appreciated. I hope that the Minister will ensure also that there is proper balance in the distribution of that fund throughout Britain.

**Mr. Battle:** I agree with my hon. Friend's approach: yes, it is important that we adopt new cross-disciplinary strategies. However, it is important to stress that the Engineering and Physical Sciences Research Council budget will increase over the next three years by £86 million, from the already high figure of £380 million. For example, funding for maths will rise by 17.5 per cent. and funding for chemistry by 7.5 per cent. The £600 million joint infrastructure fund to which my hon. Friend referred may be used by science institutions in all fields to upgrade laboratories and other buildings. Bids are welcome.

My hon. Friend mentioned cross-disciplinary activity. I believe that Salford university, Salford city council, local education, medical, industrial and social bodies and my hon. Friend are all involved in the Gemysis project. That is an example of how new technology can blend the traditional science disciplines with the wider world. If others follow Salford's example, we shall move forward much faster.

**Mr. David Chidgey** (Eastleigh): That is all very encouraging, but I am sure that the Minister is aware that this country devotes a lower proportion of investment to research into civil aviation than do any of our European Union competitors. Will he take the good news further and confirm that his Department will not cut, and indeed will maintain, the budget for the civil aviation research and development scheme?

**Mr. Battle:** We are considering CARAD's budget in detail and sympathetically. CARAD is being supported. Since we came to power we have substantially helped the aerospace industry with launch aid to British Aerospace and Rolls-Royce. That was significant investment in research and development projects, so the aviation sector cannot claim that we are not backing it fully.

**Mr. Ian Pearson** (Dudley, South): While I welcome the boost in research funding, is my hon. Friend aware that less than 1 per cent. of research council funding is devoted to the "D" part of R and D, or that only a paltry 2.5 per cent. of overall Government R and D funding is devoted to industrial development? In all friendliness, I tell him that that Tory legacy is simply not acceptable and is damaging our long-term competitiveness. What will he do about it?

**Mr. Battle:** I would not like my hon. Friend to think that the science budget was all. The increase of £1.4 billion was intended to underpin the science base, but the comprehensive spending review has enabled the Department to increase by 20 per cent., to £220 million, the innovation budget, the aim of which is precisely to help to move ideas out of laboratories and into workshops. That will help a range of schemes to enable ideas to be turned into practical, productive, economic work.

**Mr. Christopher Chope** (Christchurch): Is not the key issue the fact that the Minister for Science, Lord Sainsbury, is seen to be biased towards the biosciences rather than the physical sciences? Yesterday's decision by the public health committee of the Labour-controlled Local Government Association to recommend that 26,000 schools ban GM foods reveals that it is unwilling to trust the science Minister, whether he is involved in a blind trust or any other sort of trust. That also demonstrates how important it is to have a science Minister who can serve on Cabinet sub-committees dealing with these subjects.

Unlike Lord Sainsbury, the Minister for Energy and Industry is not tainted by conflicts of interest and is directly accountable to this elected House. Why does he not ask for his old job back? If he asks to be science Minister again, we will support him.

**Mr. Battle:** This Government's top priority has always been and will continue to be to ensure that GM crops and food do not threaten environmental health or public safety. We shall proceed with care and caution on the basis of the best available scientific advice. Scaremongering and spreading rumours, as the Conservative party has done in recent weeks, is most unhelpful. The attempts of Opposition Members to impugn the integrity of my noble Friend Lord Sainsbury demonstrate that when a team is losing badly its last line of defence is to go for the man, not the ball—and that is exactly what Opposition Members are doing.

## Small and Medium-sized Businesses

4. **Ms Helen Southworth** (Warrington, South): What measures his Department proposes to foster an entrepreneurial culture among small and medium-sized businesses. [71597]

**The Minister for Small Firms, Trade and Industry (Mr. Michael Wills):** The recent competitiveness White Paper sets out 75 new commitments to help British businesses succeed, and fostering an entrepreneurial culture lies at their heart. The Department is participating

in the development of a national campaign for enterprise to create a more entrepreneurial culture. For existing small and medium enterprises, there will also be an enterprise fund to assist business growth. The Department continues to build on the extensive range of services offered to all businesses through the Business Link network.

**Ms Southworth:** I thank my hon. Friend for that answer. Will he welcome the exciting and innovative initiatives taking place in my area? Warrington Business Connection, which is led by the local authority, will in April provide the opportunity for 5,000 small and medium businesses to meet, create networks and trade not only in the north-west or even in Britain, but internationally in many different marketplaces. Will he welcome also the newly formed Skills Forum, a public-private sector partnership in Warrington, based around identified business need to support and develop skills in the area? I welcome the prospect of my hon. Friend's coming to Warrington to see that Warrington means business and is effective.

**Mr. Wills:** I am delighted to welcome that news from my hon. Friend, and I shall be delighted to visit Warrington and see it for myself, as soon as I receive an invitation.

**Mr. Peter Brooke** (Cities of London and Westminster): Does the Minister agree that entrepreneurs are entrepreneurs are entrepreneurs, and that what matters far more than encouraging entrepreneurs is not discouraging them?

**Mr. Wills:** I am very happy to agree with that.

**Liz Blackman** (Erewash): My right hon. Friend the Secretary of State for Trade and Industry visited my constituency fairly recently and saw an enterprising small firm that managed to get into the niche market of carbon fibres, capitalising itself on the way. It has now reached a point where it wants to grow on. What help and support do the Government offer firms that want to move from the small to the medium sector?

**Mr. Wills:** We are providing a range of support through the Business Link network. If my hon. Friend writes to me with details of the firm, I shall be happy to provide specific details for the area.

**Mr. Brian Cotter** (Weston-super-Mare): Is the Minister aware that the cost to the smallest businesses—those with five employees or fewer—of introducing the working families tax credit will be £25 million? Does he agree that that is not encouraging for new entrepreneurs? Has he made representations to that effect to the Treasury, and if not, why not?

**Mr. Wills:** We are introducing a range of measures that we hope will help low-income working families. We are proud of those measures and we will continue to pursue them. As regards helping small businesses, we have a range of measures. The costs to which the hon. Gentleman refers must be seen in context. We want small businesses in this country to prosper, and we are confident that we have the measures to enable them to do so.

**Mr. Barry Jones** (Alyn and Deeside): Does my hon. Friend agree that an entrepreneurial business could take a hard knock if its locality suffered the loss of assisted area status? Will he assure me that he will fight hard to keep assisted area status for my constituency, bearing in mind that 4,000 aerospace workers, who are the very spirit of the entrepreneurial British approach, want that status kept, as do the people who work with great enterprise in Deeside industrial park? I am sure that my hon. Friend will fight hard for my people.

**Mr. Wills:** My hon. Friend is a famous champion of his constituency and his views are well noted. As he knows, the assisted areas map is under review. We shall report the results to the House in due course.

**Mr. Tim Boswell** (Daventry): Will the Minister concede that his extremely bland new Labour responses sit ill alongside the additional burdens that he is imposing on small and medium enterprises through the Employment Relations Bill that he is currently considering in Committee with us? Those burdens fall on top of the burdens of cost and book-keeping imposed by the national minimum wage and the working time regulations.

Has the Minister noted the recent press report that South Korea, a country in real economic difficulties, has responded to them by going through its 16,000 regulations and abolishing approximately half of them—this at a time when the British Government have scrapped 20 regulations and imposed 2,400 new regulations? Is not that the wrong kind of productivity?

**Mr. Wills:** We need no lessons from the Opposition, who introduced 45,000 regulations while they were in government—a record that we are striving not to emulate.

As the hon. Gentleman knows, the Employment Relations Bill promotes a range of family-friendly policies. We are proud of them and we do not regard them as a burden on business. We regard them as fostering a spirit of partnership. We are promoting a new spirit of partnership in the workplace, which was sadly lacking from the measures introduced by the previous Government. Far from increasing burdens, we believe that our measures, seen in the round, will decrease the burdens by tackling the crippling cost to business of absenteeism.

According to an estimate by the Confederation of British Industry, that cost was £25 billion in 1996. A new spirit of partnership in the workplace will help to reduce it.

## Rover Longbridge

5. **Mr. John Austin** (Erith and Thamesmead): What action he has taken to ensure continued production at Rover Longbridge. [71599]

**The Secretary of State for Trade and Industry (Mr. Stephen Byers):** I am in close contact with both Rover and BMW. I have also spoken personally to the new chairman of BMW, Dr. Milberg. I am pleased to tell the House that he has confirmed that BMW will proceed with the planned investment at Longbridge for the new Mini. I welcome that decision.

In addition, BMW is reviewing its medium car strategy. As part of that review, the Government will carefully consider any approach from BMW for assistance that will help to secure the long-term future of the plant, and will

help Rover to achieve the world-class performance that it needs to achieve if it is to operate successfully in this competitive, global marketplace.

**Mr. Austin:** I welcome my right hon. Friend's support. Will he also commend the Rover work force at Longbridge for their positive contribution to ensuring continued production at the plant? Does he share my view that the ground-breaking partnership deal struck in December was struck between recognised trade unions and the board, and should be unaffected by any recent changes in the board? Does he also agree that the loss of 14,000 jobs at Rover Longbridge, and of up to 80,000 in the supply and service industries, would deal a devastating blow not just to the west midlands but to the British economy as a whole? Does he agree that, in a global market economy and given the inevitable rationalisation of the motor car industry, the victors will be countries that support domestic producers?

**Mr. Byers:** This is clearly a time of uncertainty for the 14,000 people who work at Longbridge, and for the many more people in the west midlands who depend on Rover Longbridge for their contracts. It will be a period of change. In the autumn, the work force voted for change, demonstrating their commitment. The Government want to ensure that those workers can be partners in change, not victims of change. We shall do all that we can to support them, and to help BMW to decide where the medium car is to be produced; but I must repeat that there is no question of the Government's bailing out an unsuccessful industry. We are prepared to give financial support to the improvement of skills at Longbridge so that productivity can increase, on condition that that support levers in substantial extra investment by BMW. We believe that partnership approach is the best way in which to secure the long-term future of Longbridge, and of Rover in the United Kingdom.

**Miss Julie Kirkbride** (Bromsgrove): I welcome a great deal of what the Secretary of State has said. As he may know, the Longbridge plant is in my constituency as well as that of the hon. Member for Birmingham, Northfield (Mr. Burden), and I should be grateful if, when he intends to visit it again, he would do me the courtesy of telling me.

I associate myself with what was said by the hon. Member for Northfield, but also ask whether the Secretary of State will have the decency to accept that part of the problem at Longbridge has been caused by the Government's economic policy and the ruinously high exchange rate that operated during the early part of the Government's term of office, when Rover was unable to sell its cars abroad and was uncompetitive in the home market where it had traditionally sold them. Sadly, that will continue, because foreign car companies have bought forward sterling and will therefore be able to continue to undercut Rover in its home market.

In view of the Government's partial culpability in regard to the present crisis, may I urge the Secretary of State to encourage his right hon. Friend the Chancellor of the Exchequer to be generous? There is a perfectly reasonable precedent in the investment in Longbridge that took place under the last Conservative Government.

**Mr. Byers:** I can understand why Conservative Members try to score political points, but we should look at the facts. The hon. Lady referred specifically to exports and alleged that the car industry faces particular difficulties in that respect because of the rate of sterling. A fact: car exports from the United Kingdom last year were the highest ever. A fact: United Kingdom car industry production was the highest for 24 years. United Kingdom sales are the highest since 1989. That is the reality of the situation. Conservative Members do not like to have the facts drawn to their attention. Those are the facts and here is another one: 6,500 new jobs have been created in the car industry in the past year under this Government, after years of neglect by the Conservatives.

**Dr. Lynne Jones** (Birmingham, Selly Oak): I am pleased that the hon. Member for Bromsgrove (Miss Kirkbride) associated herself with the remarks of my hon. Friend the Member for Birmingham, Northfield (Mr. Burden), but it is a pity that she did not dissociate herself from the calls of her former employer, *The Daily Telegraph*, to shut down the Rover operations at Longbridge. Despite the strength of the pound, which is a problem for Longbridge, Rover managed to increase its sales in Europe last year, largely due to the success of its higher range models. Such production is set to continue with the highly acclaimed Rover 75. Does my right hon. Friend agree that, if the investment in the small and medium car range goes ahead, the prospects for Rover capturing its share of that market—at home and abroad—are good?

**Mr. Byers:** I agree with my hon. Friend. I have no doubt that the prospects for Rover, particularly at Longbridge, will be good, provided that we can achieve an approach based on partnership and can work together. The Government are prepared to do their part—not through a bail-out, but through targeted assistance—and, provided that BMW can recognise the benefits that it will receive from Rover Longbridge and investment in that plant, I am sure that we can work together to provide employment for the 14,000 people who currently work there. Such an approach would provide opportunities throughout the west midlands and secure the future of Longbridge, so ensuring that we can maintain that plant as a vital part of the west midlands economy.

**Mr. John Redwood** (Wokingham): In the middle 1990s, Rover was profitable, BMW was proud to acquire the Rover name and the factories, and BMW management thought that Britain was the best place in which to invest, anywhere in Europe, to build new cars. Under the Government, Rover is a loss-making venture and BMW is threatening to take its investment elsewhere; it is even contemplating not using the Rover badge for the medium car, but substituting a new BMW model.

I hope that the Secretary of State will accept that Conservative Members want a successful motor industry base in Britain. We were proud of the achievements by companies from all around the world which began to establish that base in the early and mid-1990s. Will he tell all those worried people who live anywhere near a Rover plant, and whose livelihoods depend on it, either directly or indirectly, the answers to some very simple questions? Do he and the Government believe that they can persuade BMW to use the new mid-range Rover saloon, the Rover 35, to replace the existing models, or does he think that we might lose out to a BMW model? Does he think that he can persuade BMW to manufacture that model in Longbridge or anywhere in the west midlands?

How many job losses does the Secretary of State think will result from the plans that BMW is beginning to develop? When does he expect to receive a proper application for grant from BMW? Will that grant application be for the Mini alone, or does he expect it to cover the medium-sized saloon? Will he want any conditions about such a saloon if the grant application relates only to the Mini in the first instance? What guarantees will he want about the number and location of jobs, if and when those grant negotiations get under way?

**Mr. Byers:** We have just witnessed the gross irresponsibility of opposition. There is no question of debating such detailed, commercially sensitive information on the Floor of the House. The right hon. Gentleman knows that, when he was a Minister at the Department of Trade and Industry, he would not have debated these issues openly at this particularly sensitive stage.

The reality is that yesterday Vauxhall decided to locate its research centre in the United Kingdom. Ten years ago, when the Conservative Government were in power, that company walked away from the UK. It would create great difficulties for securing the future of Longbridge if the Government were to adopt the Conservative party's policies on the single European currency. To rule out entry for 10 years would be seen by companies such as BMW as a condemnation of the future of industry in this country. The right hon. Gentleman would be aware of that if he thought about it. He should make the link, and should listen to the leaders of big business who are telling him and his party that they have got the policy wrong.

We are committed to our policy on the single currency, because we believe that it will secure the future for our people. We shall continue the negotiations at Rover Longbridge. They are progressing well, and I hope that in weeks rather than months they will achieve a successful conclusion.

## National Minimum Wage

6. **Mr. John Healey** (Wentworth): What assessment he has made of the likely impact of the national minimum wage on wage levels from 1 April. [71600]

**The Minister of State, Department of Trade and Industry (Mr. Ian McCartney):** The introduction of the national minimum wage on 1 April will increase the wage levels of some 2 million low-paid workers throughout the United Kingdom.

**Mr. Healey:** My hon. Friend referred to 2 million people across the United Kingdom, but is he aware that 77,700 people in South Yorkshire currently earn less than £3.60 an hour? What would he say about the potential benefits of the national minimum wage to the thousands of people in South Yorkshire who, for too long, have been working at the rough end of the labour market?

**Mr. McCartney:** I thank my hon. Friend for that question. I pay tribute to him for his activities inside and outside the House in defending and promoting the business case as well as the social justice case for the national minimum wage. On 1 April, many workers in his constituency and in the surrounding areas will receive pay rises of about 50 per cent., and following the introduction of the working families tax credit in October, those with families could receive in their pay packets the equivalent of a pay rate of £7 an hour. The Government, along with industry, are committed to eradicating low pay and to giving people decent pay and dignity in the workplace.

**Mr. Ian Bruce** (South Dorset): Will the Minister tell the House what plans the Government have to increase the minimum wage? Companies will have to budget for a minimum wage of £3.60 an hour from 1 April. Should they expect a rise in the minimum wage every year in line with inflation, or is it still the Labour party's intention to increase it to a much higher level in the next few years?

**Mr. McCartney:** The real issue, which the hon. Gentleman would of course dodge, is whether the Tories will fight the next election on a pledge to cut the minimum wage. The Government will implement the minimum wage on 1 April at the levels set out. I pay tribute to British business, because companies are, of their own volition, implementing the minimum wage in advance, so more than 200,000 workers are already receiving it. Those companies do not want to follow the Tory policy of low pay, no pay. The Government are implementing the minimum wage with the full support of British industry.

## Home Shopping

7. **Dr. Alan Whitehead** (Southampton, Test): If he will assess the impact of home shopping upon the competitiveness of UK retailing. [71602]

**The Minister for Competition and Consumer Affairs (Dr. Kim Howells):** The retail sector is a dynamic one. I have placed in the Library of the House, for the information of hon. Members, a copy of a recent paper prepared by my Department on the performance of the retail sector, which I hope will be useful. However, it would be very difficult to make the specific assessment requested by my hon. Friend, [illegible]ast because of the difficulty of obtaining information on the value of electronic trading, which is an increasing and important element of home shopping. I have commissioned research to help to assess the impact of electronic commerce on retailing, and I intend to publish the results before the summer recess.

**Dr. Whitehead:** I thank my hon. Friend for that answer. My particular concern is with home grocery and household shopping. I have spoken to a number of major retailers with stores in my constituency, and it is apparent that such developments could be either a boon to elderly people in particular or a disaster for all my constituents. Is my hon. Friend aware that various routes to home shopping have been trailed by the major retailers? Is he further aware that the mode that eventually prevails will have profound consequences for competition and customer protection? Is my hon. Friend undertaking activity to ensure that consumers and competition are protected as such developments take place?

**Dr. Howells:** I welcome the question, because we will all be affected greatly by e-commerce and shopping on the internet in future. It could change social habits; I may not be able to bump into the right hon. Member for Wokingham (Mr. Redwood) in shops in the future, as we

have done in the past—usually in a panic just before Christmas. Currently, home shopping sales stand at about £9 billion or about 6 per cent. of total retail sales, of which e-commerce comprises only about £100 million. That is calculated to grow by 2002 to about £700 million a year. That will still account for a small percentage of total retail sales, but it is an indication of the way in which the sector will explode in the future. It is right and proper that we should talk to retailers, customers, cities and towns about the implications for the future of shopping in this country.

### Competitiveness White Paper

8. **Mr. Geraint Davies** (Croydon, Central): What assessment he has made of the impact the competitiveness White Paper will have on encouraging an entrepreneurial culture in the UK. [71603]

**The Secretary of State for Trade and Industry (Mr. Stephen Byers):** The need to foster a culture of enterprise in the United Kingdom was a central theme of the White Paper.

I will shortly publish an implementation plan which will set out how we intend to introduce the various measures contained in that White Paper.

**Mr. Davies:** Does my right hon. Friend agree that the success of the entrepreneurial renaissance in Britain depends on pupils and students being equipped to make the leap from good ideas to successful products? In this respect, will he applaud the activity of the New Addington education action zone in Croydon in fostering business links and providing mentoring to equip our pupils for the future? Will he commend to the House the provisions of the competitiveness White Paper in linking up our centres of learning to the business community?

**Mr. Byers:** I am delighted to hear of the success of the New Addington education action zone. In one of my previous Government posts—as Minister for School Standards—I was involved at an early stage in discussions with my hon. Friend about the proposals from that part of his constituency. I am pleased to hear that that zone is progressing well.

A number of proposals within the White Paper will promote a culture of enterprise. I am keen to get away from the poverty of ambition that has held far too many people back for far too long in the UK. I believe that we have positive proposals to ensure that that will no longer be the case. As Secretary of State for Trade and Industry, I look forward to their implementation in the months and years ahead

**Mr. Graham Brady** (Altrincham and Sale, West): About four weeks ago, the Prime Minister was reported to have said in a speech in Bristol that European Union directives had increased social costs on business by far too much, and that that was damaging competitiveness. Will the Secretary of State list those directives that he and the Prime Minister would like to see removed?

**Mr. Byers:** We should always review the burden on business, which is one of the reasons why, 10 days ago, we decided to alter the original proposals for the regulations concerning the introduction of the national minimum wage. As a result, we have cut the costs of business by £200 million. That was only the beginning, and I am sure that we can take steps in future to help lift the costs from business.

**Mr. Harry Barnes** (North-East Derbyshire): Is my right hon. Friend aware that all examples of entrepreneurial zip are not necessarily to be welcomed? In connection with the minimum wage, there is some indication that some employers are attempting to decrease hours so that they will not have to meet the increased payments to their work force. Will that matter be examined carefully and reviewed, and will such a review lead to action in future?.

**Mr. Byers:** The National Minimum Wage Act 1998 has been drawn up in such a way as to limit any opportunities for the type of abuse to which my hon. Friend refers. Clearly, one of the reasons why the Low Pay Commission has been kept in being is to ensure that we can review the Act's workings and operation. If there are specific examples of such abuse, I would urge him, in the first instance anyway, to draw them to the commission's attention.

**Mr. John Redwood** (Wokingham): How does the Secretary of State have the gall to present a competitiveness White Paper when everything that the Government do makes it dearer to make things in Britain and to do business in Britain? The Minister for Small Firms, Trade and Industry actually called for more regulation in a recent interview in *The Birmingham Post*.

Will the Secretary of State accept that he is to competitiveness what Lord Sainsbury is to organic farming and Brussels is to the London art market? Does he not agree that the Brussels tax plans will kill London as an art market? I hope that he does not find that amusing. Will he guarantee that he will stop any new tax on the British art market coming from Brussels? Does he agree that such a tax would take the business out of London to New York? Will he give a guarantee—yes or no?

**Mr. Byers:** The right hon. Gentleman may be slightly confused. The issue that is being debated today in Europe is not a tax, but a royalty for artists. He should be aware of that.

### National Minimum Wage

9. **Mr. John Heppell** (Nottingham, East): If he will make a statement on the action he has taken to raise awareness of the national minimum wage among businesses and employees. [71605]

**The Minister of State, Department of Trade and Industry (Mr. Ian McCartney):** We are committed to informing businesses and employees about the national minimum wage and how the rules work. It is essential for as many workers and employers as possible to know their rights and obligations. My Department is already issuing preliminary guidance and preparing detailed guidance for release once the National Minimum Wage Regulations 1999 have been debated. There is a live national minimum wage helpline for guidance on individual cases and a

website. We will be backing that up with other publicity measures over the coming weeks, which will be announced by my right hon. Friend the Secretary of State.

**Mr. Heppell:** I thank the Minister for that response and welcome his earlier comments about how well business is receiving the national minimum wage. However, what measures does he plan to have in place to ensure that people who are employed by the small number of unscrupulous employers who try to disregard the regulations on the national minimum wage have the confidence to speak out about the fact that those regulations have been broken, without fear of discrimination in the workplace?

**Mr. McCartney:** First, I can give an absolute guarantee that there will be a new, day one right for employees to claim the national minimum wage and not to be sacked or disciplined. For those who want to act on behalf of another worker to claim that right, there will be another new, day one right—the right not to be sacked or disciplined for claiming the minimum wage on behalf of that individual.

Secondly, we are changing the law on the burden of proof to ensure that the employer has to prove that he has paid the minimum wage once a complaint has been made. Employers are working with the Inland Revenue and Contributions Agency for the fair and effective implementation of the minimum wage. A significant number of employers are on side because they are sick and tired of being undercut not just on the quality of goods and services, but by the downward spiral of wages. That is why the minimum wage is as popular among employers as it is among low-paid workers.

**Mr. John Bercow** (Buckingham): Is the hon. Gentleman aware that a survey of 350 small and medium enterprises in my constituency, from Buckingham to Aston Clinton and from Long Crendon to Wing, shows that those companies are only too well aware of the imposition of the national minimum wage and are profoundly hostile to it?

Moreover, given the importance of learning from the successful experience in other countries, will the hon. Gentleman today pledge that he will conduct a full study of the legislation that was introduced in the United States—the Regulatory Flexibility Act 1980 and the Small Businesses Regulatory Enforcement Fairness Act 1996—and send me the result of his homework before the Easter recess?

**Mr. McCartney:** The hon. Gentleman is in danger of being done under the stalker legislation because he been at me about the same question for the past three months. He seeks me here, he seeks me there, he seeks me everywhere. I have already given him a commitment about that in Committee. If I can find time, I will gladly read the documents that he wishes me to read, but the most important documents that I will read and have read are the National Minimum Wage Regulations and the National Minimum Wage Act 1998. Overwhelmingly, small business supports the minimum wage. I am looking forward to its introduction on 1 April. Perhaps if I give the hon. Gentleman a commitment to read that document, he can give me a commitment that, at the next election, he will campaign for the retention of the national minimum wage.

## Points of Order

12.30 pm

**Mr. Roger Gale** (North Thanet): On a point of order, Madam Speaker. On Monday afternoon, you were gracious enough to allow the Home Secretary to make a statement to the House on the leak of the Stephen Lawrence report. At the end of the statement, the Home Secretary said:

> "The whole report will be published in full to Parliament on Wednesday, as planned; but it was and remains plainly contrary to the public interest for there to be selective and premature disclosure of a judicial inquiry."—[*Official Report*, 22 February 1999; Vol. 326, c. 23.]

I entirely endorse those sentiments—as I believe that you do, too.

The Home Secretary published the report yesterday. Again, you were gracious enough to allow him to make a statement to the House. The report and the appendices were then made available to Members of Parliament and to the press. A copy of the appendices currently resides in the Library.

About an hour ago, I went to the Vote Office to request a further copy of the report and the appendices. I was astonished to discover that, early this morning, the Home Office had given instructions that the appendices should be withdrawn.

I went to the Library to inquire whether any reasons for the withdrawal had been given. The Library, with its usual efficiency, established for me that, apparently, the appendices had been withdrawn, on the Home Secretary's instructions, because they contained confidential information that should not have been published.

It would appear that the Home Secretary may have permitted to be published, and to be placed in the public domain, material that could prejudice a re-trial of those believed to be guilty. If that is so, it is a very serious matter indeed and calls into question the Home Secretary's position.

Has the Home Secretary indicated to you that he wishes to come to the House to make a statement, to say why he withdrew that document this morning, without notice to the House?

**Sir Norman Fowler** (Sutton Coldfield): Further to that point of order, Madam Speaker. I have only just heard about the issue—which is a very important one, as the appendices and the information in them have been heavily reported in the media. To put the matter at its mildest, if the document has been withdrawn for a reason, the House and also the media will need some indication of why that has been done and which parts of the appendices have been withdrawn.

Much of the information is already in the public domain, and much of it is germane to the debate itself. Many hon. Members will speak in the continuing debate on the Lawrence report on the basis of the information given. We need urgent guidance from the Home Office on exactly what is happening, and on why the document has been withdrawn.

**Madam Speaker:** I understand that volume II of the Lawrence report, which contains the appendices, has been withdrawn from the Vote Office. My understanding—I have not made direct inquiries because, as I am sure the House will appreciate, I have not had the opportunity to do so—is that the volume was withdrawn because it contained some inaccuracies, but is to be replaced very soon.

As the right hon. Member for Sutton Coldfield (Sir N. Fowler) and the hon. Member for North Thanet (Mr. Gale) will be aware, the report is the responsibility of the Department. I trust that the Department will ensure that the replacement is made available as soon as possible. The House can be certain that, as soon as I leave the Chair, I shall use my best endeavours to ensure that that is done.

**Mr. Tam Dalyell** (Linlithgow): On a point of order, Madam Speaker. The brutal gunning down and murder of the Ayatollah Muhammad al-Sadr in Najaf last week is roughly the middle eastern equivalent of the murder of Thomas à Becket, and is creating great difficulties in not only Iraq but the whole Shi'ite world. It has been widely said in the Arab press that that act was not the responsibility of the Iraqi regime, whose interests would hardly be served by such a public murder, but has to do with opposition groups financed by the west. That is what is being said, rightly or wrongly. Have you had any request from the Foreign Office to make a statement in response to what is so widely thought and believed, rightly or wrongly, in the Arab world?

**Madam Speaker:** I am not aware that the Foreign and Commonwealth Office is seeking to make a statement today.

**Mr. James Gray** (North Wiltshire): On a point of order, Madam Speaker. I had hoped to bring to the notice of the Leader of the House a serious breach of clause 79 of the ministerial code of conduct, which relates to the long-standing tradition of the House that Ministers should inform Back Benchers whose constituency they are going to visit. The right hon. Lady visited my constituency last Tuesday, but the first notice that I had was an article in the *Malmesbury Standard*. By coincidence, on the same day the right hon. Lady answered a parliamentary question from me listing the constituencies that she had recently visited and failing to list mine. Would it be appropriate for you to remind Ministers about that important clause?

**Madam Speaker:** I had hoped that we were sufficiently far into this Parliament for all hon. Members to be able to resolve such matters between themselves and not raise the issue in the House. I expect all Members of Parliament, including Ministers, to have the courtesy to inform others when they visit their constituencies.

## Welsh Affairs

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Pope.]*

12.36 pm

**The Secretary of State for Wales (Mr. Alun Michael):** Just over two months from now, the first elections to the National Assembly for Wales will mark the biggest ever change in Welsh government. That delivers one key promise made by Labour in 1997, but in looking forward to the exciting time ahead, it is important to take stock of what else the Government have achieved in the short time since May 1997. We can celebrate St. David's day on Monday safe in the knowledge that a Labour Government are delivering on the key pledges that we made to the electorate when we asked for their trust in the general election. The six pledges that we made to the electorate in Wales struck a chord because they represented the real priorities of ordinary people: proper jobs for young people and the long-term unemployed, smaller class sizes, shorter waiting lists for the national health service, swift action on youth offending, creating a sound economy and greater democratic control of Welsh institutions.

Those remain the people's priorities. Since taking office as Secretary of State for Wales, I have undertaken a programme of open and inclusive public meetings around Wales. At a meeting in Aberystwyth last Thursday, questions rained in from Plaid Cymru, Liberal Democrats, Labour party members, Cymdeithias yr laith Cymraeg, students of politics, trade unionists, councillors and ordinary members of the public. Those meetings have given me an opportunity to hear at first hand about the issues that concern people at national and local level. The issues that our key pledges addressed remain at the top of the agenda: jobs, education, health, economic stability, law and order, and, underlying them all, the need to combat poverty and social exclusion.

On 6 May—two years and five days after the general election—we will elect the National Assembly for Wales, which will face real challenges and real opportunities.

**Mr. Barry Jones** (Alyn and Deeside): I congratulate my right hon. Friend on the outcome of last Saturday's ballot and wish him well in the important work that he has to do for the people of Wales. When will we know the outcome of the review of the assisted areas in Wales? Will he take on board my constituency's urgent need to be assured that it will not lose its status? The aerospace industry in particular is looking to him for a positive outcome.

**Mr. Michael:** I am well aware of the needs of my hon. Friend's constituency and his passionate advocacy of the needs of its industries, some of which I have had an opportunity to visit with him. I understand that he has had a constructive meeting with the Under-Secretary of State for Wales, my hon. Friend the Member for Neath (Mr. Hain), on those important issues. He will be aware that we want an outcome to the assisted area status review as quickly as possible. Work is going on, but there is more to be done before the Government will be able to announce the way forward.

Devolution presents the chance not just to set up a new political institution, but to establish new and better ways of working. I am determined to ensure that the National Assembly for Wales will not mimic the traditions of Westminster and Whitehall, which have often seemed alien, aloof and distant to us, never mind to ordinary people. The Assembly must lead a partnership in Wales that draws in and mobilises all the positive forces in Welsh society—from local government, from the voluntary sector, and from the two sides of industry.

I firmly believe that the National Assembly will reinvigorate government in Wales, which atrophied under the Tory viceroys of the 1980s and 1990s. That is not only my view. When we advertised externally for new middle managers, we received more than 1,000 applicants for little more than a dozen jobs. Many of the successful applicants said that they would have been less likely to consider working for the Welsh Office had it not been for the prospect of the National Assembly.

It is crucial that everyone in Wales, wherever they live and whatever their political opinion, should be able to make their voice heard in the Assembly. I am confident that we will achieve that. In the Assembly, we will create a modern democratic institution for the people of Wales; one of which we will all be proud.

That institution, like the Welsh Office, will be judged by what it delivers. I am bending all my efforts to preparing the ground for the Assembly to succeed. It is a major challenge, given the state of Wales when the Tories were swept out in 1997. Let me focus first on our pride and joy—and our biggest challenge—the NHS in Wales.

We promised to bring down NHS waiting lists and to tackle underfunding. We have made a start, and we will fulfil our pledge, although I would be the first to admit that we underestimated the horrendous scale of the problems bequeathed to us by our predecessors.

We have already invested £20 million in bringing down waiting lists, which have fallen by almost 4,700 since August 1998, and by allocating more than £1 billion in additional funding to the NHS over the next three years—an increase of more than 6.4 per cent. per year—we have shown that we are serious about moving towards our goal. However, the problems of the NHS are not just about underfunding; they also involve structure and philosophy.

The Government have transformed the malign and destructive approach to health and the provision of health services that we inherited. Since May 1997, we have moved to replace the divisions of the internal market with a new collaborative approach to service planning and provision and devolved decisions to local communities. The Health Bill will abolish GP fundholding with its inherent discrimination, drive up the quality of health services and promote the development of integrated services by breaking down the barriers to effective partnership. We have produced proposals for improving the health of the people of Wales and the measures that we and our partners should take to deliver our plans. In December I announced my plans to create a single health service in each part of Wales and to reduce the number of trusts in Wales by nearly half. That will improve standards of clinical care and release £7 million from bureaucracy to be reinvested in patient care. We have made the recruitment and retention of nurses a priority and improved their pay and conditions.

Those changes have replaced the division and confrontation of the Tory years with policies that promote co-operation and integration. It is only a start, however, and I am determined to move quickly into the next crucial

*[Mr. Michael]*

phase of our reforms of the NHS. Having grasped the difficult nettle of reorganising NHS trusts across Wales and creating a single health service, I will be making an announcement on the future for Cardiff and the Vale of Glamorgan in a few days time to put in place the final piece of that particular jigsaw. I am also about to announce the future role and composition of community health councils in Wales.

Let me again stress the clarity of our vision: a single model of integrated health services across Wales, with acute mental health and community services working together, service planning devolved to local communities through local health groups and the national health service working in partnership with local government and others. Our distinctive vision to improve care and raise standards of health has been widely welcomed and the progress being made in establishing local health groups is really good news.

Much remains to be done, however. It is still only a start and there are other nettles to be grasped. Let me be clear. The Tories left the NHS in a parlous state. We have to put right their neglect. One of my predecessors, the right hon. Member for Wokingham (Mr. Redwood) believed that the hidden hand of the internal market could be left to run the health service in Wales. His legacy was an NHS and a Welsh Office shorn of the expertise and experience necessary to run a £2.4 billion service. It also left health authorities in Wales with funding and service problems which have to be resolved. I am determined to tackle those problems. I am deeply unhappy with a situation in which the Welsh Office is making loans to Welsh health authorities to cover operational deficits that must be repaid from future years' resources. That situation is intolerable and it must be sorted. I promise the House that it will, indeed, be sorted.

The same Secretary of State, pursuing his bizarre policies of devolution of blame, stripped out management expertise and NHS experience from the Welsh Office. No wonder there is a mess. We are now acting on an expert report by Sir Graham Hart. Through open competition, we are recruiting staff to strengthen the professional team in NHS Wales at director level.

In parallel with that internal strengthening of capacity, I can announce today that I am commissioning a major stocktake of the NHS in Wales, which I want to be available for the Assembly when it assumes its powers on 1 July. The first dimension of the stocktake is a review of the financial health of the NHS in Wales and the quality of service delivery. Following a recent meeting with the chairman and senior officers of the Audit Commission, I will explore in detail, in the next few days, ways in which the commission can assist with the review. The commission has already expressed its enthusiasm for this approach.

The second dimension is a review of the present arrangements for long-term planning in Wales, which includes the contributions that can be made to this process by all the key stakeholders—professional, managerial and public. In the next fortnight, I shall meet the Welsh Office team and then the top team from every NHS trust and health authority in Wales to discuss the project, respond to questions and ensure that its importance is fully understood.

I am sure that hon. Members will accept that it is right to go beyond our election promises and seek to tackle the most deep-seated problems of our public service. That is what I intend to do. The same applies to education.

In our general election campaign, we promised to cut class sizes for five to seven-year-olds. We have done so, as part of a new crusade for higher educational standards throughout Wales. We are well on our way to meeting our pledge that no five, six or seven-year-old will be in a class of over 30 pupils by the end of this Parliament. This year, we have provided earmarked funds to allow an extra 270 teachers to be employed, releasing 23,500 infants from classes of over 30. We will invest a further £34 million over the next three years in order to fulfil our pledge.

More generally, we have set about reforming our whole education system. We inherited a system buffeted by too many policies ill-suited to the needs of Wales. We have moved quickly to establish a clear strategy for the future. That includes the first ever education White Paper for Wales, "Building Excellent Schools Together", which sets out the Government's proposals for raising standards in Welsh schools.

We are investing so that our young people can receive the education that they deserve. Next year, there will be an additional £70 million for local authority education budgets, with even larger increases over the following two years. The scale of the investment will make a real difference and the fact that it is over three years will allow schools and authorities to plan for the future and to use the resources to best effect.

A further £140 million will support the professional development of teachers. I have announced a major initiative to support and restore schools and youth music—the orchestras, bands and choirs that are the doorway to opportunity for so many of our young people. The overriding purpose to all of the investment is to raise standards, which is absolutely central to our agenda for Wales. The evidence from examinations and assessment is that we are making encouraging progress, but we have a long way to go to reach the demanding targets that we have set.

We will achieve those targets only if pupils develop the key skills of literacy and numeracy. Good language skills are fundamental to all learning and to a child's success in later education and throughout life. We have already targeted work on literacy in primary schools—early results are encouraging and that work will continue—but I now want an equally sharp focus on numeracy, and we recently announced a £2 million programme aimed at ensuring that all schools reach the numeracy standards of the best.

Education is not only about schools or about building a sound basis for a modern economy, although it is true that without a dramatic improvement in our skills in Wales we will not be able to compete in the knowledge-based economy of the new millennium. Education is also about enhancing the life chances of the most dispossessed in our society. That truth was brought home to me on the individual level as a youth worker in Cardiff 20 years ago and was reinforced as I saw young people's chances of a job and a decent life destroyed by the Thatcher Government. That is what made me angry enough to stand for Parliament. I am absolutely determined to make sure that neither the Welsh Office nor

the Welsh Assembly let down those young people and that is why I was proud to be part of the Labour team which put the new deal in place.

**Mr. Paul Flynn** (Newport, West): My right hon. Friend will recall that under the previous Government certain schools in Wales, often the most prosperous and in the most favoured areas, received extra financial help and other schools, which were sorely in need, were neglected. Will he ensure in his allocations to schools that that shortfall is made up in favour of the schools in deprived areas?

**Mr. Michael:** I am happy to confirm that it is our policy to combat unfairness and neglect and to be fair to all schools, especially by recognising the problems with which they seek to cope. Some schools have tackled problems with great fortitude and courage, but they have not been able to match the finances available to other schools. I mentioned the money that I have put into schools music and it is noticeable that some schools in better-off areas have been able to maintain their involvement in schools music, but schools in worse-off areas, which face the pressures that my hon. Friend mentioned, had to let it slip. It is very important that opportunities should be fully available to every child in every school and that the inequalities are tackled.

I was especially delighted to be able to announce earlier this month that—as part of the record increase of £844 million for education and training in Wales over the next three years—there will be a major boost for further education. More than £120 million of extra funding will be available for further education, bringing Welsh spending on FE to more than £200 million each year. That will allow the number of students at further education institutions to rise by at least 28,000 by the academic year 2001–02. Together with an increase of 8,000 students in higher education, that will more than meet Wales's share of the target of 500,000 extra students announced by my right hon. Friend the Prime Minister. I was pleased to announce those figures at Coleg Glan Hafren in my constituency, where changes in the way that further education opportunities and sixth-form education are offered have increased the proportion of youngsters staying in post-16 education and training from one third to almost a half in the catchment area. Those figures have been maintained in recent years.

I mentioned new opportunities for young people. Our promise was to take 250,000 young people off the dole and put them into work. On that pledge, too, we are well on the way to success. The new deal is one of the great success stories of this Government—in Wales as throughout the country. Less than eight months after the election, my hon. Friend the Member for Neath (started the new deal for 18 to 24-year-olds in the Swansea and west Wales pathfinder district. In April 1998, that was extended to the whole of Wales. By November 1998, nearly 3,700 young people in Wales had already been placed in real jobs through the new deal and more than 13,000 Welsh youngsters had started the new deal.

The new deal for young people is the cornerstone of our efforts to combat the hopelessness of life on the dole, but it is only one part of the Government's commitment to welfare to work. Since the end of June 1998, the new deal for those over 25 has offered support through subsidised employment or full-time study to those who have been unemployed for two years or more. That complements the existing provision available through the Employment Service, training and enterprise councils and FE colleges. In less than six months, more than 4,300 people in Wales had joined the schemes, while the new deal for lone parents had attracted 2,500 parents, with nearly 900 of them either obtaining jobs or increasing their working hours.

I recently announced the location of a second tranche of employment zones in Wales, which will start operating in April 2000. Those zones will target help at communities with some of the highest rates of long-term unemployment in Wales. The new zones will enable us to build on the work of the prototype zone in north-west Wales, which by December 1998 had provided help for more than 500 people, 65 of whom had found work.

I should like to underline the fact that, as ever, the numbers and figures that I mention refer to individual people, their families and communities. So it is important to bring these points home to the House.

**Mr. Ian Bruce** (South Dorset): Are not the employment zones an acknowledgement by the Government that there is a difficulty with the new deal? It is not that the new deal is not accomplishing a lot of good in many constituencies, but that people are not taking up the subsidised jobs. If the Secretary of State is admitting that there is a difficulty, I welcome the fact that the Government are learning from their mistakes.

**Mr. Michael:** The hon. Gentleman is entirely wrong, which is not unusual. The employment zone approach is entirely separate. The first such zone that I referred to was started in north Wales, and paralleled the launch by my hon. Friend the Under–Secretary of the prototype for the new deal in south Wales. We have looked at what works and are building on that. We are serious about this matter and, unlike the hon. Gentleman, are not interested in trying to score cheap political points.

The new zones, selected on the basis of unitary authorities with a high share of unemployed people aged 25 and over, will provide support for up to 3,000 people over a two-year period.

**Mr. Bruce:** It was a serious question.

**Mr. Michael:** I get a bit sharp when members of the Conservative party start talking about unemployment. Given the unemployment that the previous Government caused in Wales and the hopelessness that they created in our young people, I think that we are entitled to be angry. We are doing something about those problems, and I hope that the hon. Gentleman will start to take a constructive interest.

The next of our key pledges was to cut by half the time from arrest to sentencing for persistent young offenders—another area in which the previous Government failed. We have kept that pledge through the Crime and Disorder Act 1998. I am proud to have been associated with that key piece of legislation in my previous role at the Home Office. It is a key piece of legislation for every community in Wales.

The 1998 Act has introduced far-reaching changes to the youth justice system and goes far beyond the knee-jerk reactions to offending that characterised the last

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Administration. It will help build safer communities, reform youth justice to nip things in the bud, and reduce offending by young people. It will speed up the criminal justice system and lead to a long-term improvement in the performance of the criminal justice system and public confidence in it.

The 1998 Act states explicitly that the principal aim of the youth justice system is to prevent youth offending. One of its key provisions is the setting up of crime and disorder reduction partnerships in every local authority area, which will bring together local authorities, the police, the probation service, health authorities and others. The partnerships will develop local crime reduction strategies, to be in place by April 1999.

I am pleased that two Welsh partnerships, at Swansea and Gwynedd, have been selected as pathfinder sites to be visited by the Home Office task force.

**Mr. Nigel Evans** (Ribble Valley): The Secretary of State is talking about law and order, a matter that is important in Wales and throughout the United Kingdom. Will he say whether, since the general election, there are more bobbies on the beat in Wales now, or less?

**Mr. Alan W. Williams** (East Carmarthen and Dinefwr): Fewer.

**Mr. Michael:** Fewer: the hon. Gentleman should get his grammar right. I know that we have moved on from education, but I wish that Opposition Members would improve the standard of their contributions.

The Government are backing the legislation with a crime reduction programme for England and Wales costing £250 million. The programme will give grant aid to evidence-based research projects capable of being replicated elsewhere. I assure the House that I will be tireless in my efforts to make sure Welsh communities lead the way in developing such new approaches.

Moreover, I am determined that partnerships will develop across Wales. Schools such as Dwr y Felin in Neath and Holyhead comprehensive in Ynys Môn have shown how young people can be part of the solution, not just part of the problem. In Merthyr Tydfil, the Safe Merthyr project has had stunning results. In Wrexham, neighbourhood watch has teamed up with young people in an award-winning partnership. And at the accident and emergency unit in Cardiff, Professor Jon Sheppherd and the whole medical team are helping to cut violence by working with the police, with the organisation Victim Support, and with the City council. I have asked every health authority and health trust in Wales to pick up on those lessons and put them into practice. Under the Assembly, I believe that these innovative approaches will become the norm.

**Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy): The right hon. Gentleman and I have had many debates on home affairs over the years, and we have often been on the same side. What application does he envisage of the weird and dangerous principle being propounded by his right hon. Friend the Home Secretary of interning people who may at some future point be dangerous?

**Mr. Michael:** The hon. Gentleman raises an interesting point that cuts across issues affecting the health service as well as community safety. The Home Secretary will take the lead on the issue, but the dilemma we face is quite simple. Some individuals are identified as having severe personality disorders. I have seen the prognosis on some of those individuals, and the documents state that they cannot be treated under mental health legislation, but are very dangerous. That occurs with some of the most serious sex offenders as well as people who commit violent offences.

The difficulty is that the prognosis that people cannot be treated ends one part of the story for the health service, but the other part is that the criminal justice system cannot lock up someone to protect the public from him or her until that person has committed an offence. There is a gap between the two systems, into which falls the identification of a serious risk to both the public and the individual concerned.

That is the problem that my right hon. Friend the Home Secretary is seeking to tackle. It is difficult to balance the protection of the public with the liberty of the individual, and the problem has been left untackled for many years. My right hon. Friend, our colleagues at the Department of Health, and I, when it comes to health matters in Wales, will seek to tackle the problem, and the House will have to grapple with the balance between the principles of public protection and individual freedom. The problem will not go away, and I am grateful to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) for raising it. I look forward to debating it with him further in future. I am sure that he will agree that it is a serious problem and that we need to tackle it.

The Government are determined to break once and for all the vicious cycle of drugs and crime, which wrecks lives and threatens communities. Police forces estimate that around half of recorded crime has some drug element to it, and there are serious issues to be tackled in Wales. The Welsh drug and alcohol misuse strategy "Forward Together" has been reviewed in the light of the new UK strategy, and a report on the implications for Wales has been provided to Keith Hellawell, the UK anti-drugs co-ordinator, whom I met recently to discuss the Welsh dimension.

Following the review, I can announce my intention to relaunch the Welsh drug and alcohol strategy to reflect many key elements of the UK strategy, in particular its emphasis on tackling the social causes of substance misuse. It will promote the adoption of the partnership approach and build on the good work already done.

In our key pledges, we promised to provide sound economic management for our country, and that we would not, in doing so, raise income tax rates. As a Government, we have fulfilled that pledge. Inflation is low. Government borrowing has been cut by £20 billion. Long-term interest rates are at their lowest for 40 years. Yet, for the next three years, we will be able to provide massive new resources for health and education in Wales, as in England, Scotland and Northern Ireland.

**Mr. John Smith** (Vale of Glamorgan): Before my right hon. Friend moves on from management of the economy, will he join me in welcoming the Prime Minister's statement earlier this week on preparations for a single currency? That statement went down extremely well with Welsh business and commerce. The devastation caused to our primary industries by the Conservative party over two

decades has made Wales the region of the United Kingdom most dependent on trade with the European Union. The people of Wales will view the Opposition's policy of ruling out the single currency for 10 years with absolute disbelief in the run-up to the Welsh Assembly elections.

**Mr. Michael:** I agree with my hon. Friend. Despite the Opposition's attempts to spread confusion, the Prime Minister's statement was widely welcomed, particularly in Wales, by both business and farmers, on whom the policy will have a considerable impact.

**Mr. Dafydd Wigley** (Caernarfon): The Secretary of State mentions the substantial additional resources that the Treasury has put at the Welsh Office's disposal as a result of the economic management of the past two years. Will he give an assurance that the Treasury will be forthcoming with the matching funds that are needed to ensure that Wales can get the full benefit of objective 1 money, if we succeed in obtaining objective 1 status when the decision is taken next month? Is he prepared to put his own neck on the block in delivering that, given that, during the recent election campaign, he said that he could have such an influence on Government Departments in London?

**Mr. Michael:** I am delighted that the right hon. Gentleman is at last willing to lead with his chin in the House, as he does in the newspapers. Such an election ploy is obvious when it comes from his quarter, and it appears to be the only ploy that Plaid Cymru currently has, other than generally rubbishing the achievements of the Labour Government.

**Mr. Wigley:** Answer the question.

**Mr. Michael:** The right hon. Gentleman knows the answer—it is straightforward. When we have a decision from Europe, there will be discussions involving Treasury colleagues, in which we shall consider the way in which the UK Government will fulfil their obligations and enable Wales to draw down the finances available under objective 1 status, which we are satisfied that we shall be able to achieve.

**Mr. Wigley:** Will the right hon. Gentleman give way?

**Mr. Michael:** The right hon. Gentleman must be patient. He is not usually patient, as was shown when he rubbished the Government's attempts to get objective 1 status for Wales. He said that a Labour Government would not succeed in obtaining objective 1 status, but we did succeed. The right hon. Gentleman has not yet apologised for his misrepresentation but, in the fullness of time, he will have to do so.

**Mr. Wigley** *rose—*

**Mr. Michael:** Does the right hon. Gentleman want me to give way again?

**Mr. Wigley:** Yes, I do want the Secretary of State to give way. Does he accept that, months after Cornwall had made its application for NUTS 2 area designation and after the application was in from South Yorkshire, the Welsh Office were miles behind and nearly missed the boat? Had it not been that in March last year, at the last minute, the Welsh Office woke up to that fact, Wales would have totally missed objective 1 status. The danger now is that we shall miss the ability to make use of that status unless the Secretary of State wakes up and gets the Treasury on side. We in Wales are looking for an absolute commitment, not "ifs" and "buts" or "we shall see in two months time when the election is over". We want a categoric assurance and we want it now.

**Mr. Michael:** Listening to that artificial rant, I thought that Rod Richards had rejoined the House of Commons, for the right hon. Gentleman is singing a Tory tune. He knows that the content of his remarks is as artificial as the tone in which he made them.

**Mr. Wigley** *rose—*

**Mr. Michael:** The right hon. Gentleman should listen for a moment. He knows that questions about how the money will be delivered and how the UK Government will deliver on their responsibilities cannot be asked until the details have been received from Brussels.

**Mr. Wigley:** Of course they can.

**Mr. Michael:** Perhaps the right hon. Gentleman should read the comments of Professor Kevin Morgan. In contradiction of the press release that was wandering around yesterday suggesting that there was a problem—no doubt it was inspired by someone close to the right hon. Gentleman—Professor Morgan confirms that the Welsh Office is playing the process absolutely right. The Welsh Office played the provision of evidence for objective 1 status absolutely right, which is why we are on the verge of winning it. While we are on the subject, what happened to the case of champagne that the right hon. Gentleman promised Welsh Office Ministers? It does not appear to have arrived yet—although, in the interests of objectivity, perhaps it should be delivered to you, Madam Speaker, rather than to Welsh Office Ministers.

I say in all seriousness to the right hon. Gentleman that he must not talk Wales down or try to undermine the position of the Welsh Office in negotiations with Ministers in other Departments and with Europe. We shall do the job for Wales, I promise, and no rant of his will improve our position. I ask him to think seriously about the comments he makes and to contribute to debates a little more responsibly than he contributed to this morning's *Western Mail*.

**Mr. Wigley:** Will the right hon. Gentleman give way?

**Mr. Michael:** Of course I will give way.

**Mr. Wigley:** I am grateful. Of course, I keep my promises—and I will provide a crate of champagne that the right hon. Gentleman and his predecessor can share when Wales gets objective 1 money. I ask only for an equal promise and commitment that the Treasury will provide matching funds.

**Mr. Michael:** As I said at the outset, I recognise the right hon. Gentleman's election ploy of asking a question that he knows will be answered in the fullness of time

*[Mr. Michael]*

as a result of the discussions that we will have with our colleagues in Government. I promise the right hon. Gentleman that we will fight Wales's corner as strongly within the United Kingdom Government as we will fight it in Europe. I give that pledge to the right hon. Gentleman and the House in all seriousness. I accepted this job and chose to stand for the position of First Secretary to the Assembly in order to fight Wales's corner, and I promise the right hon. Gentleman that I will deliver.

**Mr. Alan W. Williams:** I congratulate my right hon. Friend and his predecessor on winning objective 1 status for Wales. He has presented a patient, long-term argument, and I admire my right hon. Friend for now pressing for matching funds. Having listened to the ranting and raving of the right hon. Member for Caernarfon (Mr. Wigley), it comes as no surprise to learn that Caernarfon has the highest unemployment in Wales. That is what ranting and raving does: it destroys jobs. We want the quiet, tactful diplomacy and the hard work that my right hon. Friend will bring to his task.

**Mr. Michael:** I am grateful to my hon. Friend for his comments. I do not wish to get involved in a personal debate with the right hon. Member for Caernarfon (Mr. Wigley), but he is correct in saying that serious work must be done in Government. I pay tribute to my predecessor, my right hon. Friend the Member for Caerphilly (Mr. Davies), and to the junior Ministers, for playing their role in completing the day-to-day work so that we may now hope to receive objective 1 status shortly. We then face the serious task of transforming the Welsh economy. We have created a national strategy for Wales in which we are engaging every sector of the economy. That is a serious job, and I look to Opposition Members, as well as to my right hon. and hon. Friends, to show unity in fighting the cause for Wales rather than creating divisions within Wales.

**Mr. Richard Livsey** (Brecon and Radnorshire): We have heard some rather ranting rhetoric in the past 10 minutes. Does the Secretary of State agree that it is most important to work now on projects for objectives 1 and 2 status? Communities in Wales must work very hard to ensure that they attract objective 1 funding and so create more employment in Wales.

**Mr. Michael:** I agree with the hon. Member for Brecon and Radnorshire (Mr. Livsey), who makes a positive contribution to the discussion. Much work is being done at present to develop the strategy, which will be open for consultation as soon as it is completed. It has been an open and participative process. I agree entirely with the hon. Gentleman that organisations and bodies throughout Wales should consider submitting applications, not just for objective 1 status, but in all areas where we are offering support—whether it is sustainable development through the strand of funding that I launched when I visited the hon. Gentleman's constituency, or through the strand of social inclusion.

On that point, I refer the House to two themes that are drawn from all that I have put before it today: partnership and social inclusion. They underpin a great deal of what the Government are seeking to achieve in Wales. We are working in partnership with local government, the voluntary sector, business and trade unions. The Welsh Office is no longer a fortress ruled by an out-of-touch and alien Tory high command, but a team that looks outward for inspiration, ideas and assistance in creating a new and more prosperous Wales. The National Assembly will be in a strong position to build on those achievements.

Promoting social inclusion is at the heart of my policies for Wales and informs all of the specific strategies that we have developed for Wales. Our economic strategy, "Pathway to Prosperity", is about tackling low incomes and spreading prosperity to the valleys and west Wales. The "Building Excellent Schools Together" and the "Learning is for Everyone" strategies for education are about tackling the skills and qualifications deficits that keep people out of mainstream opportunities. The "Better Health, Better Wales" strategy is about finding radical new ways of tackling the appalling health problems that afflict those who live in our poorest communities.

As well as that crucial mainstream work, we are investing in targeted strategies for the most vulnerable groups and the most excluded communities. I particularly want to highlight the social inclusion fund to which I have allocated £48 million over the next three years. We shall use that money to stimulate new approaches to fill gaps in service provision and make more effective use of mainstream resources to push forward our onslaught on social exclusion.

Soon, I shall consult the Welsh Local Government Association about how best to use those resources to tackle the most pressing issues, with a specific commitment and priority to reduce the risks of social exclusion among young people in Wales.

Our aim is to make a difference to the prospects of everyone in Wales, including those at the bottom of the heap, and I have absolutely no doubt that it will be at the top of the Assembly's agenda. Success means finding new approaches and doing what we are doing, but in better and smarter ways, so that we can invest in what works, in partnership with agencies. That will be central to the work of all public agencies in Wales.

I am grateful for this opportunity to report on some of the Government's major achievements in Wales and the work ahead. There have been achievements and progress on many fronts. In future, we must build on the work towards winning European Union objective 1 funding for a major part of Wales. Our policies also include support for enterprise and small businesses; assistance to farmers at a time of crisis and efforts to add value to our agriculture; and measures for the environment, sustainable development and equal opportunities.

There is also a range of wider issues on which we are delivering more than we ever dared hope, such as incorporation of the European convention on human rights into UK law, the minimum wage, reform of the House of Lords and much more. Such matters affect the quality of life and future hope for people in Wales.

I should also mention transport, which we debated at length in the Welsh Grand Committee at Aberaeron this week. Returning from that meeting, I had to stand on a Sprinter train for the 50 miles between Neath and Newport because of the cancellation of the InterCity service. I suspect that if that had occurred before the debate, the points made by hon. Members of all parties

about rail services would have been a great deal stronger and more heated. That was a salutary reminder of how much work is still needed to make good the damage done to our transport system by 18 years of Tory Government.

At least I was in good company with the Under-Secretary of State, my hon. Friend the Member for Neath and officials as well as members of the public, who made it clear that their patience and good humour should not be taken for granted—they want the problems sorted out. That is why I am delighted that the Deputy Prime Minister, backed by the Prime Minister, is leading the transport summit, to demonstrate how important it is to drive forward change and improve transport services.

We have made great progress but we have much to do. I am pleased to say that the National Assembly for Wales will inherit a live and active agenda with many challenges, but also with the foundations, the flexibility and great opportunities to deal with the issues of greatest concern to the people of Wales.

1.18 pm

**Dr. Liam Fox** (Woodspring): Any hon. Members who had entered the Chamber halfway through the Secretary of State's speech might have thought that they were entering a domestic dispute, given the language used by the right hon. Gentleman and the right hon. Member for Caernarfon (Mr. Wigley). However, I have some sympathy with the Secretary of State when he is accused of being almost late in making an application. In English, we have a phrase for "almost late"—it is "on time". Some parties with no experience of government would do well to take on board the fact that Ministers tend to work closely to set timetables.

I congratulate the Secretary of State on his spectacular and commanding win at the weekend, which I am sure will boost his authority in his own party no end. Interestingly, he began by saying that he hoped that the new, all-inclusive, cuddly and winceyette politics of devolved government in Wales would not mimic the traditions of Westminster. He is, of course, in a unique position: I doubt whether other Members could appear on television saying that they believed that they had less support than their opponent in an election but that none the less they would win, and subsequently be proved right. That is certainly a departure from the democratic traditions of this place.

I hope that the Secretary of State will depart from tradition and give some straight answers. I was disappointed that when he was asked a perfectly straightforward question by my hon. Friend the Member for Ribble Valley (Mr. Evans), he chose to concentrate on a grammatical point rather than answering. However, I am not sure whether "fewer" was his answer or his correction, since he would have been correct in either case. Perhaps he would clarify that later.

I hope that this will not be the last debate of its kind in the House, and that, as we move towards the establishment of the Welsh Assembly, we will remember in this place that our responsibilities extend well beyond the borders of England, to the whole of the United Kingdom. All hon. Members will continue to take an active interest in issues in Scotland and in Wales, even in issues that relate to devolved powers, because as a Union Parliament we have a duty and a responsibility to all our countrymen, irrespective of where they live and under what form of government.

We have a second duty, which is to Parliament. All of us in the House will be asked to raise the taxes that will be spent through the Welsh Assembly and the Scottish Parliament. Surely we have a right to scrutinise how that money is spent. In debates such as this in future, as those who are responsible for raising revenue, it will be our duty to ask the questions that should be asked about how that revenue is spent. We must remember that that is an absolute democratic principle.

The Secretary of State made great play of the economy and the wonderful transformation brought about not only in Wales, but in the rest of the United Kingdom by the Labour Government. He seems to have a rather short memory. Only a week ago, the Governor of the Bank of England predicted that growth would be downgraded yet again to between 0 and 0.5 per cent. in the next quarter. That has serious implications for the future of prosperity and jobs, especially in Wales.

The latest CBI survey confirmed that Wales had been hurt more than other parts of the UK in recent times. It stated:

"General business optimism has declined more rapidly in Wales than anywhere else in the UK, although export optimism has fallen much less sharply. Output has fallen markedly, with similar falls expected in the next four months, in addition to 1,000 further job cuts forecast between the final quarter of last year and the first quarter of 1999."

**Mr. John Smith:** Do not talk us down.

**Dr. Fox:** We must consider what is actually happening in the economy, not fantasy economics or how we wish the economy was functioning.

As the survey by British Chambers of Commerce reported:

"Welsh manufacturers have suffered their worse declines in sales and orders compared to all other regions. Service sector firms are not that far behind their manufacturing counterparts, particularly in export market sales. Confidence in the manufacturing sector is, not surprisingly, lower than elsewhere."

Why should that be? Why should confidence be falling more quickly in Wales than elsewhere? Those are questions that Ministers should tackle seriously. Cheap sedentary interventions such as that from the hon. Member for Vale of Glamorgan (Mr. Smith) will not help to provide jobs and prosperity.

**Mr. Smith:** Does the hon. Gentleman consider it appropriate for a non-Welsh Member of Parliament to open for the Opposition in the debate by talking our country down? I ask him to think carefully about what he is doing, before he does any more damage.

**Dr. Fox:** I come to the House as a Member of a Union Parliament and as a spokesman for the official Opposition in a constitutional arrangement that is accepted by both sides of the House. I will not be lectured by a Government Back Bencher about my right to speak on any issue affecting any part of the United Kingdom. That is the constitutional settlement that we have. If the hon. Gentleman does not believe in it, he should go and sit beside the nationalists, because that is their view, not the view of his own party.

The figures for Welsh manufacturers in the last part of 1998 were the lowest in the UK. One third of firms said that UK sales were down; two thirds of firms said that

*[Dr. Fox]*

UK orders were down; one half of firms said that exports were down; and two thirds of firms said that export orders were down.

We cannot deal with problems unless we accept that they exist. Again I ask why Wales should be in that position, compared with other parts of the UK. The problems in Wales also exist in other parts of the country, but they seem to be exacerbated in Wales for some reason about which Ministers do not yet seem clear.

**Mr. Ian Bruce:** Does my hon. Friend agree that Wales is particularly susceptible to problems with exports to Europe because last year the Government had interest rates too high, which made Welsh exports uncompetitive? Now, the Government seem content that the euro has been undergoing a competitive devaluation, with interest rates foolishly kept too low—we are talking about 1 per cent. a week since the euro was introduced. Surely the Secretary of State should be making vigorous representations to his colleagues in the rest of Europe to ensure that they do not devalue the euro and stop Welsh exports from going into their markets.

**Dr. Fox:** I do not think that any political party in the House would be particularly well served if we involved ourselves in a debate about the worth or otherwise of competitive devaluations of currencies. Let me, however, make the point that I do not intend to be competitive in comparing one part of the United Kingdom with another, or one specific region with another. If things are worse in Wales than elsewhere, perhaps we should ask why that is. Is it—this is a genuine question—because the Welsh economy depends more on the manufacturing sector than on the service sector, and, if so, what measures can be taken to alleviate the burden? A declining economy in any part of the United Kingdom is bad for the United Kingdom as a whole; and, if a sector is performing badly in one part of the UK, sooner or later that sector will be affected in another part of the UK.

Prosperity and long-term jobs can be created only if a country's share of world trade—gross domestic product—is increasing; and that can happen if products are of desirable quality, and are sold at a price that people are willing to pay. That means that we must not involve ourselves in excessive regulation. Part of the problem that is affecting manufacturing industry in this country is caused by excessive regulation—the red tape and restriction that are being created partly by the Government's agenda, and partly by European initiatives.

In signing up to the social chapter, the Government are importing back-door European interventionism. They have made major supply-side reforms, and I welcome their conversion to that idea, because their action has made our economy far more competitive. Britain has increased its share of world GDP since 1990, and is one of only two European countries to have done so. We must not throw those reforms out of the window.

**Mr. Flynn:** We are all trying to cope with the hon. Gentleman's dazzlingly original ideas. He says that he wants fewer regulations. After the Tory pension mis-selling scandal, which resulted from a relaxation of regulations, how will he cope with the new style of mortgage mis-selling by a new breed of mortgage brokers and other operators who have created serious problems, and will create more serious problems in the future, by introducing disreputable ways of selling, in particular, personal equity plan mortgages and mortgages based on investment trusts and endowments?

**Dr. Fox:** A discussion of that issue seems about as attractive as a debate on the competitive devaluation of currencies, and it would take us some distance away from the issues that we are debating. The hon. Gentleman has, however, made the general point that all regulation is bad and total deregulation is good. Some regulations are worth while and sensible; what is bad is over-regulation and restriction, and that is what we want to avoid in the economy.

The Secretary of State was careful to mention only income tax, but increasing the tax burden on individuals reduces demand, and increasing the tax burden on businesses is a disincentive to investment. In the long term, such action will reduce the economic prospects of Wales. Wales has already experienced a number of tax increases since the Government came to office. One example, which those in many parts of Wales will appreciate, is the introduction of the £90 tax on corner shops to pay for the new Food Standards Agency. Dangerously, a wide range of taxes are now reducing output. Manufacturing is flat in some sectors, and agriculture is in recession. The Government do not seem to want to accept the reality of what they have done.

I would welcome further clarification of the points that the Secretary of State made in response to the right hon. Member for Caernarfon (Mr. Wigley) on objective 1 status. The letter from the Economic Secretary to the Treasury, which has been quoted this week, states:

> "For Scotland, Wales and Northern Ireland, cover from Structural Fund spending must be found within the respective blocks, determined on the basis of the Barnett formula."

I accept that that position has long been accepted by both main parties, but it would be helpful if the Secretary of State—rather than maintaining an entirely neutral position, which he seemed to do in his speech—said that the Government would look favourably on such extra spending.

**Mr. Michael:** I am happy to comment on that letter, which was written some considerable time ago and describes the situation as it exists. The situation has never arisen where a proportion of a unit—in this case, of Wales—has received objective 1 status. For example, the highlands and islands form a minuscule part of the overall population, GDP and income covered by the Scottish Office. Therefore the issues that we have to discuss have never arisen before. That is all that the letter said. Indeed, I was able to confirm that point with my hon. Friend the Economic Secretary, who is the author of the letter. She entirely agrees with me that it has been quoted out of context, unhelpfully and, incidentally, without checking its relevance to today's discussions.

**Dr. Fox:** I am grateful for the Secretary of State's intervention on that point. To paraphrase him, the letter merely restates the position that has existed for some time, and in no way suggests that the Government would not look favourably, at a suitable point, on matching funding. I hope that that is a reasonable interpretation. Under the Conservative Government, that was always the position

of the Treasury in relation to Welsh spending, and I am grateful to the right hon. Gentleman for clarifying that. It is extremely useful in dismissing the fear and smear tactics from nationalists, who are trying to drive a wedge between the Welsh Assembly and the Treasury at Westminster.

**Mr. Wigley:** I note with considerable interest the closeness of the two Front Benchers on that issue, and no doubt the people of Wales will note it as well. Will the hon. Gentleman therefore give a categoric assurance that his party's policy is that—if Wales gets objective 1 status, as we all hope, following the announcement that is expected shortly—the money coming to Wales should include an element over and above what is generated by the Barnett formula? The proportion of the population in Wales that would receive the increase for the United Kingdom through objective 1 funds would be greater than the one seventeenth used in the Barnett formula. Indeed, the Barnett formula is irrelevant to this matter, because additionality has to be shown in respect of these projects.

**Dr. Fox:** The right hon. Gentleman will not be surprised that, at this point in the Parliament, I am not willing to commit my party to detailed spending plans, but I will say that we stand on our record and we were willing to match funding. It is unhelpful for businesses and for individuals planning economic activity in Wales if scare stories are begun for party political reasons, which may increase economic instability. It is not in anyone's interests to get a few extra votes at the price of reducing prosperity or increasing unemployment in any part of the United Kingdom. I am on record as saying how much I dislike the tactics of nationalists, in Scotland and in Wales. At least I am never disappointed at their consistency.

The Secretary of State spent some time talking about the Government's plans for health. He was extremely clever and selective with the figures that he chose and started with the end of 1998 rather than May 1997, when the Government came to office. Since the election, another 5,000 people have been added to waiting lists in Wales—an increase from about 68,000 to more than 73,000. Furthermore, the Government themselves have admitted that the number of people waiting to get on the waiting list has risen even more quickly.

Instead of tackling the real issues, the Government have fiddled the figures. Patients are being transferred from the main waiting list to subsidiary waiting lists, which do not appear on official returns to the Welsh Office and are therefore missed off the waiting list statistics. Patients are now made to wait longer before they get on the waiting list, thereby cutting the figures, but not cutting the problem. It makes life easier for the bureaucrats, but no less difficult for the patients. That is where the real debate lies.

Some hospitals have even been forced to introduce waiting lists for the waiting lists, which is nonsense. We cannot deal with the problem unless we are willing to admit that the problem exists. Changing the basis on which the figures are calculated does not help those who are waiting for treatment in our hospitals. It is a dishonest way of doing business, and we should put an end to it.

The Government talked about changing the culture in the NHS. My working life as a general practitioner was spent in the national health service. There has long been a need for a change in culture in the NHS across the whole of the United Kingdom. The present culture is biased too heavily towards hospital consultants and not enough towards primary care.

Our ability to fund increases in health provision is linear at whatever gradient we can manage, whereas medical science's ability to provide treatments increases exponentially, so the gap between the two will increase. We must deal with that problem honestly, and the best way to do that is to ensure that resources are directed at the closest level to general practitioners. As we change the health culture back from fundholding to a new model, we will move towards a culture in which power will be exercised by hospital consultants and decisions will be taken away from GPs, who are closer to the patient.

**Mr. Win Griffiths** (Bridgend): I have listened carefully to the hon. Gentleman—or is he right honourable? [HON. MEMBERS: "Right honourable."] He is just an hon. Gentleman at the moment, but he is no doubt looking forward to advancement. What he said is completely untrue. Purchasing in Wales will be done by local health groups, which will be made up of GPs, local authority social services, voluntary groups and other medical practitioners. The hospital trusts will be the servants of the local health groups. That is the model for the future.

**Dr. Fox:** I am perfectly aware of the collective model that is being established, but it none the less moves influence away from individual general practitioners. The hon. Gentleman put the issue in a wider context. It moves power from GPs, and therefore from the patients. We shall see over time how well the model works, but I fear that the culture being established will not allow us to use any finance available in the health service to best advantage.

This will be the last debate on Welsh affairs before devolution. It is useful to work out where we are in that process. We must consider the position of concordats, the structure of government to be established and the political culture in which it is developing.

Concordats raise important questions. Throughout the devolutionary process we were told about dispute resolution mechanisms. We were told that concordats will be the way in which we do business and that it will be a new, inclusive way of going about the process of government. I should like to ask the Secretary of State a hypothetical but extremely important question. If a Minister establishes a concordat, would it be legally possible on the ground of reasonableness for someone to seek a judicial review of that concordat?

**Mr. Michael:** That issue was discussed yesterday in the Standing Committee considering the transfer of powers. The problem is whether we deal with matters as possibilities or as likelihoods and realities. The nature of concordats is such that neither we, the Scottish Office nor others in government believe that they would be open to judicial review. It is possible that something outrageous could admit the possibility of judicial review, but I mean that only in the sense that one cannot rule anything out totally. This is not a fruitful avenue for the hon. Gentleman to pursue, as it is not a real likelihood or option.

**Dr. Fox:** I was not asking the Secretary of State whether he thought that there could be a successful

*[Dr. Fox]*

judicial review of any concordat—I was asking if it was possible to seek judicial review of a concordat. I take what the Secretary of State has said to mean that that is possible, so we may see constitutional positions adopted not by this House, but by judge-made law. It is important to take that into account in terms of devolution.

The Secretary of State for Scotland has said that he does not think that judicial review is legally possible, but we have long maintained that it is. Were we to have nationalists who wanted to seek division, it would be entirely possible for them to try to get a judicial review of concordats, and to try to get judge-made positions that they could not get through a democratically elected House in Westminster.

**Mr. Michael:** The hon. Gentleman must accept that this is an academic point, in the worst sense of the word. It would be difficult to rule anything out in terms of seeking judicial review; one can seek judicial review of almost anything. The issue, surely, is succeeding in obtaining judicial review. If the likelihood was that judicial review would be sought successfully, that would be a significant point in debate. However, if the likelihood is so remote that it is merely an academic possibility, the matter should not take up too much of our time. It is in that sense that I have answered the question. In practice, the matter is not open to judicial review—although it is a theoretical possibility. However, it is not one on which it is worth spending much time.

**Dr. Fox:** As part of our constitutional debate, we have uncovered the fact that we are not sure how a new instrument will operate, and what checks it will be subject to. We will find out in due course. The Secretary of State is basing his grounds for reasonableness on the fact that he believes that the Welsh Assembly and the Government in Westminster will be of the same political colour. That may not always be the case, in which case the concordat would become an entirely different instrument. A question mark has been put down about the operation of this new part of our constitutional architecture. We will see whether it proves to be a benefit or a hazard to constitutional stability.

We must consider also whether the structure of devolution will always guarantee a properly devolved system. The relationship between any devolved body and local government—and how we ring-fence the powers of local government to make sure that those powers are not taken upwards from local government to the Assembly—has been mentioned. The proposal that the Assembly should take control of sixth-form education suggests that there is every possibility of the Assembly seeking to increase its role at the expense of local government—an anti-devolutionary mechanism. That seems to be entirely the opposite of what the Government have said, and it is entirely the opposite of what I would like. The Secretary of State must consider the matter in terms of his order-making powers. We must consider how we protect the power of local government and ensure that these are not taken upwards to the Assembly, thereby moving local government further away from the people.

The Secretary of State omitted to mention a vital part of the debate to which we hope the Minister will refer when he winds up. How do the Government see the role of the Secretary of State for Wales? How do they see the job being delineated in future? How do they see the relationship between the Assembly or the First Secretary and the Secretary of State for Wales? What do they believe the relative balance of powers should be?

Those are important issues for the Union Parliament to discuss. As the Government of Wales Bill has been passed, it would be interesting to know what the Government's wider thinking is on those issues. We need to look at the political culture within which devolution is developing. That was best illustrated by the Secretary of State's election last week. Having told us that we have to have a new inclusive, non-Westminster, more democratic culture, the Labour party opted for an electoral college with union block votes—unions that were not obliged to consult their members. That was in sharp distinction to the Prime Minister's election to the leadership of his party.

The Transport and General Workers Union and the Amalgamated Engineering and Electrical Union backed the Secretary of State without a ballot, and Unison, using one member, one vote, backed his opponent. It is legitimate to ask why one member, one vote was not used. Although that is an internal matter for the Labour party, it is interesting for what it tells us about the political culture of the new Labour Government. The answer is rather simple: the Prime Minister does not love the trade unions, but he would rather have them than trust his members to come up with the solution that he wants.

Lord Hattersley has said that Nicolae Ceaucescu did not live in vain because his legacy is being carried on by a Prime Minister who decides what he wants the outcome of an election to be, and then decides what the structure should be that can deliver him that result. That says much about the culture of new Labour.

**Mr. Michael Fabricant** (Lichfield): Does not my hon. Friend find it ironic that a party that has claimed that it is in favour of proportional representation seems to believe in first past the post when it comes to the trade union block decision?

**Dr. Fox:** Nothing that the Labour party does would surprise me when it comes to rigging any form of electoral system. It seems that it has abandoned OMOV—one member, one vote—for OLOV: one leader, one veto. That seems to be the deciding system in the party.

That is a sad development because I am sure that many of the small proportion in Wales who voted for devolution believed that they would get a more democratic system and, as the Secretary of State said, a break from the old political taboos. The Labour party quickly returned to them when it thought that it was in its short-term interest to do so.

We leave the debate with a Secretary of State leading a party whose members did not want him. He leads his party into Welsh elections that his London headquarters are trying to manipulate. They are condescending, manipulative and cynical. They fail to understand the consequences of either their political or their constitutional actions. Economically, medically, educationally and in so many other ways, they have failed Wales.

## ROYAL ASSENT

**Mr. Deputy Speaker:** I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Act:

Social Security Contributions (Transfer of Functions, etc.) Act 1999.

# Welsh Affairs

*Question again proposed,* That this House do now adjourn.

1.48 pm

**Mr. Ted Rowlands** (Merthyr Tydfil and Rhymney): The hon. Member for Woodspring (Dr. Fox) began his speech by referring to the hope and aspiration that the Welsh day debate would continue. I also hope that that will happen. Let us briefly remember the origins of the Welsh day debate. It was a substitution for a Welsh Office and Secretary of State for Wales in the 1944 to 1948 period. It was offered as an alternative to the appointment of a Secretary of State and a Welsh Office.

If my memory serves me rightly, the first debate was replied to for the Government by the then President of the Board of Trade, Mr. Hugh Dalton. I was looking forward to the Secretary of State for Trade and Industry replying to the debate. I was particularly looking forward to the previous Secretary of State for Trade and Industry, my right hon. Friend the Member for Hartlepool (Mr. Mandelson), answering a Welsh day debate. Nevertheless, I hope that we will continue to have one. I hope that the business managers realise that it is wanted. It is only in the past 30-odd years that the Secretary of State for Wales has been present for such debates. Before that, they took place without one.

As we look forward to the future of the National Assembly and to a United Kingdom devolved, we should do so without carrying too many myths about the past, particularly the past performance of the British state. In many Welsh circles these days—not only in nationalist circles, but in wider ones—the British state is talked of pejoratively. I should like to make a case in defence of the British state's past performance, at various times, in serving the Welsh nation and the Welsh economy.

I am sorry that the hon. Member for Ceredigion (Mr. Dafis) is not in the Chamber. In the most recent Welsh local government finance debate, he made the case against the British state. He said that the parlous condition of the Welsh economy

> "has something to do with the construction of the British state . . . The problem can be traced back to Wales's ridiculous over-dependence on heavy industry, the failure to introduce a more varied industrial base".

If it had not been for that ridiculous over-dependence on heavy industry, the communities whom I represent—and whom my predecessors for the past 100 years or so represented—would barely have existed. They certainly would not have been able to develop their rich character, or to make the rich contribution that they have made to the whole idea of a Welsh identity. More important, however, was the hon. Gentleman's reference to

> "the failure to introduce a more varied industrial base".—[*Official Report*, 11 February 1999; Vol. 325, c. 502.]

As we embark on the new and exciting constitutional changes that the House has approved, let us remind ourselves that it was a British state and a British central Government who, in legislation from this place, created something that did not exist previously in Wales: a Welsh manufacturing and industrial society.

There was no Welsh manufacturing or Welsh industrial society until the late 1930s. Such a society barely existed until after the second world war. We were not a factory

*[Mr. Ted Rowlands]*

or manufacturing society. A complete absence of the skills necessary for that type of society was one of our major problems and one of the major causes of the depression and the problems of the inter-war years.

Welsh manufacturing society was initially created by a British state and a British Government, legislating from this place. Their redistribution of industry to Wales—not from other parts of the world, but from Birmingham, Coventry, Oxford and the Greater London area—created the Welsh manufacturing base. If nothing else, let us dispel some of the silly myths about the failure of the British state.

Of course, at various moments in history individual Governments have failed Wales. However, the British state created in Wales a fundamentally varied industrial base—as the hon. Member for Ceredigion used the term—that did not exist previously. Moreover, it achieved it by using the centralised powers of central Government, of the British state and of the House.

**Mr. Wigley:** Surely the hon. Gentleman is being incredibly complacent in his attitude. As a result of the cumulative policy of successive Governments since the post-war period, Wales has the lowest income per head of any country or region in Britain. An immense amount needs to be done. Surely that is not something of which we can boast.

**Mr. Rowlands:** The right hon. Gentleman takes a selective view of Welsh history. He should recall the state of the Welsh economy after the collapse of our basic industries—coal and iron—in the 1920s and 1930s, and how the economy was reconstructed. I am saying only that the British state made a major contribution to that reconstruction.

I accept that at various times the British state has not been able to match that achievement, and I shall deal with the current situation later in my speech. At times, Governments have of course failed us and failed Wales. However, if the right hon. Gentleman asks where Welsh manufacturing industrial society began, the answer is that it began in a deliberate policy established by British Governments and passed in legislation by the House.

There would not have been a Welsh manufacturing base were it not for central Government exercising power in redistributing industry and in using the other redistributive instrument available to them—public expenditure. Those two elements have played an important role. They were the core of the practical, centralised socialism that was an example of the joined-up government that it is now popular to talk about. As a signed-up member of the process for the past 40 years, I am not prepared to hear it rubbished, as it now is, from a variety of quarters.

**Dr. Fox:** Does the hon. Gentleman also think it worth pointing out to those who seek to break up the United Kingdom that it is because that Welsh heavy industrial base was allied to other manufacturing and defence capabilities in the United Kingdom, not least an allied defence force, that all parts of the United Kingdom are free today?

**Mr. Rowlands:** We have made a fantastic contribution to rearmament programmes at various times through the steel and iron industry. I hope that the hon. Gentleman will read my book when it comes out. He will find, however, that Whitehall had an enormously bilious view of the capacity of Wales to assist in the wartime effort. War, not the Government of the day, revalued our greatest resource—our people and their skills.

I have common ground with the right hon. Member for Caernarfon (Mr. Wigley) in that considerable damage has been done to the rebuilt Welsh economy in the past 20 years by deindustrialisation and the erosion and collapse not of our coal and steel industries—although that happened as well—but of the manufacturing base that had been created by post-war Governments. The charge against the Conservative party relates to the decade or more when the number of people in employment fell in Wales while it was growing elsewhere. That led to the serious problems that we now face, with the remorseless increase in the number of workless households and the serious social consequences that have flowed from that. Those consequences are reflected in the recent survey that revealed the deprivation in communities.

My worry and horror is that deindustrialisation is not yet complete and we may be in for another bout of it. The Minister, my hon. Friend the Member for Neath (Mr. Hain), has a particular concern about Ystradgynlais. Anyone who represents communities such as mine will be desperately worried about the impact of the closures that such places are facing. Anyone who knows about the problems of the European or global steel industry will be deeply concerned about the potential impact on our society.

Many interesting things are going on in our economy. In the past two years we have created more than 15,400 new manufacturing jobs, but we have lost about 17,600. The number of people in employment has stalled. That is a challenge to current polic es and it will certainly be a challenge to our new National Assembly and economic powerhouse.

The challenge to our existing policies comes because we depend so heavily on the new supply side of the economy that we have devised—training and education. My hon. Friend the Minister knows how much I support our efforts, locally and beyond, on the new deal, training and education to create a better educated, more talented and more highly skilled society, because we believe that that will make people more employable. If we depend heavily on that, we must get our policies right. I am worried that we are likely to produce a large number of educated but unemployable people. I hope that my hon. Friend will take another hard look at the education and training advisory group report, which got the priorities and the balance of the training and education programme wrong. We must ensure that our training and education programmes meet the needs and demands of the Welsh economy in the near future.

My second point relates to the broader macro-economic scene. Historically, the communities that I represent have been far less worried about inflation than about deflation. Deflation has been their curse as it creates unemployment. Banks and bankers have been major contributors to deflationary policy. That is why during the past 18 months to two years I have not shared the Government's enthusiasm for creating an independent Bank of England. I was even less enthusiastic about the creation of an independent European bank that might hold our destiny in its hands.

Welsh economic history shows that Wales is not saved from our British bank, nor does its salvation—despite the usefulness and importance of objective 1 status—rest in Europe. Wales requires a macro-economic policy based on growth and expansion. Jobs and employment need to be at the centre, not at the periphery of economic policy. That is one of the lessons of Welsh history.

At present, the great danger and threat to our economy and to jobs in Wales is not inflation or price stability. Price stability means that small manufacturers and enterprises in my community are not making surplus profits and capital to refinance and invest. We already have price stability and so has Japan, but it has been demonstrated that price stability does not create growth or jobs. The last thing that we need is deflation or deflationary policies of any kind or character. That is the bitter understanding and memory of the communities that we represent.

We welcome the new National Assembly and its economic powerhouse. We have had the slogan "education, education, education". I offer the new Assembly the slogan, "jobs, jobs, jobs".

2.2 pm

**Mr. Richard Livsey** (Brecon and Radnorshire): This is the closest date to St. David's day—the last St. David's day this century is on Monday. It is a time to reflect and to look forward. In the words of an old song: "What a difference a day makes". In this context, what a difference a century makes.

Our predecessors in the House of Commons would be astonished that it has taken so long to achieve their cherished dream of a measure of home rule for Wales. The 20th century has not been dominated by radical politics in the United Kingdom, and to testify that, it has taken the entire 20th century for Wales to achieve a measure of devolution. Even now we are only just putting our toes in the water. What Gladstone, Lloyd George, Tom Ellis, Keir Hardie, Mabon and many others would have made of such slow progress I shudder to think, but a Welsh Assembly—not a parliament—is at least in sight.

As the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said, the milestones of the century in Wales have contributed to the delay. They include the emigration of our young people around the world and the loss of tens of thousands in the first world war, among them the flower of our youth—on the fields of Flanders and northern France they fell. That was followed by the 1926 general strike and unemployment; lock-outs and poverty; the second world war; the hopes born in 1906 and 1945; the creation of a more comprehensive Welsh Office and, in the 1960s, a Secretary of State for Wales; the fiasco of the 1979 referendum and the dark years of the 1980s and 1990s when for 18 years a Welsh Assembly seemed all but impossible; the triumph of the 1997 referendum and the yes vote; a Wales Bill on the statute book; and next May, our very own Welsh Assembly. All that has occurred in the space of 100 St. David's days.

**Mr. Evans:** The hon. Gentleman said that Wales was putting its toe in the waters of devolution. Is it still his party's policy to give the Assembly tax-raising powers, and would he like that to happen without a fresh mandate from the Welsh people via a referendum?

**Mr. Livsey:** I know that the hon. Gentleman will not like the word, but we are federalists and believe in tax-varying powers for the regions and countries of the United Kingdom, as well as primary legislative powers. That applies to Wales as much as anywhere else. That has been our policy for a long time.

**Mr. Evans:** What about a referendum?

**Mr. Livsey:** In what sense?

**Mr. Evans:** Would it be Liberal Democrat policy to seek tax-raising powers for the Welsh Assembly without consulting the Welsh people via a separate referendum?

**Mr. Livsey:** We will put these matters in our manifesto, and if we are elected to power they will be part of our reform programme for the Welsh Assembly. It is up to the electorate of Wales to decide whether they approve.

Those catastrophes and lost hopes of the past 100 years are still, in a sense, there. Sadly, Lucas-SEI decided only last month to close its manufacturing operation in Ystradgynlais in my constituency, which will cause 750 employees to be laid off. They received only four hours' notice, which is really more like something from the first quarter of the 20th century than the verge of the 21st. The work is being transferred to Poland, and the work force in Ystradgynlais trained the Polish workers. That is more or less the equivalent of digging one's own grave and falling backwards into it.

The takeover by TRW of the Lucas Varity corporation, of which the managing director, Victor Rice, will get a cool £17 million—a sum, incidentally, that could keep the Ystradgynlais plant running for another two years—is a disgrace and a scandal. I hope that the Minister will ask the Secretary of State if he will take the opportunity, when he visits the United States soon, to go to the TRW headquarters in Cleveland and ask whether some work can be transferred to Ystradgynlais.

The task force, in which Ministers, local councillors and I have been involved, is there to produce a solution to this terrible problem. Every avenue must be explored.

**The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain):** I was in touch with TRW in America yesterday, to discuss the future of the Ystradgynlais site. I pay tribute to the work that the hon. Gentleman has done on behalf of the work force there, and look forward to working in partnership with him to solve the problems that have been created.

**Mr. Livsey:** I thank the Minister very much indeed for those remarks. I am sure that the people of Ystradgynlais will also be grateful. We are all working extremely hard to ensure that the problem is solved. The plea by the hon. Member for Merthyr Tydfil and Rhymney for jobs, jobs and more jobs is absolutely correct. We can train as many people as we like, but if the right kind of employment is not there, we will not produce jobs for people in our communities. Whole families have been sadly affected by the proposed closure and we need to find solutions that involve real employment.

There is a huge slump in farming in Wales. The farm management survey shows that the net income of the disadvantaged area farms in 1998-99 is forecast to be a mere £48 for the whole year. In the severely disadvantaged areas and the lowland beef and sheep areas,

*[Mr. Livsey]*

farmers are at present earning the equivalent of £2.20 an hour. That looks pretty stupid in comparison with the proposals for the national minimum wage, which I support. Those figures are calculated on the basis of a 40-hour week. That problem has to be solved, and quickly.

Our family farms are in terminal decline and unless much more attention is paid to that, I am afraid that there will be an exodus from the land. Help could be given immediately by ensuring that payments such as hill livestock compensatory allowances are made immediately. That would assist the cashflow of farmers in a desperate situation. The Office of Fair Trading report, which will be published shortly, about the pricing policies of supermarkets is important, but there is no accountant on the body considering the issue and it appears to concentrate on groceries rather than the problems in the meat chain that directly affect the farming community.

We also face the problems of Agenda 2000 and CAP reform. Changes are now being made to the original proposals for Agenda 2000. The national envelope and co-financing are problems that I am sure that the Under-Secretary, the hon. Member for Cardiff, Central (Mr. Jones), has been studying in the past week in the Council of Ministers meeting in Brussels on CAP reform. I am alarmed to note from yesterday's *Western Mail* suggestions of changes to the original Agenda 2000 proposals from a maximum of direct support to farms of £70,000 to a maximum of £3,700. If that goes through, it spells disaster. What impact would it have on the Welsh Office's agriculture department budget, which has reached £300 million of support for farming in Wales? I have noted references in Welsh Office documents to sums of more than £200 million. That could mean a substantial reduction in support for the farming industry from the Welsh Office, much of it European money.

We have discussed the objective 1 situation and the question of matched funding at length, and I shall not go back over that ground, except to remind the Secretary of State that the Lucas factory is only 200 yards from an objective 1 area. That is a problem in its own right because the people of Ystradgynlais cannot benefit directly from objective 1 money. I know that the Minister is trying to do something about that and I am sure that he will work hard to obtain additional funding for the upper Swansea valley.

Powys and parts of east Wales are in dire need of objective 2 funding and I have been promised before that those areas will get it. However, the question of matched funding arises again. I was in Brussels last week and I discussed the issue of European structural funds with some of the Eurocrats. It was stressed to me that grass roots projects were an important method of obtaining objective 1 and 2 funding. It is not top-down action that is required, but local communities coming forward with proposals. That is an important way to tackle the problem.

How will Wales look on St. David's day in 2000? St. David's day is a special day in the calendar, when the daffodils emerge from the bud on every hillside and in every garden, and in every lapel. However, St. David's day is also a genuine sign of the gathering spring. It is a time of hope, singing and poetry, as every schoolchild in Wales knows. One has only to visit a primary school in Wales on that day to be greeted by the spirit of St. David.

By this time next year, Wales will have had its National Assembly for almost a whole year, including the first elections, a new First Minister, the first ever Cabinet for Wales and a Committee structure that I hope will be founded on true democratic principles, perhaps including one member, one vote.

I do not believe that the Government of Wales model will be as radical as some people think. There will be welcome change, but not a revolution. Will it be the personalities or the parties that will reign supreme? There is no lack of characters in Wales and I am certain that many will emerge in the new Assembly. Many are likely to be women, and that will be a change for the better. In fact, the personalities are likely to prove more influential than the political parties.

Time will put the Members of the Assembly on a steep learning curve. It will not be long before they come to realise what they cannot do, as much as what they can do. Let us hope that in a year's time they will not be too frustrated. Secondary legislative powers may sound superficially attractive, but in 12 months' time they may be seen as no big deal! Balancing the books will also be a frustrating experience and priorities will demand hard choices. I can envisage cries next March for primary legislative powers and tax-varying powers, just like Scotland.

Building up new traditions in our Assembly will be a challenge. I make a firm prediction that the deep sense of fairness in Welsh society will mean that the twin values of liberty and social conscience will be much to the fore. I hope that tolerance and inclusiveness will underwrite those values. That does not mean that the traditional fiery Welsh radicalism will not have its place, but it will be fashioned into a more egalitarian democracy suited to the 21st century.

The proportional system of top-up seats should give us political representation that is a truer reflection of people's views in Wales. Wales is nothing if not a community of communities, so the proportional system of top-up seats should therefore be welcomed. Let us hope that we see the end of machine politics. There is a danger that if the power of the Executive is misused, people will feel excluded from the Assembly process. The Assembly's Committees, both subject and regional, will be vital. I am hopeful that with an enlightened leadership the disparate views that characterise Wales will begin to be welded into a more cohesive force for good. Wales is too small a country for us to fall out among ourselves.

In particular, we desperately need vision and leadership. Every Committee in the Assembly must have its strategies worked out in 12 months' time. The Education Committee must have set its targets and the Health Committee's recipe for tackling the many problems in Wales must be in place. The Economic Development Committee must have developed its strategies for better job opportunities and wealth creation. The Rural Affairs and Agriculture Committee must have its plan to revitalise our family farms and the rural economy. We may even be considering an integrated transport policy that may provide a solution to join up north and south Wales.

We should know by next year where we want to go as a nation and how we are going to get there. The next years will be spent in engaging the participation of the people of Wales to build a new Wales, with a more caring and

entrepreneurial society in which young people can gain skill and jobs in a quality environment, the old know that they will be cared for properly, and where music, sport, the arts and all kinds of recreation are an everyday experience. We will not reach that state in one year, but by next March the signposts will be there to a Wales where it is not always necessary to leave to gain recognition, because it can be achieved at home in our own country. Is that idealism? Yes. Is it possible? Yes. On St. David's day 2000, there will be new stars on the horizon and more than a few poets celebrating the rebirth of our nation.

2.19 pm

**Mr. Don Touhig** (Islwyn): I first spoke in this Chamber in the annual St. David's day debate on 2 March four years ago, and I speak now in the final such debate before the historic Welsh Assembly elections. However, I hope that there will be many more St. David's day debates in the years to come because, as we move forward to a historic change in the way in which our country is governed, we must not lose sight of the fact that, in Britain and Northern Ireland, there are four nations but one country. The Parliament of all the nations of Britain and Northern Ireland is, by the consent and desire of the people, here in Westminster.

This Government have delivered on their pledges to the peoples of Wales, Scotland and Northern Ireland to bring about devolution. I welcome that. We have done it in the face of stiff resistance from the Tory Opposition, but we recognise that, if we are to release the potential of all our people and give them a new vision for a new century, we must put in place a modern system of Government to demonstrate a renewed confidence in being Welsh, and in being British.

In my darkest moments, I sometimes think that the one thing that unites all of us who are Welsh is a lack of self-confidence. We lack self-belief, and feel that we cannot achieve things. Some say that that is due to the melancholy in our natures, to the dark, brooding and often romanticised element of what it is to be Welsh. That element may make for wonderful poetry and help to define us, but we must not let it blind us to the future.

Wales is a small country on the edge of a great continent. We may be at the margins of Europe geographically, but there is no reason why we should not be at the heart of Europe economically, socially and culturally. Moreover, I believe that the Welsh people recognise that all our interests can be best served by truly being part of the larger political unit that is the United Kingdom. Not for us the narrow argument of the nationalists, who want a separate and isolated Wales. The people of Wales will not be looking to the nationalism of the 19th century to find the answers to the problems of the 21st century.

I support devolution, and am certain that the Assembly will provide the basis for greater accountability and transparency in decision making. Devolution gives us a chance to put an end to the quango culture, which allows decisions affecting the lives of people throughout Wales to be made by people meeting in secret behind closed doors, who spend millions of pounds of taxpayer's money and yet remain unaccountable for what they do.

Devolution is an opportunity to put a stop to the over-centralisation of decision making which was the hallmark of 18 Tory years. It will help breathe new life into local government, with the Assembly forging a new partnership with councils and with Parliament in Westminster. Many of my councillor friends who were sceptical about devolution are now excited and enthusiastic about the prospect. As the main service providers, they can see many potential benefits of an effective partnership between local authorities, the Assembly and the Government in London.

Partnership right across Britain is one reason why the creation of the Assembly does not mean the break-up of the Union. The purpose of devolution is to create a better system of government for the Welsh people, not to cut us off from the rest of Britain. Indeed, the overwhelming majority of people in Wales do not regard the creation of an Assembly as an opportunity to go down the separatist path.

The referendum gave one clear message: the people of Wales are not yet convinced of the benefits of devolution, and it is no good hiding the fact that the jury is still out. The big challenge for us all is to make devolution work and to show the Welsh people that it has considerable benefits for them.

One key area in which we must make devolution work is in meeting the economic challenge. The Assembly must help provide the motivation, and be the powerhouse to transform the Welsh economy. It must, as my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said, create jobs to bring about lasting prosperity. It is as a result of the policies pursued by this Labour Government—the Government of all Britain—that the Welsh people will gain.

Labour's vision is of a Wales where social justice is put before separatism, where investment in education and the reskilling of our labour force is at the top of our priorities. We are not going to compete in the world economy of the next century if we have low wages and a low-skilled work force, with an industry desperately lacking investment and less productive than our competitors. We need a Wales where we tackle poverty and social exclusion by creating opportunities and providing work, so that people are not left to depend on benefits; a Wales in which we recognise that decent, affordable housing is as much an investment in our people's health as money spent on hospitals.

This year of 1999 is truly a year in which Labour will deliver on its pledges—to extend democracy by means of the Assembly, and to tackle poverty root and branch. We want to begin by helping people on benefit who can and want to get work to be given that chance. However, we must recognise that it is no use moving people from poverty on benefit to poverty in work. That is why we need a national minimum wage.

When it is introduced in April, the national minimum wage will benefit tens of thousands of people across Wales, many of them women. The minimum wage, linked with the working families tax credit to be introduced in October, will guarantee low-paid families with a full-time worker at least £190 a week, with no tax to pay on earnings below £220. That, together with the reduction in employees' national insurance contributions due in April, will be of considerable benefit to families on low or middle incomes.

All those measures to help the poor in Wales have been opposed by the Tory Opposition. Is it any wonder that no Conservative Members of Parliament represent Welsh constituencies?

*[Mr. Don Touhig]*

There is much more that we must do to tackle the culture of poverty in Wales. Children and old people are the most vulnerable, and are often locked in a cycle of poverty from which it is almost impossible to escape. That is why, from April, child benefit is to be raised by a record amount of £2.95 for the eldest child. There will be equivalent increases for poorer families with rises in family premium, income support and jobseeker's allowance.

Building on the package of measures already announced for pensioners, from April eye test charges will be abolished, and all pensioners will have a minimum income guarantee of £75 a week for a single pensioner, and £116 for pensioner couples.

As my right hon. Friend the Secretary of State said when he opened the debate, the new deal has been a great success in Wales. Thousands of young people are now in work and being given opportunities, where before they had no hope and no chance. Supporters of the Welsh nationalist party in my constituency have labelled the new deal slavery, but we are creating opportunities. From April, those opportunities will be extended to people over 25.

On top of that, the Government have cut business taxes to an all-time low to encourage investment. At the same time, they have put a massive £1 billion extra into health in Wales and £850 million into education.

If the other parties had been told before the general election that, in two years, we would do half as much as I have described, they would have called us fantasists and claimed that we would be unable to achieve anything at all. So let me remind the House what the Government have achieved in those two years.

Class sizes have been cut. Hospital waiting lists are down. Handguns have been banned. There are new rights for people at work. The national debt has been reduced from £28 billion to £8 billion. Interest rates have been cut to their lowest long-term rate for 35 years. Value added tax on fuel has been cut to 5 per cent. Extra money has been devoted to breast cancer screening. Councils have been allowed money from the sale of council houses to build new homes and improve existing ones. The largest hospital building programme in our history has been launched. The biggest-ever child care programme is under way. There has been legislation to raise standards in schools. The Bank of England has been given independence to set interest rates. There has been a massive shake-up in the criminal justice system—I could go on.

In a couple of days, we shall be celebrating St. David's day, our saint's day. After two years of this Labour Government, there is much to celebrate, for Wales and for Labour in Wales. Working in partnership with the Assembly that will be elected on 6 May, the Government will take forward the policies that I have talked about this afternoon, for the benefit of all the people in Wales. The policies that concern them are investment in health and in education and training. They want job opportunities, safer streets, better public services—those are the priorities of the people whom I represent. They are the policies of the Labour Government in Westminster, and they will be the policies of the Labour party that will run the Assembly.

The people of Wales will respond to Labour's vision for the 21st century—partnership within the United Kingdom—rather than the narrow nationalism of the 19th century. They do not want to operate at the margins of politics, like the increasingly desperate Tory party. They do not want the publicity without responsibility of the Liberal Democrats. The people of Wales consistently rejected the separatist agenda of the nationalists. They reject policies that benefit the few, not the many, as advocated by the Tories. They have certainly rejected the Mickey Mouse tactics of the Liberal Democrats.

We are approaching the biggest shake-up in the government of Wales. We can make that change with confidence and without fear. The people of Wales will look to Labour—the real party of Wales—to make an historic process work.

2.30 pm

**Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy): I wonder why the hon. Member for Islwyn (Mr. Touhig) left the Green party free of his venom.

It is often said that, when political parties unite, they do so for a serious cause. There is no doubt that all the political parties in Wales—notwithstanding the long spat between my right hon. Friend the Member for Caernarfon (Mr. Wigley) and the Secretary of State—have worked together to try to obtain objective 1 status for west Wales and the valleys. I have rarely seen such a concerted effort, and I have worked closely with members of the ruling party in north Wales to secure that all-important designation, which would be a tremendous social and cultural boost for Wales.

The underlying principle that should guide us in considering objective 1 status is the impact that it could have on economic and social cohesion. We must consider additionality: significant improvements have been made in demonstrating additionality at national, regional and local level. However, there is a need to ensure that mechanisms are in place that fully demonstrate the transparency and improved measurements of the concept.

Complementarity—the relationship between structural and domestic funds—has never been adequately addressed. A grey area remains over, for example, the differences between the European regional development fund, the European social fund and the European agricultural guarantee and guidance fund. Matters still require to be ironed out in that complicated area, and we should all consider them more often than we do, standing, as we are, on the threshold—possibly—of obtaining objective 1 status.

The Secretary of State referred to partnership—a buzz word in politics, but an important feature of structural fund policy in Wales—which will be a prerequisite of policies related to objective 1 status. I have the privilege of representing a constituency that falls into two unitary authority areas—Gwynedd and Conwy. Both would benefit substantially if objective 1 status came to Wales. Mindful of the time constraints, I shall today talk only about Conwy county borough council, which covers what was previously Aberconwy borough council and part of Colwyn Bay borough council.

The area has suffered greatly over the past 12 or 13 years. Aberconwy qualified fully for objective 2 designation 10 or 12 years ago, but lost out. I visited Brussels, and a number of members of the Commission

confirmed that there was no shadow of a doubt that the area qualified on all basic criteria. Alas, however, it did not happen. Over the past 10 or 12 years, the area has undoubtedly suffered. I do not doubt that the luck of Merseyside—good luck to that area—in obtaining objective 1 status was an active disincentive to inward investment into Conwy.

Conwy has the lowest gross domestic product in Wales, the lowest-wage economy in Britain and a low rate of inward investment. It is incredible but true that only 18 new jobs were created between 1994 and 1997. Yet the area gains no assistance from designated status.

The economy in Conwy depends on jobs in the tourism, public and agricultural sectors. Changes in tourism and agriculture are putting significant pressure on the viability of businesses in both sectors. The economy of Conwy desperately needs to diversify to strengthen its base if it is to be socially and economically sustainable. Recognition of the county's problems, and its inclusion in the west Wales and valleys sub-region which has the prospect of obtaining objective 1 status, is a tribute to all who have striven in partnership to have Conwy and Denbighshire included in that designation.

Led by the county borough council, partners are developing a county-based development strategy based on the themes of competitive business, countering social exclusion and balanced development. That strategy will be integrated into the broader west Wales objective 1 strategy, providing a clear framework from 2000 to 2006. I hope that that will help the area to overcome its structural problems.

The strategy will seek to create a balance of indigenous and inward investment, a matter that has, of late, much concerned the Select Committee on Welsh Affairs. A report has been prepared, and the Committee, of which I am a member, took evidence from many areas on inward investment and indigenous expansion in parts of the UK and beyond.

A full range of support services will be developed for existing and potential small and medium enterprises. Perhaps simplistically, I believe that we do not pay enough attention to SMEs, which, if my figures are correct, account for 90 per cent. of employment in Wales. The stark fact is that, if every SME created one more job, there would be hardly any unemployment in Wales. We must concentrate on that sector, and—although I hope that I am wrong, and that LG will come on line—there are lessons to be learned from putting too many eggs in one basket. It takes creative thinking to expand SMEs and to create an atmosphere of expansion. However, we would do well to target that area as the benefits would be considerable.

The hon. Member for Brecon and Radnorshire (Mr. Livsey) said that the difficulties of the agricultural sector, and the knock-on effects that they have on the whole community, have extremely serious ramifications for his rural community. The same is true of Conwy. It is essential that the quality and value of agricultural produce from Conwy—and from all of rural Wales—should be maximised locally. Objective 1 status can assist us in that area.

The Welsh Office has recently confirmed that the new development authority will have a far more extended agricultural brief, and that is welcome. I hope that we may see such things as a substantial chilling plant for meat in mid-Wales, which could serve Wales and beyond. We lack that at present, and it is an area on which we could concentrate. We should add value locally to meat—the new prepared foods such as lasagna and other meals that are very popular nowadays. By producing such food locally, we would add value to the product. We have a good product, and we should add value as locally as we can to the point of production.

There has been an historic lack of both investment and investment opportunity in Conwy. Several barriers need to be brought down. I am very pleased that Conwy has been included in the European objective 1 designated areas; it is critical that people now concentrate fully on the way ahead and on drawing up plans in good time. If the county of Conwy is to succeed, it is important that projects are proposed as soon as possible, partners found and all potential European and other funding effectively sought.

I could repeat that message on behalf of Gwynedd, but I am mindful of the time constraints and aware that several other hon. Members want to speak. Last year, as part of a delegation from the Select Committee on Welsh Affairs, I visited Inverness and the highlands and islands of Scotland. The problems of those areas were not dissimilar to Gwynedd's problems—the feeling of remoteness and declining economic activity in a rural setting. The visit was most instructive, because it brought home starkly to me the potential benefits of objective 1 status, if properly used—opportunities for small businesses to expand, and for a hard-pressed agricultural sector to expand and diversify to meet the challenges that will inevitably flow from Agenda 2000.

I also learned of the utmost importance of matched funding. I was told that, because of the effective drying up of matched funding, little use had been made of objective 1 structural funds in the preceding 18 months. In other words, because of the absence of matched funding, the European funds could not be drawn down; the process was at a standstill. Members of Parliament from the north of Ireland have told me of their similar experience of stop-go—when matched money is not available, everything is put on hold. Because any scheme under objective 1 lasts for only a given period of time—six years—if we fail to do our level best to get as much as possible out of objective 1 status, money is wasted. We have all seen the prosperity that has been created in Ireland, largely because of objective 1 funding. Many of us trumpet Ireland's economic success: now, at long last, there is net immigration of Irish people to Ireland, as highly qualified youngsters come back to the good jobs on offer in an economy that appears to be booming.

I do not care greatly that, by raising this important subject, I risk incurring the venom of Ministers—not that venom rests comfortably in the Under-Secretary of State for Wales, the hon. Member for Neath (Mr. Hain), who is sitting on the Treasury Bench. There are, and will be, serious difficulties if matched funding is scarce: we need a greater commitment from the public sector and, more important, from central Government, especially for the long term. Consideration for matched funding should be agreed at programme level, not by project; and there should be further exploration of the global grants system and far greater co-ordination of domestic funds, with better clarification of the rules governing private sector involvement.

*[Mr. Elfyn Llwyd]*

I mentioned the general concordat—to use a word of the moment—between the political parties during the campaign to secure objective 1 status. When the Government submitted the plans to Brussels, opposition parties were asked not to rock the boat, lest that should in some way damage the chances of obtaining objective 1 status. I found it offensive when the Secretary of State said that my party, of all parties, was creating difficulties. Far from it—we did everything that we could to assist and we shall continue to do so. In that vein, I shall ask the Minister one or two questions; I trust that, in that vein and in this context, he will find my questions helpful. I shall find it helpful if the answers are forthcoming.

I have campaigned for objective 1 designation for a long time, as have other right hon. and hon. Members. On each and every occasion when the Secretary of State for Wales, the Prime Minister and the Chancellor of the Exchequer have been asked to give an assurance on the subject of matched funding, they have fallen silent, despite their having, rightly, trumpeted the fact that the Government have done everything that they can to secure objective 1 status. There is now grave concern because, without adherence to the principle of additionality and, of course, securing matched funding from additional Treasury money, the whole campaign could come to nothing, like a handful of sand seeping through one's fingers. I am not encouraged by the Government's predisposition to hide behind the Fontainebleau accord—for example, to deny the farmers of Wales proper agri-monetary compensation. The whole question of matched funding has a similar flavour and I am greatly concerned, as is my right hon. Friend the Member for Caernarfon.

In his opening speech, the Secretary of State referred to a recent press release. Professor Kevin Morgan and other members of the Institute of Welsh Affairs have expressed their concern sensibly, not in a headline-grabbing manner. They say that at stake is as much as £1.8 billion between 1999 and 2006, and they quote a letter that they received from the Economic Secretary to the Treasury. The hon. Lady was asked how much matched funding would be available, to which she replied:

"If Western Wales and the Valleys were to qualify for Objective 1 status after 1999 I can give no assurance that all the additional receipts (assuming that the total allocation to Wales did, in fact, increase) would be reflected in an increased public expenditure allocation".

She added:

"For Scotland, Wales and Northern Ireland, cover for Structural Fund spending must be found within their respective blocks, determined on the basis of the Barnett formula."

That is an extremely worrying response.

The Secretary of State was probably right to say that we do not yet know what decision will be made; however, if we do not yet know but such a negative response has already been forthcoming, questions must be asked. It behoves all of us across the political spectrum to ask the appropriate questions and not to leave them until some future date. Why cannot the questions be asked now? More important, why can they not be answered now?

Professor Morgan says:

"The realignment of the Wales funding map that has now been approved in Brussels is only the first stage in this crucial battle. Two more battles need to be won, the first in Brussels and the second in Whitehall. Brussels has since been convinced that the GDP of the new west Wales and the Valleys region is below 75 per cent. of the EU average. So there is a strong case for the Treasury in London to approve Public Expenditure Survey cover for new funds. As arances need to be sought by our political representatives that this will be the case. Failure to secure PES cover from the Treasury will mean that up to £1 billion will come from the existing £7 billion Welsh Office block grant. The economic and political implications of this could be disastrous. The Objective 1 victory would be a cuckoo's egg."

I call on the Minister to give a full, frank and straight answer to that vital question. Failure to do so will mean that, once again, the Government can be summarised best as a Government who are always ready to raise hopes and expectations, but who are unable to deliver.

I strongly urge Welsh Office Ministers to contact the Treasury and obtain a full, clear and unequivocal answer to the question. All the hard work that has been done throughout Wales and across all the political parties might yet come to nothing unless that assurance is available. I would go so far as to say that, if the additional moneys are not available, the Welsh Office will have let down the people of Wales, because the Treasury will have denied the Welsh Office. The current devolution proposals, good as they are, will not affect that betrayal.

2.50 pm

**Mr. Rhodri Morgan** (Cardiff, West): I also wish to return to the subject that caused such a conflagration in the House two hours ago. I hope that my remarks about objective 1 funding and its effects on Wales do not re-ignite that tinderbox.

We all accept that it is crucial to secure objective 1 and matched funding. However, no one should be cheering about the prospect of achieving objective 1 funding because one does not get it for nothing. It is like compensation for mine workers. Someone might think, "Isn't it wonderful: I'm getting 50 per cent. compensation from the National Coal Board for having pneumoconiosis", but it is terrible because that person has pneumoconiosis. The same deduction applies to objective 1 funding: we will receive it because Wales has economic pneumoconiosis. Our gross domestic product levels are so low that we require the maximum rate of European grants to help us put the economy back on a sound footing.

I understand why objective 1 funding causes such excitement. There are two reasons: first, because the timing is so critical relative to the commencement of the Assembly; and, secondly, because objective 1 funding is the jam on the bread for the Assembly's public spending capabilities. We have the Barnett formula and the three-year comprehensive spending review programme—which will begin in a few short weeks on 1 April—and objective 1 funding is a way of going beyond the limit.

If we ultimately secure objective 1 funding and there is no real problem with the provision of matched funding, there could be lots of jam on the bread for the Welsh Assembly. Therefore, the prospect stirs a certain amount of interest. If the figures that we have heard bandied around are correct, in theory, it might mean up to £500 million a year extra in public expenditure for different kinds of infrastructure in Wales for each of the seven years from 1 January 2000. Bearing in mind the fact that the Welsh Office's comprehensive spending review budget is £7 billion, an extra £500 million—if it is as much as that—amounts to an 8 per cent. increase. That is a pretty substantial increase to have running for the next seven years.

That £500 million is the top whack figure—it might be £450 million or £400 million if things go reasonably well but not perfectly. I understand that £300 million a year in European money would be provided for seven years, which we would expect to be matched—perhaps not pound for pound—by British Treasury sources. If that European funding were matched two thirds of a pound for a pound, it would mean that the additional £300 million would be matched by perhaps £150 million to £200 million in Treasury money, which would total £450 million or £500 million. If my calculations are not correct, the Minister will no doubt set me straight at the close of the debate. It is natural for people to want to examine the subject in considerable depth.

I mentioned that the timing of receipt of objective 1 funding is crucial. We all know why that is so. The three-year public expenditure programmes of the Welsh Office, which begin on 1 April this year—and will be inherited by the Welsh Assembly a month later—will continue for three years until 2002. Objective 1 funding should have been determined by then—perhaps at the European Union Council of Ministers meeting in March—and, if we are to receive it, will begin on 1 January. That will be some seven or eight months after the Assembly has taken charge of the bulk of Welsh Office powers. That funding will certainly stir the pot and be an integral and dominant part of the early activities of the Welsh Assembly.

The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) referred to the interesting reply given by the Economic Secretary to the Treasury. We could debate for at least all of today—and probably on several other occasions—whether that response was a bit of a downer or left the door open for the Treasury to agree to matched funding. Let us try to view the matter positively. It is a chicken and egg situation. There is no way that the Treasury will say, "Here's an extra £200 million a year for the next seven years, provided Europe gives you objective 1 funding at the March Council of Ministers meeting". Unfortunately, it also works the other way. There is no way that the European Commission will agree to confer for fun the objective 1 funding designation—as though it were referring to a map—in the March Council of Ministers meeting.

The EC will confer objective 1 status only if it receives some sort of serious signal from the British Government that matched funding is being negotiated and is on the way. The Government must demonstrate that they are agreeing the details and taking a serious approach to securing the whole package. If there is no matched funding, there will be no objective 1 status. If there is no objective 1 status, there is no point in having matched funding.

We must somehow address that chicken and egg situation. The resolution of that problem should not be left until the early weeks of the new Assembly when Assembly Members will be finding their feet. We must sort it out before 7 May and the elections to the Welsh Assembly. The more clarity that we can lend to that chicken and egg situation, the better.

I think that the Secretary of State said earlier—I repeat the point now—that the Welsh situation is unique as regards objective 1 funding. It is not a problem in Northern Ireland, Scotland or England: it is only a problem in Wales. Scotland and Northern Ireland have received objective 1 funding before, so it is programmed into their three-year public expenditure programmes that start on 1 April. Wales has never had objective 1 funding. Although it is true that Cornwall and south Yorkshire have never received objective 1 funding, it is possible within the big block of public expenditure in England—comprising the Department of the Environment, Transport and the Regions, the Department of Trade and Industry and several other blocks—to rob Peter to pay Paul. However, it is not possible to rob Eddie to pay George—as we now say—within the Welsh block because almost all areas of Wales that are not objective 1 designates are objective 2 or objective 5b areas and will continue to receive European assistance.

The European Commission will not allow the British Government to take funds away from areas with objective 2 entitlements—which is the next level down in European grant—and give them to objective 1 areas by switching around expenditure within the Welsh block. That will not be allowed because it will infringe the additionality rule. Europe will not allow the British Government to tell the Welsh Office now—or the Welsh Assembly in the future—"Take it from Cardiff, Newport, Powys, Wrexham, Deeside, and so on, and give it to the objective 1 areas", when the Government are also claiming that the eastern strip of Wales along the English border remains sufficiently lacking in prosperity to require a lower level of European assistance.

Wales does not have the flexibility of the English block to take money from wealthy areas—such as the home counties—in order to provide matching funding in Cornwall and south Yorkshire, for example. That is not possible in Wales because of our double poverty gap problem. In other words, the whole of Wales is 18 per cent. behind England and, within Wales, the areas that we hope will receive objective 1 funding are another 10 per cent. behind the Welsh average. Therefore, they are 28 per cent. behind the British average or standard of living evaluation in England.

We must somehow solve that problem during a critical period of constitutional change. The House of Commons was devised to debate and resolve that sort of difficulty. There will not necessarily be any answers today because we have a few months to go, but we need maximum clarification of that issue.

The Welsh economy is undergoing a serious period of change, so objective 1 funding is critical. There is nothing we can do using objective 1 funding that we cannot do under the programmes of assistance provided by the present designations of 2, 5b and 3. However, the objective 1 category offers more money and a higher maximum rate of grant and encourages long-term planning and projections because the funding is available for seven years. The maximum rate of grant is higher. However, the essence is the same as that of the programmes that have been running for the past 10 years.

We must get away from the classic methods of regional development that we have used since the days of the big pit closures in the 1960s and 1970s. The aim of objective 1 funding is not to provide additional sheds and roads or to give the building industry grants to construct large highways or extrude vast quantities of 25,000 sq ft advance factories all over Wales. We have too many factories lying empty. We must find a way to fill the factories that we have with activities, rather than build more. We live in a world of surplus in such facilities, and we must modernise our products, processes, management

*[Mr. Rhodri Morgan]*

and skills, improve training and upgrade apprenticeships. We must increase research and development and seed capital and widen access to venture capital.

Objective 1 funding is oriented towards those aims rather than providing static factors such as bricks and mortar and highways. It is concerned with how to make the economy more dynamic by improving access and the part of the infrastructure that will lead to faster economic growth.

We shall need that growth, because recent closures have revealed that this winter has been a difficult period for the Welsh economy. The closure of Lucas-SEI in Ystradgynlais in the constituency of the hon. Member for Brecon and Radnorshire (Mr. Livsey) is a symptom of a widespread malaise in the Welsh economy of dependence on the middle level of technology in electronic assembly or automotive components which is coming under huge pressure from the shift towards eastern Europe. Factory facilities such as the Lucas-SEI plant in Ystradgynlais can be shipped to Poland where the workers are paid wages that are, perhaps, one sixth of the prevailing rates in Wales.

American factories have faced similar problems since the signing of the North American Free Trade Agreement, because wage rates in Mexico and north America have roughly the same relationship as wages in eastern Europe do to those in western European areas such as Wales. Low to intermediate technology assembly line skills are gained with tremendous speed, and for the past 20 to 30 years, through no fault of our own, Wales has specialised in those skills and in automotive and electronic components, without housing the headquarters of the firms that are using design skills to upgrade and plan the next generation of products.

We have been developing the assembly line skills that are now at risk because the pound is relatively high and the next wave of European Union expansion points eastward to low labour cost countries. That sector will be under huge pressure unless, for any reason, the pound comes down sharply.

New and exciting economic prospects are opening up in sectors in which it is very difficult for us to compete, such as software and the globalised market for what are known as traded services. Those arise from huge mergers between, for example, merchant banks, which suddenly want 150,000 sq ft office blocks so that they can house their whole human resources department, finance office or back-office operation in one city. At the moment, for various reasons, Welsh cities are not seen to be as exciting as Dublin, Edinburgh or Barcelona, and we cannot therefore compete in the globalised traded services office market.

We are losing out in manufacturing and we are not at present in a position to gain in other sectors because we do not have the necessary software skills. The Republic of Ireland targeted software 10 years ago. It trained people in those skills and then succeeded in attracting inward investment. I am not saying that Wales should target software—we could target something else—but Ireland demonstrated what could be done with objective 1 funding, and that is one reason why its gross domestic product has overtaken that of Wales and, on some measures, that of Great Britain. I hope that, with the Assembly, Wales will be able to do the same.

I am looking forward to finding out how we can creatively use objective 1 funding to provide a more secure future for everyone in Ystradgynlais and other communities throughout Wales where there are job losses in intermediate technology.

3.4 pm

**Sir Raymond Powell** (Ogmore): I want to put it on record that in the election of the Secretary of State for Wales last Saturday, the Labour party conducted itself fairly, and both candidates should be congratulated on their conduct during the whole campaign. It was an historic election because the winner will be the principal person in Wales with great responsibilities.

I worked with my right hon. Friend the Secretary of State when we were in the Whips Office and when he was a shadow Welsh Minister. I know from personal experience that he has great talent and ability and that he is definitely a workaholic. When he came into the Whips Office he always had a bundle of papers under his arm. I have seen many hon. Members with such bundles and I always wondered whether they were for show or whether they actually read the documents, so I brought a bundle of papers to the Chamber today to try to impress people that I, too, read.

This week, hon. Members from all parties who represent Wales have had the gigantic task of reading documents and attending Committee sittings to consider statutory instruments dealing with the disqualification of Members. That needs to be carefully considered because Lords will be allowed to stand for election in Wales, even though they cannot stand for election to this place. Members leave this place to go to the other place and now we are affording Lords the opportunity to stand for election to the Welsh Assembly.

**Mr. Evans:** I find the hon. Gentleman's point inconsistent, and it is the second time that he has argued it this week. Why should Members of the House of Commons be able to stand for election to the Welsh Assembly and retain their seats here, while he would deny that chance to Members of the House of Lords?

**Sir Raymond Powell:** To be frank, I entirely agree with the hon. Gentleman because of the responsibilities that will be involved. Only yesterday, when we were discussing in Committee the functions that we shall hand over to the Assembly, it was pointed out that Members of Parliament will have enough work to do here without going to the Assembly.

**Mr. Llwyd:** One of the main criticisms of the other place is that it is undemocratic because its Members do not stand for election. Surely it is welcome that they will now be able to put their head above the parapet and stand for election somewhere else.

**Sir Raymond Powell:** Yes, but they will be standing for election to a Welsh Assembly, and the number of Lords left without a seat when we disqualify them within the next couple of months will mean that hundreds of Lords might go to Wales, looking for seats in the 60-seat Assembly. That is my great objection.

I have another objection. Roaming around Wales, we hear whispers from many members of all parties, and I have been given to understand that a prominent Welsh

nationalist who is a Member of the House of Lords has already been promised a place as the president of the Assembly—the Presiding Officer. I do not know by whom because no one has been elected in Wales yet. If that is true, a Lord will not only be elected to the Assembly, but will be the Presiding Officer of an Assembly controlled, in all probability, by the Labour party. There would be something wrong if we allowed that to happen. I hope that people are listening to the party in Wales and to the debate today and have realised that we should not tolerate such a situation in Wales.

**Mr. Llwyd:** I am grateful to the hon. Gentleman for generously giving way a second time. He may correct me if I am wrong, but I understood from the Standing Orders for the Welsh Assembly that the Speaker or the Presiding Officer—whatever that person is called—must come from the majority opposition party. If that is the case, what is the hon. Gentleman's worry?

**Sir Raymond Powell:** Let us wait and see what happens. I would not want the Welsh Assembly to have a Presiding Officer who did not enjoy the support of all Members. I would not want that for the Welsh Assembly or for Parliament.

I am speaking of my concerns on Welsh day, and I suppose that you would share some of them, Mr. Deputy Speaker, if we were speaking of Scotland. When we debated the Government of Wales Bill and also the Scotland Bill, I noticed that one hon. Member sat in the Chamber on his cushion through all the debates, taking note of every word that was uttered by every hon. Member. He wrote an article recently about what will be left for Scottish and Welsh Members of Parliament to debate. That is a question that we should consider.

My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) sat on the Committee yesterday that dealt with 506 pages of concessions, options and responsibilities that are to be given to the Welsh Assembly. Other hon. Members and I sat on another Committee on Tuesday which made representation of the people in Wales different from the election of parliamentary candidates.

That brings me to an important matter that affects my constituency and that of my hon. Friend the Member for Bridgend (Mr. Griffiths). The document that we debated on Tuesday dealt, among other things, with polling stations. We accepted the proposal that all constituency polling stations that were used during parliamentary elections should be used for the election of Welsh Assembly Members and councillors.

In the Bridgend county borough council area, a number of polling stations are to be closed to save the funding that would be necessary to keep them open. I protested on Tuesday and received an assurance from the Secretary of State that he would take up the matter. I understand that in today's press the closure of the polling stations is announced.

The existing six polling stations in the area are to be reduced to one. That will cause considerable difficulty for many of our electors in an area such as Nantymoel in the Ogmore valley, which is very hilly. The majority of people living there are elderly and cannot climb the hills. It is time that we understood that polling stations—such as the ones in which we were elected to Parliament—are usually sited near homes in order to get the electorate interested enough to vote. That will be even more crucial on 5 May—

**Mr. Win Griffiths:** On 6 May.

**Sir Raymond Powell:** I am glad that my hon. Friend corrected me—I would not want voters to turn up on the wrong day. In the elections on 6 May, people will be voting not only for Members of the Welsh Assembly—that will be an historic election throughout Wales—but for local councillors. However, councillors have decided to reduce the number of polling stations. Perhaps they do not want people to vote for them, but I am sure that candidates for the Welsh Assembly, who have worked hard to be selected, would expect all the polling stations to be open.

A few weeks later, some time in June—I do not remember the exact date—there will be European elections and community council elections. The Ogmore constituency has within it 22 community councils, each with a mayor and councillors, so those elections are important to the local community. That is why the council should take the decision to allow all the polling stations to remain open.

Another domestic issue that is causing concern in my constituency is the campaign that has been waged for years for the reopening of a station at Llanharan. That would serve the population of Bryna, Llanharan, Llanharry and an extensive surrounding area. The weight of public opinion and the thousands of signatures in support of the campaign that have been sent to British Rail, and which I shall pass on to the Secretary of State, should persuade him to support the moves to have the station reopened.

I do not want to take up too much time and prevent my hon. Friends from speaking in the debate. When I listened to my right hon. Friend the Secretary of State for Wales speaking today, I realised that there is compassion in him. That was evident when he became justifiably annoyed by the remarks of the right hon. Member for Caernarfon (Mr. Wigley). My right hon. Friend spoke about the suffering of the families of people—male and female members of society—who are unemployed, and the problems that they face when they lose their jobs. I recall the difficulties that we have experienced in the Ogmore constituency since 1979. For instance, all our mines were closed when the Thatcher Government started closing all the mines and demanning the steel industry. Ten thousand workers were deprived of their jobs at the Margam steel works, and 8,000 miners lost their jobs. In the Ogmore constituency alone, 20,000 people were made unemployed in four years. Such people could not secure new jobs even in 10 years; but we endured 18 years of Tory government. We have suffered ever since, and we have not yet recovered.

Is it any wonder that people such as my right hon. Friend the Secretary of State, and other Labour Members, are now eager to implement the policies that they promised the electorate that they would implement? I do not want to go into the details of what we have achieved during the time—nearly two years—during which Labour has been in government, because my hon. Friend the Member for Islwyn (Mr. Touhig) has already done so. I listened carefully to his speech, to that of my right hon.

*[Sir Raymond Powell]*

Friend the Secretary of State and to other speeches that have been made today, all of which referred to what we have already achieved.

Not enough has been achieved, however, and not enough will have been achieved until everyone has a job and my constituents have no problems in obtaining jobs. My right hon. Friend the Secretary of State should consider renewing schemes that were introduced years ago, before the invention of training and enterprise councils. TECs seem to restrict what we can do to encourage new employment.

In Ogmore and Bridgend we had a take-up scheme, which worked differently from TECs. It was a wide and varied scheme, creating 650 training places for adults and 250 places for young people. After two years in training, 95 per cent. of young people were given jobs. Why? Because of the diversity of jobs provided by the scheme. It was described as a community enterprise scheme, and it is time that the Government readopted it. Perhaps my hon. Friend the Minister will consider that. The scheme was well known in Wales and well known to the Government, and at the time it proved so successful that the Government decided that they must change it. As a result, Ogmore lost 650 adult places and 250 places for young people.

Even at this late stage, we should reconsider implementing the Government of Wales Act 1998. We have gone through the procedures determining whom we should disbar, and other procedures determining what functions are to be devolved. Most hon. Members will remember the local government reorganisation that took place in 1974, as a result of which representatives were elected as shadow representatives for 12 months. Five local authorities in Bridgend were merged into one, Ogwr borough council, and it was essential for their councillors to be in at least a shadow position for 12 months.

During the last few years, we have experienced a different kind of local government reorganisation, and unitary authorities have been established. The same has applied: councillors have been in a shadow position for 12 months. How on earth can we expect Assembly Members to take over all the responsibilities that the Government of Wales Act confers on them, and to implement those responsibilities overnight? The election is on 6 May and they have until June to start working legally as an Assembly. That is unfair and unjust.

**Mr. Win Griffiths:** I understand what my hon. Friend is saying, but I think that there is a difference between local government reorganisation and the creation of the Welsh Assembly. Local government reorganisation involves the merging of four or five administrations, but the overall administration will be the same, and, as we know from all the work that was done on the Government of Wales Act, they have done a superb job for us. Given the quality of the Labour candidates—members of my hon. Friend's family, for instance— I have every confidence in their ability to assist in the creation of the Assembly.

**Sir Raymond Powell:** As one who had close connections on the Front Bench, was well acquainted with the Act and made a great contribution to it, my hon. Friend would know far better than I whether the newly elected Members will be in a position to serve. One person who will be a great asset, and will probably not have to wait for 12 months, is Janet Gregory—my daughter. She is absolutely marvellous. Of course, I could not have said anything different. She was bound to follow her father, although she has not listened to him since the day when she was born. I hope that she will be elected; she has a very good name.

I must now conclude my speech. Another intervention and another drop of that orange squash, and I will be off. I do not know whether anyone put gin in it! In any event, I am grateful for the opportunity to speak on an historic occasion. I hope that although by this time next year we shall have a Welsh Assembly, we shall continue to have Welsh debates in the House of Commons.

3.28 pm

**Mr. Denzil Davies** (Llanelli): I am sure that my hon. Friend the Member for Ogmore (Sir R. Powell) will have many more opportunities to regale us and interest us, even after devolution. I do not know whether this will be the last Welsh day debate, but, in any event, the House of Commons will still be the final arbiter—the final fund, as it were—in regard to money for the Welsh Assembly. It will also determine the level of public expenditure for areas outside the remit of the Assembly. I believe that all parties in the House have agreed to that system of financing, which will be annual. The Treasury will negotiate, following which—in theory at least—the estimates will have to be dealt with by the House.

Presumably, that could have been arranged differently. There could have been a charge on the Consolidated Fund, along the lines of—I hate to say this—the system of contributions to the European Union, which do not have to be dealt with by the House. Similarly, judges' wages need not be dealt with by the House: their salaries are not cut, for reasons that are fairly obvious in the administration of justice.

We could have chosen a different system; but all parties agreed that there should be an annual system, so we must not complain about the fact that it must come back to the Treasury and, indeed, the House, and that the House must debate it in some form or other.

Sadly, we are again debating Welsh affairs when the Welsh economy is not in very good shape, which is a source of great concern to us all. I have been a Member of the House for a long time and I am not talking my own country down. Every year for the past 18 years—although I do not think it was the case in 1979—Wales has been the poorest country, region or area in Britain and its level of gross domestic product is fairly close to that of Northern Ireland. That is not something to be happy about, but it is the reality that we face.

I represent a constituency where almost 30 per cent. of the employed work force still works in production and manufacturing. Manufacturing industry is under pressure because of the global economic situation and global deflation. It is also under pressure, I am sorry to say, because the Bank of England put interest rates up when it did not need to do so. At that time, of course, the Bank of England thought it was living in a world of inflation, and central bankers take a long time to change their orthodoxy.

I am not sure whether the central bankers have changed that orthodoxy, but we are living in a world of deflation. My right hon. Friend the Secretary of State said that one

of the virtues of the present Government's tenure is that long-term interest rates are at their lowest for 40 years. That is a mixed blessing. Japanese interest rates are at their lowest for 40 years as well, but that is a consequence of deflation, and that is also the case in this country. If prices are falling, which they are not yet, interest rates fall, too, but one should not necessarily welcome that. We are living in a world of deflation and, as my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said, that is having an effect on manufacturing industry in particular, which seems to have far less ability to increase prices than service industries.

We have talked about devolution and the Welsh Assembly. One consequence of devolution is greater transparency in respect of the amount of money and public expenditure that goes to the devolved areas and the amount of taxation and public money that is produced by those areas. Years ago, the Treasury would set its face against producing budgets for various regions and countries in the United Kingdom. It would argue that the United Kingdom was a unified state—a single market, to use the language of Brussels—with a single currency, no trade barriers and complete freedom of movement of capital and labour: the ultimate in political, economic and monetary union.

Quite apart from the difficulty of doing so, the Treasury would say, "Why do we need to produce budgets for Wales, the north-west of England and Scotland, because we are living in a unified economic and monetary state?" There was also the difficulty of finding the figures. All that has changed because of the political pressures of the past 20 or 30 years and through the use of computers, which can store so much more information. We are now in a position to produce devolved budgets, or budgets for devolved areas, showing the amount of money that goes into the area and the amount produced by it. That transparency will become more and more relevant as the budget of the Welsh Assembly and of Wales has to be considered.

The figures show that the position of Wales is not good and we should not go into the Welsh Assembly with some starry-eyed idea of the prosperity of the Welsh economy. Figures for Government expenditure—not only that of the Welsh Office, but of other Departments—and for the tax base in Wales from the past few years show a massive fiscal deficit, and we might as well face that.

The fiscal deficit is probably about £5 billion or £6 billion. One could argue a little about the figure, and it is never possible to be completely precise, but let us round it down to £5 billion. About £10 billion or £11 billion is raised in taxation, and there is about £16 billion of public expenditure, including the £7 billion that will go to the Welsh Assembly. That is the order of the deficit that has to be financed.

Let us be clear about the fact that that £5 billion comes from the United Kingdom—the London Government, or the dreaded British state, as some people call it. We can call it what we may, but that money comes from the centre—the dreaded Treasury, which, apparently, will not give us any additionality money on top of the £5 billion.

The £5 billion can be broken down into regional budgets, but it does not come from Scotland, I am sorry to say. It does not come from Northern Ireland. I do not know how much of it comes from the north of England. It must come from the more prosperous areas of England. The English will be providing the £5 billion that is necessary to fund the Welsh economy. They are doing so now, and have been for the past few years. There is nothing wrong with that in a unified state, but we must be clear about where the money is coming from. It probably comes from the home counties.

**Mr. Hain:** Does my right hon. Friend agree that that is one reason why the economics of separatism, which are pursued by the nationalists, are pure fantasy?

**Mr. Davies:** That is what I am trying to say, in my less dramatic way. They are, indeed, pure fantasy, because Wales could not possibly sustain a borrowing requirement of £5 billion: it could not possibly borrow that kind of money. We would either have to raise taxation—which we could not do, because we do not have the tax base—or cut public expenditure. Without that £5 billion, the Welsh economy, certainly in terms of public expenditure, would lie somewhere around the level of Slovakia, or one of the other countries that have left the Soviet empire. That is the reality, and it is better for the Welsh Assembly to face it.

**Dr. Fox:** The right hon. Gentleman is arguing that the taxes that finance the block are levied across the United Kingdom as a whole and under policies set by this House. Does he therefore agree that it is logical to retain in this House a mechanism for scrutinising how that money is spent?

**Mr. Davies:** Logical or not, such a mechanism will be retained. That is the reality of devolution. These days, we are apparently all in favour of transparency, which is the vogue word. There will be transparency. When my right hon. Friend the Secretary of State negotiates with the dreaded Treasury, the figures will be on the table and will show quite clearly the payment of £5 billion a year, which comes from the Exchequer to the Welsh economy.

Some people in Wales—certainly among the chattering classes—believe that there is an escape from all that reality in Europe. I do not want to discuss Europe in the way that it has been discussed in some interventions, except to say that those people seem to think that Europe can provide a substitute for the £5 billion, which the English are providing for the Welsh economy.

I predict that one of the first acts of the Welsh Assembly will be to acquire expensive premises in the rue de la Loi, not too far from the Charlemagne building—although its name may have been changed since asbestos was found in it. The hon. Member for Brecon and Radnorshire (Mr. Livsey) will know it well, because he spent some time in Brussels. Expensive premises, flying the red dragon banner, will be acquired. People will get on the Brussels cocktail circuit and acquire influence, and perhaps other things as well, in the process.

We have heard about the Institute of Economic Affairs and we have heard about Professor Kevin Morgan and such people. They are also financed by the English money that comes in. No doubt there will be an attempt to escape into Europe, but there is no escape in Europe from the position of the Welsh economy.

I return to the £5 billion deficit and take my cue from the references to the single currency. If the budget deficit was related to GDP—which is about £30 billion, or

*[Mr. Davies]*

perhaps more in the past year—Wales could never qualify for the single currency. With a £5 billion deficit and a GDP of £30 billion, Wales has a budget deficit of more than 15 per cent., so it does not meet the criteria set out in the Maastricht treaty. Even if we round the figure down to 15 per cent., we have to remember that Greece has a deficit of 8 per cent. and cannot get into the single currency. On that score alone, there is no escape in Europe from the reality of Wales being part of the United Kingdom.

We have rightly talked a lot about objective 1 status. It is not easy to find out how much money comes to Wales from the various European funds. I have excluded from my estimates any payments under the common agricultural policy, because I cannot work that figure out. I have also excluded any notional expenditure that Wales makes into Europe, because Britain is a net contributor. Perhaps they balance each other out—I hope so.

I estimate that, over the past five years, Wales has received about £300 million a year from European Union structural funds—under objectives 2 and 5b—and Community funds such as RECHAR and various other odds and ends. That is a lot of money, but set against the £5 billion a year that comes from the British Union it is a mere drop in the ocean.

If the assorted ranks of Plaid Cymru had all been present for the debate, rather than just the reasonable hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), they would no doubt have jumped up and shouted at me about the cohesion fund. The Republic of Ireland receives payments from the cohesion fund because its GDP is lower than that of the United Kingdom. As Wales is not treated as a separate nation state in the Council of Ministers, we do not receive such funds. However, let us add the cohesion funds, which would be about the same as Ireland receives—

**Mr. Rowlands:** They have been abolished.

**Mr. Davies:** I do not know whether they have been abolished—I think the Spaniards would have something to say about that—but I am talking about the past five years. Perhaps they will be abolished. If we had qualified for cohesion funds in the past five years, we would have received £150 million—this time I have rounded the figure up. However, we would have lost the £5 billion. We do not receive the cohesion funds because we are a member of the British Union, whose GDP is too high. Leaving that aside, let us add the £150 million of cohesion funds.

We have been told that the next six years will be bonanza years, because there will be objective 1 money. I hope so. I have heard the figure of £2 billion, but I do not know whether that will survive the meetings in Berlin this weekend—let us hope that it does. If my mathematics are not too bad, that comes to £330 million a year over the next six years. What would happen to objective 2 and 5b assistance if we received objective 1 money? I have no idea, but presumably it would be slightly less. If it were halved, and we received £2 billion-worth of objective 1 assistance plus a little objective 2 money, we would get £500 million over the next six years. *[Interruption.]* The hon. Member for Brecon and Radnorshire (Mr. Livsey) seems to be nodding. He understands these matters, because he goes to Brussels and talks to people.

**Mr. Livsey:** Occasionally.

**Mr. Davies:** Not too often, I hope.

Plaid Cymru wants to trade in the British Union and get the European Union—

**Mr. Llwyd:** Will the right hon. Gentleman give way?

**Mr. Davies:** I have at last managed to provoke the hon. Gentleman to intervene.

**Mr. Llwyd:** I have not intervened before, because quite frankly this is fag packet economics. I can think of several amounts that the right hon. Gentleman could take into account. For example, every large company operating in Wales pays tax outside Wales. That is a huge figure, and there are many such others. I should be delighted to argue these points with him at another time, but at the moment he is, with respect, talking fag packet, unrealistic rubbish.

**Mr. Davies:** I am glad that I managed to provoke the hon. Gentleman. I was hoping that the right hon. Member for Caernarfon (Mr. Wigley) would be here, because he would have got on his feet much sooner. Over the years, the nationalists have tried to knock these figures down—there have been various articles in the *Western Mail* and other worthy publications—but they have never managed to do so. It is quite simple: if Wales has the lowest income per head in the United Kingdom, obviously expenditure must be greater than the tax raised. The nationalists used to talk about defence expenditure, but they have gone off that now.

**Mr. Llwyd:** That is a good point.

**Mr. Davies:** Indeed. I am surprised that the hon. Gentleman did not mention defence expenditure.

That is the position we are in, and £500 million against £5 billion is a small sum.

I have always thought that Welsh day debates, the Welsh Office, which was established in 1964, and now the Welsh Assembly, were introduced to preserve Welsh identity. There is also the democratic element, and the notion that the Welsh Office can runs things better than the Department of Trade and Industry or the Home Office. However, underlying all that is the need for institutions in Wales to preserve national identity—I think that is the vogue word. They are required even more now because we live in a world of global capitalism and global economics, in which the driving force of economics breaks down loyalties in communities, between individuals and between nation states.

The Welsh Assembly will exist partly to preserve Wales's national identity. I hope that it does not become a national whingeing Assembly where we are always attacking the Treasury, the London Government and the British state, and where we whinge about what more we should get, such as increased powers of taxation when there is no tax base. I hope that it does not become a place where we talk about devolution being a process and not an event, and about wanting more powers.

If we go down that road, we shall not be able fully to utilise the Assembly as a bulwark of the Welsh national identity and to improve Welsh democracy and the Welsh economy. We will be able to do that only if we recognise the realities of Wales's parlous economic condition.

3.47 pm

**Mr. Desmond Swayne** (New Forest, West): I apologised to Madam Speaker earlier, and I now apologise to the House, for not having been present at the opening of the debate. My plans were made before we adopted the extraordinary arrangements for Thursdays in this part-time Parliament. The Speaker is well aware of my views on that, and I have been ruled out of order more than once for having drawn attention to them, so I shall not go down that road again today.

Several Labour Members have referred to the parlous state of the Welsh economy—or at least to the relatively less-well-off state of its economy. I want to draw attention to the regional trends survey published by the Confederation of British Industry on 9 February, which states:

"General business optimism has declined more rapidly in Wales than anywhere else in the United Kingdom . . . Output has fallen markedly, with similar falls expected in the next four months, in addition to 1,000 further job cuts forecast between the final quarter of last year and the first quarter of 1999."

**Mr. Win Griffiths:** I appreciate that the hon. Gentleman's previous arrangements prevented him from being present for the opening speeches, but surely, at the very least, communications within his party should have enabled him to check with the shadow Minister with responsibility for constitutional affairs, because that report was mentioned at length in the opening speech from your side of the House. It is old news, and we have heard it before. It would have been much better for you to address your constituents elsewhere.

**Mr. Deputy Speaker (Mr. Michael Lord):** Order. They are not my constituents and it is not my side of the House.

**Mr. Swayne:** The hon. Member for Bridgend (Mr. Griffiths)—from the party of spin—will know that these messages bear repetition. Indeed, the more they are repeated, the more likely it is that the message will be received and recorded.

There has been a significant rise in the rate of home repossessions because of unpaid mortgage repayments—an increase of 1,000 last year. In addition to the problems in the Welsh economy, there are problems for the agricultural sector. The problems of Welsh agriculture are not new. In recent years, as a result of those problems, my family withdrew from farming at Whitland on the border between Carmarthenshire and Pembrokeshire to farm in New South Wales. Although the problems have been compounding for years, it is now true that farmers in Wales have never been poorer, and they face new problems. We know that the arrangements under discussion for reform of the common agricultural policy will pose new challenges and problems to Welsh agriculture.

I wonder whether Ministers and hon. Members recognise the potential problems facing agriculture as a consequence of the increase in charges to be levied by the meat hygiene service, and the potential devastation that that may do to many livestock markets. There are huge challenges for agriculture and industry in Wales.

The right hon. Member for Llanelli (Mr. Davies) referred to the fiscal deficit; the huge challenge facing the Welsh economy in the coming years will compound that fiscal deficit. The single European currency was mentioned by the right hon. Gentleman. The problem that the Welsh economy will face is that it runs counter-cyclical to the average European economy. Its peaks and troughs are at a different time from the average European cycle.

The European central bank is insulated from any lobbying by the regions of Europe that will be adversely affected by its interest rate policy. Indeed, Governments that make representations will stand to be fined under the existing treaty structure. Counter-cyclical economies, such as that of Wales, will find that their fiscal deficits will be exaggerated. In times of inflation, the rate of inflation in Wales will be exaggerated, and at times of unemployment, its unemployment rate will be exaggerated by the interest rate policy pursued on behalf of the European norm.

It was instructive that the right hon. Member for Llanelli drew attention to fiscal deficits, which are seen as a way around the differential effects on regions which suffer disadvantages, as Wales would. There would be an expectation that the fiscal deficit would grow, and be required to grow, so that Wales could be compensated for the adverse interest rate policy by receiving a much larger fiscal inflow from the rest of the EU.

The problem is that the arrangements to do that are not in place in Europe, as they are in the United States. A state in the United States suffering adversely as a consequence of the policies of the Federal Reserve—for example, running a recession when the rest of the economy was in boom—would expect to receive a considerable increase in federal funding to ameliorate the effects. That is not in place in terms of any single currency that we might enter. Therefore, the full brunt of the adverse consequences of the interest rate policy will be felt in terms of unemployment in Wales.

That is a challenge with which the leadership in Wales and Welsh Members of Parliament must come to terms, and about which they must make representations to the Government. Given the Government's ability to take representations from this House, I suspect that the best way of getting through to Alastair Campbell might be to ring *The Sun* poll on the issue. They can do so by dialling 0660 100 721.

**Mr. Win Griffiths:** All the hon. Gentleman has said so far is purely speculative—it is right out of the Brothers Grimm. By quoting *The Sun*, he merely strengthens the view that he is producing one long fairy tale for Wales.

**Mr. Swayne:** I am surprised to hear *The Sun* treated with contempt by Labour Members, who have placed such faith in its strictures in the past. However, that advance from them is welcome. It is wise to speculate on these matters. There is that branch of Christian ethics which takes literally the Lord's command to consider only the troubles that are sufficient for each day, but it behoves us, as politicians, to consider the consequences of the policies announced this week.

*[Mr. Swayne]*

The challenges posed by the state of the economy in Wales must be set against the expectations created by Labour during the general election campaign and the pledges that Labour made on a series of problems. On transport, it was expected that there would be a significant improvement in Wales. We must set the White Paper, "Driving Wales Forward" against the reality.

Yesterday, as I came to the House, a bus from Pontypridd was unloading lobbyists on behalf of British truckers, who were complaining about the fact that, in Wales, filling a 220-gallon heavy goods vehicle tank costs £200 more than on the continent of Europe. That disadvantage must be set against the high-sounding phrases from "Driving Wales Forward" which, in some respects, might drive Wales to a standstill.

I wish to refer to the A5; a road with which, as a former schoolmaster in north Shropshire, I am familiar. As a consequence of the White Paper, we have seen the abandonment of the Bethesda bypass, the Corwen bypass, Halfway bridge and Pont Padog.

**Mr. Llwyd:** I know that the hon. Gentleman is no expert on Welsh affairs, but Pont Padog is in my constituency and is being done now.

**Mr. Swayne:** I stand corrected. In south Wales, with respect to the A470—again, a road I know well, having contested Pontypridd in 1987—and the A479 at Talgarth, there has been a considerable scaling down of projects.

On education, there have been some modest increases in the amount of money available. However, while the headline figures sound higher, the actual amount that local education authorities will spend is more modest. That must be set against the vast increase in the bureaucratic intrusion in schools—a mistake started, and now thankfully admitted, by the Conservative party. However, that is compounded by the Government's arrangements.

I quote as an example literacy hour. Everyone approves of literacy hour. It is a good thing, but the way in which it has been imposed, and the strictures and requirements that arise from it, mean that it will inevitably affect other parts of the school day. It becomes less attractive when one learns that the visit by the parish priest or vicar to a school has been curtailed or excluded as a consequence of literacy hour.

**Mr. Hain:** Could the hon. Gentleman explain how he thinks the literacy hour is being applied in Wales?

**Mr. Swayne:** The literacy hour, imposed or required in schools, has in some cases—I am aware of one—led to the ending of the vicar's visit to a school.

**Mr. Hain:** If the hon. Gentleman knew anything about education in Wales, he would know that we have not imposed a literacy hour on schools in Wales.

**Mr. Swayne:** The effect of Government policy with respect to the literacy hour has led to those consequential changes. If that is an acceptable form of words to the Minister, I will be satisfied, but that must be seen against the failure, or—what is the word?—the sluggishness in delivering on class sizes.

**Mr. Win Griffiths:** While the hon. Gentleman was searching for the word, I thought that I might ask him to let us know whether that vicar was unable to go to a school in Wales, or in England.

**Mr. Swayne:** It is my son's school. He came home and told me that the vicar was excluded. I do not see that there is any difference in principle between a literacy hour in rural England and one in Wales, but, irrespective of that, what we have not seen is the reduction in class sizes that was promised.

I have always regarded the fixation with class sizes as misplaced on the ground that the relationship between class sizes and standards has always been somewhat tenuous. However, the problems will come home to roost when schools at the margin—small rural schools—find that, as a result of having to comply with the requirement to keep classes below 30, they have to acquire an extra member of staff, which will make those schools economically unviable. Pressure will then be mounted by education authorities to close the schools. I strongly suspect that parents who might have wanted class sizes below 30 and who have to make a choice between schools with classes in excess of 30 that were nevertheless local to them, and having no school at all, will choose the former rather than the latter.

Some 233 fundholding practices exist in Wales, accounting for almost 1,000 general practitioners. Those practices treat more than half the Welsh population—some 57 per cent. There is a marked lack of enthusiasm among GPs for the new collective arrangements. Of course, the governing party has made it clear that that was part of its programme and it has a mandate to do that, but it also has a mandate—it sold its policy on health with this commitment—to reduce waiting lists. There has not yet been the decline in waiting lists that we could have duly anticipated, given the hype that the governing party attached to it.

The 1.7 per cent. increase in the allocation for police forces for 1999–2000 should be set against the 2.5 per cent. increase in England. It ill behoves the Government to trumpet their success in law and order when police forces in Wales are now marginally smaller than they were when the Government came to power.

I have drawn attention to several problems or challenges, depending on the way in which one looks at it, particularly in respect of economics. Those challenges will require clear and decisive political leadership. What confidence can we have that that political leadership will be in place?

Wales is to be subjected to a new and novel form of government. I chose my words carefully—I said, "subjected". Only a majority of less than 1 per cent.—0.6 per cent.—of the electorate in Wales voted for the changes. Indeed, less than a quarter of the Welsh population voted for the arrangements that were set out in the White Paper.

As a consequence, the Government, in humility, announced that they would be sensitive in the arrangements that were put in place. That pledge was made by the Prime Minister on the day after the

referendum and repeated in some respects by the then Secretary of State for Wales, the right hon. Member for Caerphilly (Mr. Davies). He said:

"the referendum results showed a marked difference in views between both north Wales and south Wales and between east Wales and west Wales . . . I am conscious that we need to do a lot more work to bring Wales together. We must address genuine concerns and I acknowledge the fact that we must listen and continue to listen".—[*Official Report, Welsh Grand Committee*, 18 November 1997; c. 12.]

Some of us on the Conservative Benches have wondered throughout the process precisely what the sensitivity consists of. The arrangements that have been put in place strike me as somewhat insensitive.

The pledge in paragraph 3.33 of the White Paper—that Wales would remain an integral part of the United Kingdom—did not appear in the Government of Wales Bill, despite the fact that amendments were tabled so that it would. Now it is an Act, it contains no such provision, but what it does contain is the arrangement by which more power can be granted to the Assembly on the basis of statutory orders and a 90-minute debate in the House, with no provision by which powers can be restored and moved the other way. What we have is a ratchet effect by which the Assembly's powers might grow at the expense of the House. That does not strike me as representing the sensitivity that was required in respect of the referendum result.

We understand, and have understood for some months, that the Secretary of State for Wales is also to be the First Secretary of the Assembly—the emperor is also to be the consul. The character of that Assembly is still entirely opaque. The Government of Wales Act 1998 makes it clear that the Assembly might adopt a Cabinet system of government, but there is no requirement for it to do so, so Wales faces considerably uncertain times.

Given the demand for clear political leadership and vision, the most striking deficit in respect of the Welsh government arrangements is the voting system that has been put in place to supply Members of the Assembly. Voters will have two votes. The first will be cast in a first-past-the-post ballot, in the same way as votes are cast to elect Members of the House. In addition, voters will cast a second vote. The seats allocated on the basis of the second vote will be calculated by an extraordinary method.

For each electoral region, the number of votes cast for a particular party will be added up and divided by one more than the number of seats that that party has already won under the first-past-the-post arrangements in that electoral region. Explain that to the ordinary voter and try to persuade him of the connection between casting his vote and delivering a Member of Parliament from out of the sausage machine. I defy hon. Members to try fairly to explain such a system to ordinary voters. Confidence in the democratic system rests precisely on the ability to explain the operating electoral system.

**Dr. Julian Lewis** (New Forest, East): If I understood my hon. Friend correctly, he was saying that the system will result also in two rather different types of Member of Parliament. Am I right in thinking that the effect of that will be that whereas some Members of Parliament will be accountable and responsible to their constituents, other Members of Parliament will lack that same type of link?

**Mr. Swayne:** My hon. Friend makes a very good point. It is unfortunate that Wales is to become something of a social experiment in those matters. We will have to wait to see how the system works. Currently, it is unclear.

The system is worse than I have described it, because of the way in which parties have gone about selecting their candidates for the second ballot. There is a perception—in these matters, perceptions are very important indeed—that there has been a stitch-up. The perception is compounded by the arrangements that the Labour party has made for the election of its own leadership candidate. It is a tribute to "people's democracies" that that election system should have been designed to deliver the desired result. The desired result was indeed delivered.

We shall have to await the outcome of the arrangements to discover whether they will provide the leadership and vision that is capable of delivering solutions to the problems that I mentioned earlier. I have grave doubts that they are so capable. I hope that I am wrong.

4.12 pm

**Mr. Gareth Thomas** (Clwyd, West): The debate has focused, quite understandably, on issues of the Welsh economy. I shall take a different course, however, and deal briefly with two matters. The first is our priceless national asset in Wales—the Welsh language and its future role, particularly in the National Assembly for Wales. Secondly, I shall deal briefly with some aspects of the constitutional future, and the relationship between the National Assembly and this place.

I should like first to say a few words about the economy in Wales. I agree entirely with my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) that the Assembly's priority has to be jobs, jobs and jobs. I agree entirely also with the Secretary of State that we have to combat social exclusion in Wales and improve the performance of the Welsh economy. There is an expectation that the European Union structural funds that we hope will be coming to Wales will be of assistance to us. I also believe that the Secretary of State's position on additionality is entirely understandable and realistic. It would be wrong to put the cart before the horse, or for the Treasury to make any firm commitments on additionality.

The economy is a very real issue in my constituency. We have grave concerns also because of job losses in the adjoining constituency of Conwy. The Minister will be aware that, yesterday, job losses were announced at Hotpoint, Llandudno Junction. I hope that the Secretary of State—when I meet him next Tuesday, with a delegation from Conwy—will be prepared to discuss the issue, and how we might mitigate the effects of those job losses, which are a blow to the local economy.

Today is very near to St. David's day. It is always appropriate that we should have pride in the Welsh language. The Welsh language belongs to all the people of Wales, regardless of whether they speak Welsh. I welcome the fact that the language is not the political football that it might have been many years ago. I believe that the Welsh Language Board has in the main done good work. I believe also that, although the language should

*[Mr. Gareth Thomas]*

not be a political issue, politicians—particularly politicians elected to the Assembly—should be prepared to ask sometimes awkward questions about how money is spent on policies designed to support the Welsh language.

I should like more money to be spent on community-related activity to foster the Welsh language at the grass roots level. I represent a constituency in which the Welsh language is spoken widely, by ordinary people. There is genuine popular demand for services in the Welsh language.

I am aware of one recent case in my constituency in which a Welsh-speaking family—ordinary, working-class people—wanted to send their child to a Welsh-medium school. She is suffering from a very serious hearing impediment, which means that she has special needs and at school will require intensive speech therapy. However, she may not be able to receive speech therapy in the Welsh language. Although the matter is being pursued through the normal channels, it supports my view that, although much progress has been made in improving the status of the Welsh language, much has still to be done. I am of course aware that we have to tread sensitively and practically.

I should like to make two specific points on the language issue as it will affect the National Assembly for Wales. Given the fragmented nature of the Welsh political identity, it is a major political achievement that we stand at the threshold of huge political changes in Wales. There is an expectation that the Assembly will improve Wales's economic performance, although we do not know how realistic is that expectation. There is an expectation also that it will improve the profile of Welsh culture and of the Welsh language.

I should be grateful if the Minister could reassure me on two points. If those who are able and willing to speak Welsh publicly in Assembly sessions are to have confidence in doing so, a good quality translation facility should be available. Assembly Members also should have confidence in the accuracy of translations. It may surprise hon. Members to learn that I have recently fallen foul of that expectation.

As right hon. and hon. Members will know, at the beginning of this week, the Welsh Grand Committee met in Aberaeron. I delivered a speech in Welsh, but was much surprised and frustrated, not to say rather annoyed, to learn that the translation that was provided for *Hansard*—this is not a criticism of *Hansard*, incidentally—was very inaccurate in many respects. The matter is being pursued through the Chairman of the Welsh Grand Committee. However, we must have confidence that we shall have a good-quality translation, or the Welsh language will not be used as much as it should be.

The proceedings of the National Assembly will be reported. There is perhaps a misunderstanding that the verbatim report, at least the one in Welsh, will not be available for some days after a speech has been delivered. Hon. Members have been lobbied on the issue, and I should be grateful if the Minister could clarify the precise position. I realise that there is a difference between preparing the final bound text and a draft of speeches, but, if Members are to use the Welsh language publicly, they should not have to do so under such a hindrance.

**Mr. Evans:** Does the hon. Gentleman agree that, with the use of new technology, there is absolutely no reason why transcripts could not be put on the internet within a matter of hours, rather than Members having to wait days for printed texts?

**Mr. Thomas:** I agree entirely. As I said, I should like some clarification from Ministers on the issue.

It will be interesting to see how a Welsh debate, such as this one, will be conducted in 10 or 20 years. We are in a time of great constitutional change, and it is not clear where it is taking us. I am rather sceptical about the idea of a Europe of the regions. There is considerable loyalty to the idea of the British state, even among those who strongly support the need to preserve Welsh political and cultural identity through the Assembly.

As my right hon. Friend the Member for Llanelli (Mr. Davies) said, we have to accept the fact that there are big fiscal transfers from England to Wales. However, we are in a time of change. The penny has not quite dropped in this place about the procedural consequences of devolution. I am not entirely confident that the Government have got it right on the role of oral questions to the Secretary of State for Wales or the Select Committee on Welsh Affairs. I hope that the Committee will continue in more or less its present form, taking a cross-cutting brief examining all aspects of primary legislation and policy that affect Wales.

My hon. Friend the Member for West Carmarthen and South Pembrokeshire (Mr. Ainger) and I recently had the privilege of attending various meetings with colleagues from Scotland, Northern Ireland and the Federal Republic of Germany at the invitation of the German Government.

**Mr. Rowlands:** I have never thought that the Welsh Affairs Committee did enough on the block grant. Should not that be one of the centrepieces of its future work?

**Mr. Thomas:** I am grateful to my hon. Friend for that remark. I entirely agree that that would be a worthwhile area of study.

The Germans are very interested in what is going on in the United Kingdom. I was told by a member of the German Foreign Ministry that devolution to Scotland, Wales and Northern Ireland would make us a more normal country in European terms. That is a telling remark. Our regime is over-centralised. I welcome the trend towards devolution. I do not share the scepticism of those who maintain that there is no demand for devolution in the English regions. That will come. Although our system of quasi-federalism is asymmetrical and will cause problems, there is no reason why we cannot have a more rational constitution. We need some joined-up thinking on the constitution as well as on social policy.

One of the apocryphal incidents ascribed to Dewi Sant, or St. David, our patron saint, is the time when the ground rose up beneath his feet when he was delivering a sermon somewhere in mid-Wales. That is a striking symbol that makes us think of raising awareness, raising standards and raising horizons. The Assembly has a crucial role in raising standards across Wales. As a patriotic Welshman,

I regret to say that we are too often seen as a mediocre country in many respects. We need a crusade to raise standards across the board—in education, local government and all walks of life, including industry.

4.23 pm

**Mr. Alan W. Williams** (East Carmarthen and Dinefwr): It is a pleasure to follow my hon. Friend the Member for Clwyd, West (Mr. Thomas). I agree with virtually everything that he said.

I hope that this annual debate continues after the establishment of the Assembly, because it gives us a free agenda to speak on any aspect of Welsh affairs, including constituency issues. I learn a lot every year from the contributions of my hon. Friends and, occasionally, from Opposition Members.

I should like to focus most of my remarks on constituency issues. There has been a generally gloomy feeling to the debate, with everyone describing the problems across Wales and in their areas. I shall start with the gloomiest aspect, but I hope that there will be some optimism in the second part of my speech.

The most difficult aspect of the Welsh economy is the crisis in agriculture. I do not know where its origins lie but, in the past year, farmers' incomes have dropped by about 40 per cent., having already suffered a 40 per cent. drop the previous year. There is deep despondency about the future.

I keep reassuring farmers that things will get better and that next year cannot be as bad as last year. One of the problems was that prices in September and October fell catastrophically. The problems in Russia and south-east Asia and the high pound may have been contributory factors, but the catastrophic drop has not been properly explained. During the past year, interest rates have fallen from 7.5 to 5.5 per cent. I am confident that, over the next three or four years, they will drop to 5, 4 or 3 per cent., and below, as we prepare to join the European single currency. With that will come a fall in the value of the pound, which will help to restore competitiveness, putting up the price of imported goods, enhancing our exports and creating more demand for agricultural products.

The other element of despondency in agriculture relates to the negotiations in Brussels on reform of the common agricultural policy. I have felt for 20 years and more that the CAP drastically needs reform. It does not deliver what it was constructed for. It is a wasteful policy, because three quarters of the resources go to the richest 25 per cent. of farmers. Rather than supporting small, poor farmers, it gives million-pound subsidies to millionaire farmers—the barley barons and others. I hope that the discussions in Brussels result in a fairer and better-targeted CAP, moving away from production support towards the environment, thereby moving away from supporting rich farmers to supporting small farmers. There is deep anxiety throughout rural communities about the results of the negotiations, which we await over the next few days.

I am pleased with the progress being made on unemployment. I see the hon. Member for Brecon and Radnorshire (Mr. Livsey) in his place. I am aware of the severe blow in Ystradgynlais, where 700 jobs will go because of the Lucas closure. There are odd black spots, but unemployment in Britain has dropped by 40 per cent. in the past two years. In my constituency, there were 1,855 people out of work in December 1996 and 1,224 in December 1998. That is a one third reduction. We are making excellent progress on reducing unemployment. The useful research papers produced every month by the Library on unemployment in individual constituencies show that my constituency has the sixth lowest level of unemployment in south Wales and the lowest in south-west Wales. The figure is currently 4.3 per cent. I am reassured by the fact that it is half what it was 10 years ago, so we are making outstanding progress.

As my hon. Friend the Member for Islwyn (Mr. Touhig) said, thanks to the new deal, youth unemployment has halved and long-term unemployment has fallen by 57 per cent., so we are tackling unemployment head on.

The biggest problem in my area is low pay, something that is endemic in the Welsh economy, particularly in west Wales and Gwynedd, which have very low per capita incomes. The income per capita in Wales is 83 per cent. of that in Britain, but in west Wales and the valleys it is only 71 per cent. of that in Britain. That is partly due to low pay. The Government's legislation on the minimum wage, which will take effect in April, will provide a massive boost for my constituents as 15 per cent. of employees in Carmarthen, East and Dinefwr earn less than £3.50 an hour. The minimum wage of £3.60 an hour for people over 25 will directly benefit more than 3,000 people in my constituency—the poorest people in work. It will also provide a foundation for other wages. It is a wonderful, socially progressive measure providing for the redistribution of income and it will be a great monument to our Labour Government.

The other major topic of today's debate is objective 1 funding, which has been mentioned by many hon. Members. Objective 1 funding, if it is achieved, will provide a one-off opportunity, but for only six years. As my hon. Friend the Member for Cardiff, West (Mr. Morgan) said, it is sad that Wales is in a deep depression and that our income per capita is so low that we need to apply for objective 1 status. However, it will provide a once-in-a-generation opportunity to pull out of the bottom league, stop being the poorest region in Britain and start motoring ahead.

I should like to pay tribute to my right hon. Friend the Member for Caerphilly (Mr. Davies), the previous Secretary of State, and to the Under-Secretary, my hon. Friend the Member for Neath (Mr. Hain), who is not in his place. I should also mention my hon. Friend the Member for Bridgend (Mr. Griffiths). During the past 12 to 18 months, the Front-Bench team has done a great deal of hard work putting together the statistics and presenting the case, not ranting passionately like the right hon. Member for Caernarfon (Mr. Wigley), but in a cool, rational and diplomatic fashion, using the force of argument rather than the argument of force. We are grateful to the Front-Bench team for all its good work so far and we hope that, in March, we shall finally achieve objective 1 status.

I wish that there were more reports of the work of the task force under Hywel Ceri Jones, which was an imaginative and forward-looking idea. It involves about 160 working parties in different parts of Wales. Over the next 12 months to five years, they will have the enormous

*[Mr. Alan W. Williams]*

responsibility of drawing up hundreds of schemes involving the infrastructure, businesses and skills and training to equip us for long-term economic advancement.

**Mr. Evans:** Is the hon. Gentleman aware of the inconsistency of his argument? He began his speech by saying how wonderful Wales was doing and how great things were, but he then said that it needed objective 1 status as things were so bad. The hon. Gentleman cannot have it both ways. Is Wales doing well or is it not?

**Mr. Williams:** I am not surprised by the hon. Gentleman's intervention. It is an example of the superficiality of most of his remarks from the Opposition Front Bench. Let me explain my analysis. Eighteen years of Conservative Government left Wales in a desperate plight at the bottom of the regional league. My own area has only 71 per cent. of the income per capita of Britain. After 18 months under Labour, we have moved forward. As I said, unemployment has fallen by a third in my area and the new deal has given new hope for young people and the long-term unemployed. The minimum wage will also help, as will forthcoming measures involving child benefit, education and health. The picture is changing, but we cannot repair 18 years of damage in 18 months.

We need objective 1 support to regenerate the Welsh economy. I am very hopeful that we will achieve that. I mentioned some of the projects that we need. However, there appears to be a misconception, especially in rural areas, about objective 1 funding. In some farming communities, it is said that when Ireland achieved objective 1 status there were suddenly great times and that the money was there to be enjoyed—that it was money for nothing going directly into people's pockets. That is not the purpose of objective 1 funding. It is money not for today, but for long-term investment in the infrastructure to provide roads, industrial estates, water supplies, sewerage, gas and so on. It is to help businesses finance research and development and innovation.

Let me quote one example. The Science and Technology Committee has been looking at innovation in engineering and physical sciences—a sector in which Britain does not stand comparison with Germany, Japan and the United States. Newer ideas include science parks and technology transfer in an attempt to provide a middle tier between universities and industry. Objective 1 money could be used to further that. Wales has some notable academic institutions with excellent departments. We need to expand research and development and innovation. It is important also to provide skills training for those who are out of work or between jobs and further and higher education for young people. We need a multiplicity of courses to provide the skills for tomorrow's industries.

Mention has been made of matching plans and where they should come from. My feeling is that, if 75 per cent. of the money comes from Europe under objective 1, it is nothing to find the other 25 per cent. For instance, if I wanted to spend £20,000 on my house—not that I want an extension—and I was told that I could get £15,000 free of charge from the local authority, or wherever, and that I had to spend only £5,000 of my own money, I would soon find a way of raising £5,000. It does not make much difference whether the money comes from the Treasury, the Welsh Office or local authorities as it is all taxpayers' money and we are all taxpayers.

The Secretary of State will have to put the case to the Treasury. As my hon. Friend the Member for Clwyd, West (Mr. Thomas) said, we must not put the cart before the horse. First, we must get objective 1 status and then we must open negotiations with the Treasury on how it can help us—in addition to the Barnett formula—to raise those matching funds.

If the Treasury will not help, the Welsh Office block grant will be under pressure. We want money to improve the health service, education and other services. I am reluctant for the Welsh Office to be squeezed for the extra £100 million, or whatever the sum may be. I would rather that the funding came from local authorities. Our manifesto said that we would get rid of council tax capping and allow local government to set its own budget, restoring a freedom that exists in virtually every other part of the world.

**Mr. Llwyd:** I agree that an element of partnership is desirable, but let us be honest: local authorities are already under severe financial constraints and will not be in any position to contribute substantially, although they might make a nominal contribution. Even if all the council house receipts were available, that would not amount to very much.

**Mr. Williams:** I disagree fundamentally. It has taken 20 years to happen, but the ratio of local government expenditure that is raised locally is down to about 10 or 12 per cent. in Wales, with 90 per cent. coming from the Welsh Office in the standard spending assessment. That is unhealthy for local democracy. Rather than taxing and spending nationally, I would prefer local government to be allowed to spend what it deems appropriate on education, highways and all the other services. Certainly, the bulk should come from the Welsh Office, but there should be that freedom.

A poll carried out in Milton Keynes recently, and published in *The Guardian* last Tuesday, demonstrates the public acceptance of that view. We can learn certain lessons from England. The poll shows how people value their local authorities. The Government guideline was for a 5 per cent. increase in council tax, while the council in Milton Keynes wanted a 10 per cent. increase. The council balloted people on whether the increase should be 5, 10 or 15 per cent.

The results were very revealing. There was a higher turnout than in any council election: 45 per cent. as opposed to only 26 per cent. in the most recent council elections. Of those who voted, 23.6 per cent. voted for a 15 per cent. rise; 46 per cent. for 10 per cent.; and 30 per cent. for 5 per cent. That was in Tory middle England, as it were, although the council and the parliamentary seats are now Labour. Seventy per cent. wanted an increase of 10 per cent. or more, knowing that it would be spent on their local services. I think that people in Wales are very much of that frame of mind. If they see the benefit of services locally, they will vote to pay for them.

If any of the objective 1 money that we hope will be available within the next year or so were not used, we would lose a one-off opportunity and deny the advantage to our children and grandchildren. We must use it all, and if local authorities need to get involved in raising the matching funds, they should play their part.

4.44 pm

**Ms Julie Morgan** (Cardiff, North): This is the last St. David's day debate before devolution and the Welsh general election. I hope that this annual debate will continue to take place so that Welsh Members who are not going to the Assembly will still have the opportunity to raise the wide-ranging issues that we have discussed today.

We do not yet know what impact constitutional reform will have on the Chamber. My hon. Friend the Member for Clwyd, West (Mr. Thomas) raised the issue of the future of Welsh questions. I know that the Procedure Committee has started to consider that. I cannot see how Welsh questions can continue in the same way if we are holding the Secretary of State accountable for the powers that remain to him. That is an unknown quantity, as is the future of the Welsh Affairs Committee, which I hope may be found a role in pre-legislative scrutiny, especially of the way in which Bills affect Wales.

We are moving into the unknown. That is an essential part of change and of the process of devolution. In addition to devolution and the setting up of the Assembly, reform of the House of Lords is bound to result in a second Chamber with more legitimacy, which in turn is bound to affect the workings of this Chamber. For the Welsh Members who will remain here, it is a time of change and uncertainty, but, for those of us who have been committed to and campaigned for devolution for many years, it is a time of great excitement. This is a day to celebrate what we have achieved.

Many people have said that we have unrealistic expectations of devolution, but I unashamedly have great expectations and look forward with tremendous excitement to the first meeting of the Assembly in Cardiff, with politicians from all over Wales coming together and starting to sort out the problems that the Government have already begun to address. I hope that we will be able to start building up forward-looking, strong, healthy communities, bringing power closer to the people and giving them a greater chance to sort out their own affairs, with women and men playing equal roles, which is an important issue for the Assembly.

**Mr. Huw Edwards** (Monmouth): Is not it a great credit to our party that the twinning process that we introduced last year has produced such an outstanding range of women Labour candidates, who will be in the Assembly in a few months?

**Ms Morgan:** I could not agree more. The difference between the Assembly and the House of Commons is that there will be a much more representative group of people there than I see here today. I think that the style of conducting business there will be different, and more productive, because a much wider cross-section of the population will be involved. The beginning of the new democracy is an opportunity to look afresh at our constituencies, for example, and to see what we want to change and what the Assembly can do to help that change. The economic issues have been well covered today, so I shall concentrate on other issues.

The publication of the Stephen Lawrence report yesterday has made us all aware of the extent of racism in Britain. That applies equally in Wales. The objective statistics for Cardiff show that young black men are many more times likely to be unemployed than their white peers. South Wales police have announced sharp increases in the number of reported racial attacks, as has Cardiff and the vales race equality council, Race Equality First. When I was a councillor, I knew of Asian women who were afraid to leave their houses and walk on the streets of Cardiff because of the abuse they received from groups of youths.

I hope that the Assembly will be the inclusive body that people say it will. To me, inclusivity means including black people in decision making and in consultation. I am pleased and proud that the Labour party has a black woman candidate, Councillor Cherry Short, in the constituency of my hon. Friend the Member for Monmouth (Mr. Edwards), and we will win that seat on 6 May. It is a great credit that we have a black candidate for the National Assembly who will win her seat.

The Stephen Lawrence report recommended an immediate review of racism awareness training in the police force and other agencies. The setting up of the National Assembly is an opportunity to ensure that anti-racist strategies are in place from the beginning and that a programme is introduced so that all its employees have such training. I also believe that the members elected to the Assembly should have anti-racist training. I hope that those hon. Members who leave here for the Assembly will help to ensure that that happens.

**Dr. Julian Lewis:** I am a member of a religious minority, the Jewish community, which experienced before the war persecution and prejudice similar to what the coloured community experiences now. I have some slight reservations about going as far as the hon. Lady in her proposals for anti-racist training for all sorts of groups before it is established that there is a problem in those groups. Otherwise, there is a danger that one might create resentment and a problem, where no problem exists.

**Ms Morgan:** The evidence put before the House yesterday undoubtedly shows that there is a problem. Members of Parliament, as the law makers, should also have anti-racist training. When we first come to the House, we have no opportunity to access the type of training that is provided automatically in many jobs, including training in equal opportunities and disability awareness. We lose out because of that, and I hope that Members elected to the Welsh Assembly—a fresh start and a new opportunity—have the chance to experience such training.

The Equal Opportunities Commission and the Commission for Racial Equality will still be the responsibility of the Department for Education and Employment, although both have regional offices in Wales. It is essential that a strong link is made between those bodies and the Welsh Assembly, so that they can all promote equal opportunities.

I am a member of the Welsh Refugee Council and we have recently seen an unprecedented increase in the number of cases with which it deals. The numbers have increased from a handful in 1994 to almost 200. That is due partly to the Asylum and Immigration Act 1996 and also because south Wales contains established communities from countries such as Somalia, Sudan and Iraq. The new proposals in the Immigration and Asylum Bill are likely to increase the number of asylum seekers

*[Ms Morgan]*

coming to Wales and it is essential that we have a cohesive and practical response. I hope that, in the Special Standing Committee, the Government will reconsider the cashless system that they propose for all asylum seekers. That system is already in place for asylum seekers who apply in-country; the experience of the Welsh Refugee Council is that it is stigmatising and creates major problems for daily living. The council is also concerned that asylum seekers should have a say in where they are placed in the country so that they have access to community support, health facilities, translation facilities and education in English as a second language. We need a comprehensive, on-going programme so that refugees who settle in Wales can become full and equal citizens.

The National Assembly should give everyone living in Wales the opportunity to become full and equal citizens. The essential test will be the difference that it makes to people living in difficult circumstances. The Assembly must make a difference to people such as the lone parents with small children struggling along on a council estate in one of the valleys or on the outskirts of Cardiff, where the local shop has closed because of competition from out-of-town supermarkets. We must try to make a difference to people such as that, and success or failure will be a test of the value of the Assembly.

An inclusive Assembly will also include the voluntary organisations that make such a tremendous contribution to the life of Wales. Countless people spend their time enriching their communities, for no payment. I want to mention organisations such as Mewn Cymru, which speaks for black women, and BAWSO, which has set up a refuge for black women.

As long as I have been involved in politics, organisations such as that have always been knocking on the door, trying to get in. The Assembly should start off with a place already available for such bodies. Any concordat or consultative process must take advantage of such groups, and the Assembly should include people from all the different minority groups and voluntary bodies. I have mentioned only a few of them, but there are many in Wales.

**Mr. Lembit Öpik** (Montgomeryshire): Does the hon. Lady agree that the Assembly should not rely on those organisations to do its work? They are not a cheap alternative, and the Assembly cannot use them to escape its social responsibilities. Sometimes I feel that that is what the Government do.

**Ms Morgan:** There is no question of the organisations being used to do work that should be done by the Government, the Assembly or local authorities. The point of establishing strong links with the voluntary organisations is to take advantage of their knowledge and expertise. They are eager for that to happen, and their knowledge will enrich the Assembly's programmes and policies. As a result, we will have a rich and inclusive Assembly.

When we have this debate this time next year, the Assembly will be up and running, and I hope that it will have started to deal with all the matters that have been raised today. I believe that the Assembly represents a tremendous step forward, and I look forward to hearing, this time next year, about some of the things that are happening there.

4.58 pm

**Mr. Martin Caton** (Gower): I want to concentrate on a particular matter that has arisen in my constituency, although it may have ramifications beyond the borders of Gower.

Earlier this week, Barclays bank got some positive publicity for funding research by the Groundwork Trust into the relationship between communities and their environment. That research was all good green stuff, and scored lots of brownie points for the bank's environmental credentials. However, a very different picture has emerged of the bank's attitude to a community determined to live in harmony with its natural environment, rather than to impose itself upon that environment.

About 10 days ago, a representative of the High Court's sheriff office visited the community, a settlement called Holtsfield, and told the residents that he wanted to check six of the wood-built chalets, in preparation for evictions any time in the next few months. The sheriff office was acting on warrants taken out by a property development company called Elitestone, which is bankrolled by the bank that likes to appear to care about communities and the environment.

This story is not even the traditional tale of capitalism putting profits before people. It started out as that, but there is no way that the 14-acre site can give Elitestone enough of a return to enable it to repay the £750,000 that it owes Barclays. As far as I can see, the evictions of six families will be driven by the malice and vindictiveness of the director of Elitestone. Barclays knows that—I have told the bank so myself—but it refuses to pull the rug from under him.

I should explain briefly the recent history of Holtsfield. It is a unique part of the heritage of Gower, a group of 27 chalets at the upper end of the Caswell valley on the edge of Bishop's Wood nature reserve. The chalets are situated in woodland around a central field. They are highly individual and picturesque, and they complement wonderfully their beautiful natural setting. One has a turf roof, and its electricity is supplied by a wind generator.

Originally built between the wars for holiday purposes, the chalets became homes for blitz refugees during the second world war. In subsequent years, they were increasingly occupied permanently. In 1990, in recognition of the quality of the settlement and its historic importance, Swansea city council designated it a conservation area. At present, 60 people live there, 24 of them children. Some of the adults have lived there for more than 40 years, and they include pensioners, the warden of the nature reserve, an architect, a merchant navy sailor, a nurse, a teacher, the manager of a care home, a photographer, a wood turner, an artist, a sculptor, a potter and a geologist.

Almost all the children have spent their whole lives there. They attend the local school, and the teachers say that they make a special and valuable contribution. This is no transient, hippy community, as the property company has tried to paint it. It is a group of people who have found a way of living that impacts as little as possible on an environment that they treasure and that they are determined to sustain.

Holtsfield is a real community. People there do not lock their doors when they go out—indeed, some of the chalets have no lock. People there look after one another. The community is not isolated from the wider community, and it makes a valuable contribution to the village in which

it is set—Murton, which adjoins Bishopston. That contribution has been repaid by the support that the community has received from the residents of those and other surrounding villages since Holtsfield came under threat.

The threat began nearly 10 years ago when the freehold ownership of the field changed hands. Until then, the chalet dwellers owned their chalets, but were granted individual licences by the freeholders. In September 1989, the freehold was bought by Elitestone Ltd. with money borrowed from Barclays. Within months, the director of Elitestone had made clear his intentions to force the residents out of their homes, and to build a housing estate on the site.

For almost 10 years, some of the people of Holtsfield have lived under threat of losing their homes and the special way of life that they love. It was Elitestone's applications to build, first, 39 houses, and then 15, that led to Swansea—I was a member of the council at the time—designating Holtsfield a conservation area, thus refusing to allow any major new development.

Elitestone sought to challenge that decision by appealing to the Welsh Office, but when conservation status was supported by the Welsh Office, the company challenged the decision further by seeking judicial review right up to the Court of Appeal in London. Elitestone lost every time. The Welsh Office got it exactly right when it dismissed the appeal, stating:

"Holtsfield, in its distinctly Arcadian setting, forms an integral part of the countryside in contrast to the suburban character indicated on the illustrative drawing of the proposed development."

As well as trying to change the site's planning status, Elitestone was also acting directly against the residents. The company claimed that chalet dwellers had no legal rights, and that their right to occupy their homes was granted by the renewal of licences at the freehold owner's complete discretion. A series of letters followed, demanding that residents move and surrender their chalets to Elitestone. Other letters demanded large sums of money. Residents, through their excellent solicitor, held that they had tenants' rights, and that the licences were, in fact, tenancies.

In April 1991, the residents received the first summonses for possession of the land and, for the next four years, legal wrangling, court cases and appeals overshadowed the lives of all the families at Holtsfield, ending with the devastating and absurd decision of the Court of Appeal, in July 1995, that their homes were temporary mobile structures. Many of those temporary mobile structures had been there for more than 50 years, and some people had lived in them for 40 years.

As a last resort, the residents applied, in desperation, for leave to appeal to the House of Lords and, at the same time, tried to meet and negotiate with the director of Elitestone. However, he was having none of it and, instead, applied for possession warrants for four of the chalets. On 19 October 1995, the county court bailiff arrived to serve the notices. He was met by the residents and more than 300 local supporters who came to show their solidarity—I was there that day. The bailiff was not, however, prevented from serving the notices.

At 7.30 am on 22 November 1995, the sheriff, his men and a private security firm appointed by Elitestone arrived on Holtsfield and, with excessive aggression and damage to property, proceeded with the evictions. The residents attached themselves to their homes with chains—indeed the local vicar did the same thing to show his outrage—but they offered no other resistance. I arrived just after the evictions were completed, but saw the damage and, what was worse, the distress, especially that caused to the children. That 7.30 am raid took place despite the High Court sheriff's promise that there would be no evictions until after the children had gone to school at 9 am.

The six families, waiting now for their evictions, know only too well what they have to expect and they dread it. However, they are not prepared to walk away from their homes and their way of living. Thankfully, in January 1996, the residents were granted leave to appeal to the House of Lords and the county court recorder refused to hear any further applications for eviction until the House of Lords decision was known. For a time, there was some respite. To highlight their plight, some of the residents marched all the 250 miles to London to arrive on 20 March 1997—the date of the House of Lords hearing.

On 1 May, they received their judgment and it was good news: full Rent Acts protection to the test-case residents, and acceptance that their chalets were proper homes and proper fixtures. That ruling was extended to cover most of the other chalets by a subsequent court ruling. However, not all the residents were protected because some had not lived on Holtsfield long enough; about eight chalets were not protected and Elitestone is now gunning for six of them.

Why is that, and why does Barclays bank still back the company? Any hope of development has gone out of the window; it is prevented by the conservation area status and the security of tenure of the majority of the chalets. Have the residents behaved badly or unreasonably? Far from it, they have offered to pay Elitestone a reasonable rent and have tried to negotiate with the company through their solicitor. It is Elitestone that refuses to talk. I can identify only revenge and mean-mindedness as the reasons for the attempt to make those families homeless.

Barclays should have pulled the plug on Elitestone a long time ago, on the basis of the bank's own environmental and ethical policies; it should pull the plug now on the basis of sound financial management. There is no profit to be made at Holtsfield, only the potential for a lot of heartache. Barclays holds a legal charge against Holtsfield. If the bank stops propping up Elitestone, it will become the landlord of that community, with the chance to put its fine words about communities and the environment into practice. Failing that, we must consider a solution that includes compulsory purchase, and I know that the local authority and a housing association are exploring that possibility with the residents. I hope that the Welsh Office and, subsequently, the Welsh Assembly will be as helpful as possible in terms of finance for that approach if that should be the outcome. I hope that everyone will recognise that what we have in Holtsfield is special and sensitive; it must not be replaced with some off-the-shelf social housing alternative.

The Government need to consider the issue of speculative land purchase where people's homes are involved. The people of Holtsfield have had the sword of Damocles hanging over their heads for almost 10 years; that should not be happening to them and it should never be allowed to happen to anybody else.

5.10 pm

**Mr. Huw Edwards** (Monmouth): I apologise for not being present for the early part of the debate as I had a dental appointment. It is a privilege to contribute to the debate: the last to be held this century and the last under the present constitutional arrangements. There was no equivalent debate last year as we were considering the Government of Wales Bill, which will change fundamentally the context in which we debate many issues.

Yesterday and the day before, we passed the orders that transfer responsibilities from the Secretary of State to the National Assembly for Wales. It is significant to note not only what was transferred, but what was not. Main policy areas that will not be transferred to the National Assembly include macro-economic policy, social security, the justice system, prisons, the police and the fire services, the national lottery, labour market policy and defence. I think that there will always be a role for this debate, for the Welsh Grand Committee and for the Welsh Affairs Select Committee, in examining those policy areas that impact upon Wales but are not the responsibility of the National Assembly.

I mentioned defence, which has some significance in Wales and in my constituency. There is considerable concern at present about the future provision and development of ammunition in this country. The royal ordnance factory at Glascoed in my constituency manufactures ammunition and employs about 400 people. However, the factory and the future of those 400 workers are under threat due to the recent decision by the Ministry of Defence to purchase propellant from South Africa rather than from a royal ordnance factory in Scotland. I have a duty to represent those employees in this place and express my concerns about the actions of the Ministry of Defence in passing responsibility for producing propellant to another country. Although South Africa is a friendly country, there is a strong case, under a sustainable defence policy, for producing our own armaments in Britain rather than being overly dependent on imports.

The factory employees in Glascoed have worked extremely hard during recent conflicts. They produced the ammunition needed in the Iraq and the Falklands wars, and it would be a great tragedy if their jobs were jeopardised. I know that the Defence Select Committee is considering the matter, so I shall say no more at this stage. However, I think it is important to raise the subject.

Another issue of particular importance, not only to Wales but to my constituency, is farming. I am grateful that my right hon. Friend the Secretary of State recently visited my constituency and a local farm at LLanbadoc near Usk. The farmer, Nigel Bowyer, is a young man with a family. He says that he has been losing money on his farm for the past two years, partly because he is a lowland farmer.

To their credit, the Government have produced an emergency aid package for farming. However, it does not apply to lowland farmers to a great extent. We can be truly proud of recent developments in agriculture: the success in lifting the beef ban in Europe, the emergency aid package, the review of hill livestock compensatory allowance payments and the brutal honesty with which the Minister for Agriculture has recognised the problems in the industry and given a commitment to farmers to do all in his power to work on their behalf.

However, some problems remain. Recent Welsh Office figures show that there has been a 41 per cent. drop in farm incomes this year. There is concern about the Agenda 2000 programme and the need to protect the small family farms that are so characteristic of Wales. The beef ban in Europe has been lifted, but we have not resumed beef exports. Milk prices have fallen, and there is concern about the funding of the Food Standards Agency, which the Government are reviewing at present.

When my right hon. Friend came to my constituency with a senior officer from the Welsh Office agricultural division, we drew their attention to the complicated forms that many farmers must fill in these days. We also pointed out that, if farmers make inadvertent mistakes in completing those forms, they can be heavily penalised. Payments that should be made to them are often delayed for an unreasonably long time because they have made unintentional mistakes. Of course we accept the importance of achieving accuracy and avoiding fraud, but when those forms were compared to equivalent forms from Ireland, my right hon. Friend the Secretary of State and his officials acknowledged that the forms from Ireland had a more customer-friendly approach, so I ask Welsh Ministers to consider that issue.

Environmental payments have been a concern to hon. Members. We applaud the developments in tir gofal but significant additional resources could be invested in agri-environmental schemes.

The local authorities can play a greater role in agriculture. My authority in Monmouth is a major landowner and owns the local livestock markets, but it would be the first to admit that it has not regarded agriculture as part of its economic development strategy in the past. The emphasis has been on manufacturing. It is to the authority's credit that it is now considering the future of agriculture in Monmouth and examining economic development strategies that will work in the interests of what is the major industry in my constituency.

To its credit, Monmouthshire county council recently organised a seminar on organic farming. We were all surprised by the tremendous number of farmers who expressed an interest in attending and seeking advice on possible conversion to organic farming.

We shall have objective 1 status in Wales. Hopefully, objective 2 will also apply to eastern Wales, the area that I represent. I am grateful that the Welsh Development Agency, in incorporating the work of the Development Board for Rural Wales, will be considering infrastructure projects for agriculture.

Following the report of the Select Committee on Welsh Affairs, I have advocated the need for a large-scale freezing facility for Wales. There is not such a facility in the whole of the United Kingdom. Although that would be a commercial project, objective 1 or 2 funding could be used to develop that facility, which would be of use to farming communities, not only in Wales, but in the south-west of England.

One of the Government's most significant announcements in the past 18 months is the national strategy for carers, which was announced in the House two weeks ago by the Secretary of State for Health. My right hon. Friend the Secretary of State for Wales has assured me that his Department is currently consulting local authorities, voluntary organisations and the health service to develop the Welsh version of the national

strategy for carers. I acknowledge that that will be the responsibility of the National Assembly for Wales when it is established in a few months.

Last year, I introduced a ten-minute Bill to give carers and the people for whom they care a statutory right to be assessed for respite care. Although my Bill does not appear to have been fully incorporated into the national carers strategy, I am grateful for the strategy's recognition of respite care.

I have been in contact with carers in my constituency who will be greatly heartened by the Prime Minister's foreword to the national carers strategy. He referred to the work that carers do as extraordinary

"not in ways which make headlines, but in ways which really matter".

He said:

"Carers devote large parts of their own lives to the lives of others—not as part of a job, but voluntarily. And often in addition to working themselves. For the sick, the frail, the vulnerable and the elderly, carers provide help and support in ways which might otherwise not be available."

Carers in my constituency will acknowledge the concern and support that my right hon. Friend has expressed for them.

I pay particular tribute to the Crossroads scheme in my constituency, in Chepstow and Caldicot and in Monmouth. I recently spoke at its annual general meeting and outlined the significance of dementia, which will be a growing problem in Wales. According to the Alzheimer's Disease Society,

"dementia is perhaps the major health and social care challenge of the next century".

It will affect one in 20 people over the age of 65, and one person in five over the age of 80. Half the people in residential care who are over 80 have dementia. By 2040, when some of us, hopefully, will be in our 80s, if we survive that long, there will be 1.2 million people aged over 65 with dementia. Dementia currently affects more than 700,000 people in the United Kingdom, including 40,600 in Wales. According to the Office for National Statistics, it is estimated that in 1996 there were almost 7,000 people with dementia in the Gwent health authority area.

Many people with dementia are cared for in their own homes by their relatives. Two thirds of people with dementia continue to live in their own homes, including a substantial number who live alone. Many are cared for by family members, who in many cases are elderly themselves. That imposes a tremendous burden on those people.

It is to the Government's credit that the national carers strategy has been established. As a society, we must determine our social priorities. The needs of those suffering from dementia and other chronic conditions pose an immense challenge because our response is dependent on so much voluntary provision, especially the contribution of the vast army of informal carers, most of whom are women.

The challenge that faces us with dementia is not insurmountable. It can be met with the right commitment of statutory and voluntary services in the context of a Government policy that is creative and compassionate. Much of our approach to the care of the elderly has been constrained by negative stereotypes of elderly people being dependent. Professor Richard Titmuss, the outstanding professor of social policy in Britain, argued that far from being a burden, an aging population represents the triumph of a successful welfare state in reducing premature mortality and improving standards of health and social care.

Our aging population is a celebration, not a burden. I pay tribute to the Chepstow and Caldicot Crossroads, Crossroads schemes throughout Wales, the Carers National Association and all the voluntary organisations that work so hard on behalf of carers and the people whom they care for.

This is the last Welsh day debate before the tremendous constitutional change that we will witness in the next few months. I send my best wishes to all those who will be standing for election to the National Assembly. Opposition Members have spoken of two different types of Assembly Members. It is to the Government's credit that we have established a fair electoral system that will ensure fair representation.

I look forward to working with the Assembly Members. I know that in my constituency they will probably represent different parties, including the Opposition. I look forward to working with those people to ensure that the people of Wales will be better served by having a democratically established Welsh Assembly.

5.22 pm

**Mr. John Smith** (Vale of Glamorgan): I apologise to the House for the fact that I was not able to be present for the whole debate. Unlike my hon. Friend the Member for Monmouth (Mr. Edwards), I have not been to the dentist, but, as a dutiful Welsh Member of Parliament, I have been serving on the Committee considering the Greater London Authority Bill. There are parallels between carrying out my duties and going to the dentist.

This is the first full Welsh affairs debate that we have been able to hold since the general election in 1997. We are approaching the second anniversary of the new Labour Government. I shall outline briefly the way in which the new Government have affected my constituency, the Vale of Glamorgan.

In many respects, the Vale of Glamorgan is a microcosm of Wales and of the United Kingdom.

**Mr. Win Griffiths:** There are no mountains.

**Mr. Smith:** There are hillocks, but not too many mountains. The Vale of Glamorgan is a beautiful constituency and an interesting one, made up of the traditional urban port town of Barry, which was built on coal at the turn of the century, at the core of the constituency; the agricultural area to the west, in Cowbridge and the seven villages, which is heavily dependent on the agricultural industry; and the suburbs of the east, Sully, Dinas Powys and Wenvoe, many parts of which are travel-to-work areas of Cardiff. Each of those areas is experiencing different problems.

Before the Government were elected, Mr. Lord, the biggest blight—

**Mr. Griffiths:** We are not in Committee.

**Mr. Smith:** I do apologise, Mr. Deputy Speaker. I have been in Committee all afternoon.

*[Mr. Smith]*

Before the general election, the Vale of Glamorgan experienced some of the worst problems in the country, and the worst of all was poverty. My constituency is generally considered to be one of the more affluent parts of Wales, but nothing could be further from the truth. It contains, or has contained, some of the poorest communities in Wales. In north-east Barry, for example, net disposable income per household, including all non-housing benefits, is less than £60 a week. That is less than the amount that some hon. Members would think nothing of spending on a meal, but it must pay for clothing, shelter, warmth and food for entire families. That is the legacy of nearly 20 years of Tory Government and misguided policy. It has ruptured our community, and has delivered poverty to our doorsteps—poverty that rests side by side with some of the most affluent villages in Wales.

In a radius of five miles, some people are living in poverty, while others have some of the highest incomes in Wales. The final judgment on whether our Government succeed or fail rests on whether we deal with that. I was delighted to hear my right hon. Friend the Secretary of State describe what we have already achieved in less than two years in regard to health and education, and, most important, the eradication of poverty. Our strategy is to help those who are able to work to escape their circumstances—to use work as a mechanism to empower those who can work, and to release resources for the support of those who cannot, including the carers to whom my hon. Friend the Member for Monmouth referred.

We must be able to redirect scarce resources, and I believe that, in the society in which we now live, we must do that in the way in which the Government have decided to do it: through work. I am delighted that, on 1 April, nearly 110,000 people in Wales will benefit directly from our minimum wage proposals—a higher proportion than in any other part of mainland Britain. The reason for that is sad. Under 18 years of Conservative rule, Wales, which had been one of the highest-wage economies in the United Kingdom, became one of the lowest-wage economies. That is why so many of our people will benefit from the minimum wage, which, combined with the working families tax credit, will enable many members of the community to which I referred at the outset to escape from poverty by means of work.

The task will be easier for my constituency, because, by and large, the work exists as long as it pays people to work. In far too many Welsh communities, the work does not exist. We need economic strategies to ensure that everyone in the country has an opportunity to seek employment. Even if the employment is badly paid and unskilled, at least people will have the dignity of being in work and receiving a minimum wage and tax credits allowing them a decent standard of living as we approach the millennium. That is the main issue on which this Government of ours will be judged, and I am delighted that we are moving in that direction.

We have delivered on our promises, especially our promise to establish a Welsh Assembly, which is one of the most important. There is not long to go before the Assembly starts its work and it could make a huge difference by providing the other side of the coin—economic success, which is what we need to eradicate poverty in Wales.

The record over the past 20 years has not been good and our primary industries, which were based on mineral extraction and metal manufacture, have been decimated. Whole tracts of those industries disappeared and their production, which was primarily for domestic consumption, has declined. However, there has been diversification in manufacturing industry—because of our efforts as a people, against the odds and despite the Conservative Government. We still do not have enough skills, and we are not at a high enough standard, but we are in a good position to able to build a prosperous future based on a diverse manufacturing industry. That bodes well for the Welsh Assembly, as long as we adopt a strategic approach to the exploitation of our country's assets to the benefit of all, not one sub-region as opposed to another.

We need to build on that, which is why I was disappointed that the Opposition spokesman, the hon. Member for Woodspring (Dr. Fox), condemned and talked down Welsh industry and Welsh manufacturing performance. That was particularly galling because he is not a Welsh Member, but represents a constituency that is in direct competition with Wales for jobs and investment.

**Mr. Evans:** The hon. Gentleman has told the House that he is a member of the Greater London Authority Bill Committee. Was he born in London?

**Mr. Smith:** Absolutely not, but I have not been talking down London or the Bill. I have been talking them up, at every opportunity. That is what I would expect from a responsible spokesperson for Her Majesty's Opposition speaking on Welsh affairs. Although the Opposition do not have a single seat in Wales, they have a right to speak in the debate, but, for goodness' sake, talk our country up, not down.

I refer to several local points. We have had tremendous success in education, transport and other matters, but we must ensure that the mechanisms are in place to make sure that the extra expenditure that we invest in those areas goes where it should. I say to my hon. Friend the Minister that the additional transport grant for rural bus services is superb, but there is evidence that bus companies receiving those grants are not providing the essential extra rural services for which they are being paid. That needs to be addressed. Shamrock Coaches, which provides services in the rural part of my constituency, has let passengers down and is being paid for it.

There has been tremendous investment in "education, education, education", but there is a backlog of repairs and maintenance because of the scandalous neglect of school buildings. We have extra money and I know that it is going into schools, but I ask my hon. Friend the Minister to consider the fact that some schools, such as Cowbridge comprehensive, are falling down. They present a physical danger to students. Are there contingency resources to deal with specific problems, when there is danger to children because of neglect over two decades?

The best way to empower people is through work, skills and knowledge. There have been reports that the number of mature students applying for places in higher education

may be decreasing. Will the Minister tell us whether there has been a decline in the number of such students in Wales, and whether he is addressing that issue?

Thank you, Mr. Deputy Speaker, for bearing with me on this important occasion.

5.35 pm

**Mr. Nigel Evans** (Ribble Valley): It is a wonder that the Standing Committee considering the Greater London Authority Bill felt able to do without the skills and expertise of the hon. Member for Vale of Glamorgan (Mr. Smith) for a short while so that he could come to the Chamber to make that wonderful contribution. I had better be careful, because irony does not come across in *Hansard*.

The next few months will be an exciting time in Wales. We will have the new Cardiff Arms Park in the millennium stadium—I am sure that it will be called the new Cardiff Arms Park in the tradition of new Labour. We look forward to the rugby world cup being held in Wales. We want the opportunity to show Wales off at its very best. I hope that the stadium will be ready in time—the Minister may tell us about that—because it would be dreadful if it was not.

I understand that one of the duties of the new Welsh Assembly will be to promote sport whenever and however it can. After the first two home internationals, one of its greatest challenges will be to do something to help the Welsh team to achieve the victories that they should be gaining. If it can do that, that would be one of its greatest successes.

**Mr. Win Griffiths:** What does the hon. Gentleman expect after 18 years of Tory Government?

**Mr. Evans:** We had more victories when the Conservatives were in power than we have had in the past couple of years. We do not take credit for those victories, and I am sure that the Labour Government will not take credit for the recent defeats.

The hon. Member for Vale of Glamorgan said that my hon. Friend the Member for Woodspring (Dr. Fox) should not have led for the Opposition in the debate because he was not born in Wales and is not a Welsh Member of Parliament.

**Mr. John Smith:** To put the record straight, that is not the point I was making. I did not question the right of the hon. Member for Woodspring (Dr. Fox) to make that contribution: I questioned the nature of his speech because he talked down Wales, which I felt was wrong.

**Mr. Evans:** I am sorry that my hon. Friend did not ask the hon. Gentleman to write his speech for him, so that his contribution would have been more positive. What he said was ridiculous. My hon. Friend is a Member of the United Kingdom Parliament and has the right to speak about Welsh affairs or about anything else to do with the United Kingdom as he feels appropriate, just as the hon. Gentleman has the right to speak on the Greater London Authority Bill to which he is making useful contributions based on his knowledge of London.

The Conservatives speak as the second party in Wales: at the last election, as we gained 100,000 more votes than the Liberal Democrats and twice as many as Plaid Cymru.

**Mr. Llwyd:** How many seats did the Tories gain?

**Mr. Evans:** Irrespective of that, we had more votes. It is a great shame that the hon. Gentleman is the only member of Plaid Cymru present. The nationalist party has four Members of Parliament. This is the only St. David's day debate we have had in two years, yet only one Plaid Cymru Member is present for the winding-up speeches, and only two have been present during the debate.

The leader of the Conservative party in Wales, Rod Richards, is relishing the opportunity to promote the cause of common-sense policies in the Welsh Assembly. At least we know that Rod Richards will be elected to the Welsh Assembly, whereas there is enormous doubt about whether the Secretary of State will win a seat. Many Labour Members secretly hope that the Secretary of State is not elected to the Welsh Assembly.

**Mr. Llwyd:** Two of my colleagues were busy elsewhere today, and it was unfair of the hon. Gentleman to make such cheap points. Secondly, Rod Richards would not understand a policy of principle if he fell over it.

**Mr. Evans:** That was a devastating intervention: I shall have to be careful in future, although I am sure that all the hon. Gentleman's colleagues were not at the dentist. This is the St. David's day debate and I should have thought that members of the so-called national party of Wales would make the effort to come here to contribute on behalf of Wales and their constituents.

We look forward to the Welsh Assembly elections on 6 May, but I am not sure that the Secretary of State is looking forward to them. He still has some fences to be fixed, and last Saturday's result was a denial of democracy for Wales. The Secretary of State has no credibility in Wales as a result of the rigged electoral college and the fixed trade union block votes. That was old Labour fixing at its worst—and a denial of one member, one vote in many of the unions—to deliver in Wales the Prime Minister's man, not the people's man.

**Mr. Edwards:** How is the leader of the Conservative party elected? How many Conservative party members voted in that election?

**Mr. Evans:** The leader of the Conservative party was endorsed by the entire membership of the party on one member, one vote. Is the hon. Gentleman saying that the Secretary of State will put himself before the entire membership in Wales for similar endorsement? He will not do that because he knows that the membership in Wales was 2:1 in favour of the hon. Member for Cardiff, West (Mr. Morgan). The members did not want the Secretary of State—they wanted the hon. Member for Cardiff, West, and the rigged voting denied them their choice.

**Dr. Julian Lewis:** Some time ago, the Labour party abandoned the block trade union vote for use at Labour conferences, and yet it has allowed it to continue for the

*[Dr. Julian Lewis]*

choice of Labour leader in Wales. Why does Labour have a higher regard for democracy at the Labour party conference than in choosing the Labour leader in Wales?

**Mr. Evans:** It is not a matter of right or wrong—it is what system will deliver what the leadership wants. At party conferences, the Labour leadership takes away union power. When it chooses the leader of the Labour party in Wales, it uses the block vote to deny the membership of certain unions an opportunity to vote individually. They were consulted—sort of—but, in many cases, the result was ignored. In one union, the vote was split 60:40 in favour of the Secretary of State, but 100 per cent. of the union's vote went to the Secretary of State. That was a complete denial of democracy.

In today's edition of the *Western Mail*, an editorial—entitled "Way out of touch"—talks about the "arrogance and insensitivity" of the London Labour machine "reaching new heights". The report states that the hon. Member for Cardiff, West, having had the audacity to complain about some irregularities during the election, has been told to "stop whingeing".

When anybody talks about what is wrong, they are told that they are talking Britain, Wales or the Assembly down. When the hon. Member for Cardiff, West complains about irregularities, he is "talking the election down" or "talking the Labour party down". That is ridiculous. The report states that Labour has labelled the hon. Gentleman a "ballot whinger". He has every right to feel dismayed, not only about the result, but about the way in which the election was held.

I am delighted to see the hon. Member for Islwyn (Mr. Touhig) in his place. On the subject of democracy, he spoke about the Welsh referendum result and said that the jury was still out on the Welsh Assembly. He is right. With a turnout of 50.1 per cent.—49.7 per cent. voting no and 50.3 per cent. voting yes, so that only one in four of the Welsh electorate supported the proposals—of course the jury is still out. People will look carefully at how the Welsh Assembly develops over the next few years in deciding whether to give it their support. We will have the first test on 6 May—the turnout of the electorate.

**Mr. Touhig:** I note what the hon. Gentleman says. Yes, the jury is still out, but will he commit his party, as we commit ours, to making the Welsh Assembly a success, so that we will be able to say to the Welsh people, "It has been good and has been proved to be valuable for Wales"?

**Mr. Evans:** We are fielding candidates throughout Wales. We want to get as many candidates elected as possible. They will go to the Welsh Assembly not to grind it to a halt, but to ensure that the Assembly works in the best interests of the people of Wales. I guarantee that that is exactly what we here in Westminster want: we want the Assembly to be a success for the people of Wales, now that we know that it is going to be a reality.

**Mr. Swayne:** How does my hon. Friend react to the contrast between Labour Members, particularly the hon. Member for Cardiff, North (Ms Morgan), putting such great faith in, and setting such store by, the Assembly and building expectations—at one stage I thought it was expected to become the Assembly for the new Jerusalem—and the squalid fix in relation to the leadership election?

**Mr. Evans:** That is absolutely correct. Expectations of the Welsh Assembly have been raised to such great heights that it cannot hope to fulfil even 10 per cent. of what the Labour party has said it will be able to achieve. Contrast that with the way in which the elections were held, or the squalid way in which the referendum in Wales was held a week after the referendum in Scotland. [HON. MEMBERS: "Squalid?"] I will tell hon. Members why it was squalid.

We were told that the people of Wales would not be able to cope if the referendum were held on the same day as that in Scotland because they would get confused as to what was being offered, with a Parliament in Scotland and an Assembly in Wales. There could be no other reason why they were held on different days—other than to bounce the people of Wales into a yes vote following a victory in Scotland, which we always knew would be delivered.

The absurdity is that, on 6 May, people will vote in local elections in Scotland and Wales. In Wales, they will also vote for the Welsh Assembly—not only for constituency candidates, but for those on the regional list. If people in Wales can get their minds around the d'Hondt system and how the closed-list system will work, they could certainly have got their minds around having their referendum on the same day as the people of Scotland. Of course it was a gross insult to the people of Wales to pretend that they could not cope with that.

**Mr. Öpik:** The hon. Gentleman said that he felt that the Welsh Assembly would not deliver even 10 per cent. of the expectations that have been raised by the Government. Is it therefore fair to assume that he expects the Welsh Assembly to fail?

**Mr. Evans:** No. There is no expectation that the Welsh Assembly will fail because we will work to ensure that it is a success, but the jury is still out. The hearts and minds of the three out of four people in Wales who did not vote for the Welsh Assembly need to be won over. Had the hon. Gentleman been here for the four hours of the debate, he would have heard my hon. Friend the Member for Woodspring say that we would work to ensure that the Welsh Assembly, now that it is established, would be a success.

The problem is that we are not allowed to question devolution as a principle because that would be a great heresy. We hear the hon. Member for Vale of Glamorgan say that we are talking Wales, devolution and the Assembly down, but if, in the Chamber of the House of Commons at Westminster, we cannot talk about the problems that the Assembly might face where can we discuss them?

The hon. Member for Ogmore (Sir R. Powell) spoke about the one and a half hour debates we had yesterday and the day before in Committee, in which we debated very complex issues. It is a great shame that those debates, on essential issues, could not have been held on the Floor of the House. Indeed, it is a great shame that the St. David's day debate is being held—I cannot understand why—on 25 February, not on 1 March. The debate is being held not

on a Monday, when all hon. Members would be at Westminster, but on a Thursday, at the tail end of what has become, these days, our part-time week.

**Mr. Alan W. Williams:** Speak for yourself.

**Mr. Evans:** Let us not go into that.

Democracy is denied when statutory instruments are scrutinised only in Committee, and only for an hour and a half.

In the past two days in Committee, we dealt with a number of anomalies. I asked the Secretary of State whether it was possible, for example, to lift the ban on beef on the bone in Wales, but not in England. The Secretary of State told me that, yes, that could happen. It is amazingly anomalous when people can cross the border—

**Mr. Nick Ainger** (West Carmarthen and South Pembrokeshire): This is the same speech.

**Mr. Evans:** It is the same speech, but the important fact is that an anomaly is not being dealt with. It is amazing that people could buy beef on the bone in Wales and ship it back to England. That anomaly has to be dealt with, as the same one could arise in relation to genetically modified foods or prescription charges.

Yesterday, we were told that prescription charges could be lower on one side of the Severn bridge than the other. Differentials in taxation are important. My hon. Friend the Member for New Forest, West (Mr. Swayne) spoke about the lobby at Westminster, only yesterday, by hauliers from Pembrokeshire and other parts of the United Kingdom.

**Mr. Ainger:** They were from Pontypridd.

**Mr. Evans:** Yes, they were from Pontypridd. However, the more important point is that, because of taxation differentials, hauliers are filling up with cheaper fuel in Calais or in Belgium and coming to England for a couple of days. We will have to sort out any anomalies that could be caused by the establishment of the Welsh Assembly, but there is currently no structure in the Assembly for doing so.

**Sir Raymond Powell:** The hon. Gentleman mentioned my speech and statutory instruments. We should make it clear that any hon. Member serving on a Committee considering a statutory instrument who feels that, after an hour and a half, that scrutiny should continue, should ask for the sitting to be adjourned. We should have done that on Tuesday, after a full debate. I agree with the hon. Gentleman's comments—we should have had a fuller debate. However, hon. Members themselves should have asked for an adjournment. Perhaps it would have been wise also for the Chairman to advise hon. Members that they could do so.

**Mr. Evans:** The hon. Gentleman has been an hon. Member long enough to know exactly what would have happened. It is pointless trying now to address that specific issue. The point is that an hour and a half was allotted, and that is all that we would have got. It is a denial of democracy for there not to be proper scrutiny of statutory instruments—ever more of which are being passed by the House, and ever fewer of which are being debated on the Floor of the House. Nevertheless, I am glad that the hon. Gentleman accepts the principle of the matter. Perhaps it is a matter on which we can make progress, on a cross-party basis, so that we might make Parliament more effective.

My hon. Friend the Member for Woodspring dealt in his speech also with concordats and judicial review. Today, it was enlightening—perhaps the first chink in the blind—to learn that there might be judicial reviews of concordats. Yesterday, the Secretary of State told me—as the Secretary of State for Scotland told my hon. Friend the Member for West Dorset (Mr. Letwin)—that there would not be judicial reviews. Today, we heard that such a judicial inquiry might be successful. The problem is that the matter generally has not been properly thought through or tested.

During the passage of the Government of Wales Act 1998, the Opposition raised the issue of concordats. Time after time, the issue was dismissed or brushed aside. Ministers said, "Don't worry; things will be all right." Every aspect of the Government of Wales Bill was considered under the best case scenario. The worst case scenario was never taken up. When the Assembly becomes a reality later this year, there may be many worst case scenarios that we have not allowed for.

**Mr. Win Griffiths:** Maybe, maybe not.

**Mr. Evans:** The former Minister says, "Maybe not." Why were no precautions put into the legislation from the start to ensure that the system would be able to cope in the event of the worst case scenario coming about? Part of the problem is that everything was viewed through rose-tinted spectacles.

Reference has also been made to the fate of the Members of Parliament at Westminster after devolution becomes a reality. They cannot all sit on the Greater London Authority Bill Standing Committee. They will have to look for other things to do around the House. There has been much speculation about whether the St. David's day debate will continue and whether the Welsh Grand Committee or the Select Committee on Welsh Affairs will be wound up. I hope that they all continue. This is a United Kingdom Parliament. We must have the opportunity to discuss Welsh affairs as often as possible. I hope that there will be a consensus throughout the House on ensuring the continuance of those functions and on trying to make them more effective. The Assembly will look for advice, guidance and support from the Westminster Parliament from time to time. We should be able and available to give such advice.

**Dr. Julian Lewis:** In the Select Committee on Welsh Affairs, I asked the outgoing permanent secretary of the Welsh Office whether she believed that there would be a Secretary of State for Wales in the Cabinet in 10 years' time. She refused to answer in the affirmative.

**Mr. Evans:** That is one of the great unknowns. If the permanent secretary was not able to give such a guarantee, perhaps there is a secret agenda that goes beyond the Secretary of State's hope of becoming the First Secretary, to the winding up of the role of Secretary of State

*[Mr. Evans]*

for Wales. I suspect that that would mean that there was no Welsh Office Question Time, no Welsh Grand Committee and no Select Committee on Welsh Affairs. I wonder what would happen to all the Welsh Members of Parliament here at Westminster. We have to address that.

Several hon. Members have mentioned rural affairs, which is a vital subject for Wales. Farming is one of the most important industries in Wales. The hon. Member for East Carmarthen and Dinefwr (Mr. Williams) said that the incomes of farmers had declined 40 per cent. this year, on top of a 40 per cent. decline last year. I was with him in Carmarthen when the farmers turned up for their rally. I remember the hot reception that he got. After another 40 per cent. decrease in their incomes this year, they have every right to shout. The Farmers Union of Wales is talking about the dire consequences of the current perilous state of farming and of some of the proposed changes to the common agricultural policy. If those changes hit farming in Wales yet again, the situation will be even worse than it already is, if that is possible.

I have had several representations since this debate was announced. One was from David Jones, the prospective candidate for Conwy, who asked for the decision to give the administration of Llandudno hospital to Gwynedd health trust to be reversed, leaving it instead under Conwy and Denbighshire trust. He has already handed in a petition with more than 300 signatures. Is the Minister prepared to make an announcement on that? Will he take heed of the 300 people who signed the petition?

The hon. Member for East Carmarthen and Dinefwr also spoke about local government capping. I found his remarks incredible. He said that the people of Wales were prepared to pay extra council tax. Of course, we are talking about a stealth tax. We have heard much about the fact that the Government have not increased direct taxes but, goodness me, they have certainly increased every other tax.

Council tax has suffered severe increases in the past two years. Last year's increases varied between 9.5 per cent. and 14 per cent. when inflation was running at between 2.5 per cent. and 3 per cent. People's wages were not increasing at the same rate, so where were they supposed to find the extra money? We have already heard that this year's increases will be between 8 per cent. and 12 per cent. It is an enormous hit—a stealth tax on people who were told that there would be no tax increases.

In addition, there is a problem with council fraud throughout Wales. In one Labour-controlled local council, more than half the local councillors are currently under investigation. What does the Minister propose to do to clean up local government in Wales?

The Government talk about education, education, education, but they introduced tuition fees of £1,000 and abolished student grants. I do not see how that will advance education. The director of the education department in Powys wrote to chairs of governors and head teachers in Powys. He said that the settlement appeared generous, but continued:

> "You will note however, from my report that this is certainly not the case and it is clear that inflationary pressures, the need to fund additional pupils and the additional costs of the recently announced teachers' pay increase will, in reality, mean that the budget settlement is one of virtual standstill."

I would much welcome the Minister's response to that statement as it was made not by a politician, but by the director of the education department at Powys.

**Mr. Livsey:** Will the hon. Gentleman give way?

**Mr. Evans:** I am sorry, but I am sure that the hon. Gentleman appreciates that we are approaching the end of the debate and I have to make progress.

I am sure that the Minister is as alarmed as I am to hear reports of another four cases of meningitis in Wales. What positive action is being taken with the Bro Taff health authority and the two charities in south Wales that are involved in disseminating information to provide extra resources and to ensure that parents are aware of the risks of meningitis? No one would wish panic to spread throughout Wales, but suitable action must be taken. I am sure that the Minister is aware that a new blood test can identify meningitis within 30 minutes. Is the Department monitoring that to see whether it could be utilised in Wales?

My conclusion from today's debate and what has been going on in Wales in the past 12 months is that agriculture is in crisis; people are waiting longer for health treatment; and there are fewer bobbies on the beat. When I asked the Secretary of States for Wales about that, he simply made a grammatical correction to my question. He could not care less that there were fewer policemen on the beat; he was only interested in making a debating point. Manufacturing jobs are in deep decline and confidence in orders from the United Kingdom and from abroad is depressed. The proposals for devolution have not been thought out. I believe that they could be a recipe for conflict and paralysis and that the anomalies that I have identified could make Wales a laughing stock.

Wales was promised that things could only get better. They have not; they have got worse for many people. Wales deserves better than the present Government, who are besotted by spin and style but have no substance whatever. The people are the victims. They are paying higher stealth taxes, higher council taxes and fees for students' education. They are suffering lost grants, worse pension fund rates and poorer services. We want fair play—chwarae teg—for Wales, and that is what the Conservative party will deliver to the Welsh people in the Welsh Assembly.

6.4 pm

**The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain):** We take no lectures from the Conservatives about democracy. They trampled over the democratic wishes of the people of Wales for 18 long and bitter years. I know what the hon. Member for Ribble Valley (Mr. Evans) means about speaking with irony in the House when he says that Rod Richards talks common-sense policies: a contradiction in terms if ever there was one.

My right hon. Friend the Secretary of State offers his apologies, as he has had to leave the debate early for a long-standing speaking commitment at the coastal forum in Cardiff: an important conference to be addressed by the European Commissioner for Transport, Mr. Neil Kinnock.

I agree with my hon. Friend the Member for Cardiff, North (Ms Morgan) that this is a Welsh day debate in which we can celebrate the Labour Government's historic

achievement of devolution for Wales. I assure my hon. Friends the Members for Merthyr Tydfil and Rhymney (Mr. Rowlands), for Islwyn (Mr. Touhig), for Ogmore (Sir R. Powell) and for Cardiff, North, and my right hon. Friend the Member for Llanelli (Mr. Davies), that there is absolutely no reason not to continue to have annual Welsh day debates.

I think that we will need these debates more than ever; but if the hon. Member for New Forest, West (Mr. Swayne) insists on speaking at them, there will be a problem, as he attacked us for imposing a literacy hour in Wales, which we have not done, and for dropping from our roads programme a road that is being built at this very time in north-west Wales, as the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) informed him.

In less than two years, there have been dramatic changes to the political landscape in Wales. By the summer, we will have a devolved National Assembly for Wales, speaking for Wales for the first time and giving the people of Wales a real voice. We will create a new democracy that is participatory, open and inclusive of all the groups in Wales that were denied a voice under 18 years of Tory rule. We will empower women's groups, voluntary groups, trade unions, business and many others.

I strongly agree with my hon. Friend the Member for Cardiff, North, who said that one of the most exciting things about the National Assembly for Wales is that, because of the lead that Labour has given, we will have for the first time equality for women in the government of Wales. That will be an historic achievement. The Labour Government, and not any other party, delivered that. I acknowledge a little bit of help from the Liberals and from Plaid Cymru in the referendum, and I defer to the hon. Member for Meirionnydd Nant Conwy, who has exhibited in this debate the non-ranting face of nationalism.

Our Labour Government is leading Wales to a confident future. I agree with my right hon. Friend the Member for Llanelli that we do not want to have a whingeing Assembly. With decisions being made in Wales, the option of blaming London for everything will disappear and we will resolve our own priorities.

The hon. Member for Woodspring (Dr. Fox) made a cogent and interesting speech, apart from his rather limp series of points about the economy. Let me remind him that there has been a 27 per cent. fall in unemployment in his constituency since the general election. The contrast between his speech and that of my hon. Friend the Member for Merthyr Tydfil and Rhymney was striking, because the latter made a powerful case for exactly the opposite economic strategy to that pursued under the Thatcherite Tories: one of active government. He included a timely plug for his forthcoming book. I can testify, having chaired a packed lecture by him in Neath, where he spoke for an hour and a half on the industrial history of Wales—the theme of his book—that it will be a riveting read.

In "Pathways to Prosperity", we set out a serious economic agenda for Wales. I strongly agree with my right hon. Friend the Member for Llanelli that there remain serious weaknesses in the Welsh economy that we have inherited, largely as a result of decades of Tory neglect. Manufacturing accounts for 28 per cent. of output in the Welsh economy and the Labour Government recognise its importance. We are working closely with manufacturers to tackle the problems created by a worldwide decline in output and the high pound, which again we inherited from the Conservative Government. I remind the Opposition that the pound is now roughly at the level that we inherited, having gone up to cure the consumption boom that the Tories created in the run up to the general election.

**Mr. Oliver Letwin** (West Dorset) *rose—*

**Mr. Hain:** I am sorry, but I do not have time to take interventions. One of the central messages of "Pathways to Prosperity"—and it was graphically illustrated in the devastating and savage closure of Lucas in Ystradgynlais, in the constituency of the hon. Member for Brecon and Radnorshire (Mr. Livsey), although three quarters of the plant's workers came from my constituency—is that any notion that we could continue to flirt with the strategy of the previous Conservative Government, and seek to attract manufacturing jobs into Wales on the basis of low labour and other costs, has been swept aside. If anybody ever believed that we could attract jobs to Wales through low costs, that has been swept aside by Lucas's decision, at short notice, to switch production to Poland and Slovakia, where wages are a quarter of what they are even in the upper Swansea valley, where people were being paid £170 a week—a low wage by anybody's standards.

Wage costs are much lower in east European countries and we cannot compete on low cost alone. We have to turn the Welsh economy into a high-quality, high-skill, value-added economy that is at the leading edge of technological development and scientific innovation. I agree with the point made by my hon. Friend the Member for East Carmarthen and Dinefwr (Mr. Williams) about the application of objective 1 funds to his constituency and other valley and west Wales constituencies. If we can use that enormous investment to drive up the standards of infrastructure, skills, scientific development and engineering—the latter has been neglected for far too long—we will turn the Welsh economy into a world-class economy. The links that my hon. Friend mentioned between higher and further education and business are crucial to that task.

Over the past 20 months, we have developed a strategy of partnership with business in Wales. It is striking that when I talk to people from the business community, as I do in my capacity as industry Minister, they tell me how much they enjoy working with this Labour Government, because we listen and are approachable, in contrast with the Conservative Government whom the business community had to suffer, along with everyone else in Wales, for so long. That partnership extends beyond business to the trade unions, voluntary groups and, indeed, to everyone in Wales.

We have also had much success in bringing down unemployment, which has fallen by 15,000 since the general election. My hon. Friend the Member for Ogmore is right to say that we need to do more, and I assure him that we will look at the training scheme in his constituency which he said is so successful. Our new deal to bring thousands of young and long-term unemployed people off welfare and into work with high-class training or full-time study is an enormous success. I agree with my hon. Friend the Member for Vale of Glamorgan (Mr. Smith) that this Government should empower people who have been trapped in despair on the dole for

*[Mr. Hain]*

so long. The success of the new deal is there to be seen. Some 13,000 people have come off the dole. We have created nearly 4,000 real jobs and some 3,000 employers have been involved. I wish to pay especial tribute to my parliamentary colleagues in Wales for the way in which they have supported the new deal, and I single out my hon. Friend the Member for Merthyr Tydfil and Rhymney, who has attended every event that I have been to on the new deal in his constituency.

We have put in place a new strategy for the valleys, and next week we will announce a new initiative to promote extra investment and to encourage companies to locate and expand in the excellent locations that exist in the valleys. In addition, I can tell the hon. Member for Meirionnydd Nant Conwy that we have a food strategy that adds value to Welsh agriculture: by merging the agency responsible for promoting Welsh food with the economic powerhouse that is the Welsh Development Agency, we have given it a central place in the WDA's economic strategy.

We are also tackling poverty by means of the national minimum wage. The Conservatives fought the legislation for that throughout its passage through Parliament, and sought to deny some of the lowest-paid and poorest citizens and workers in Wales their elementary rights and opportunities. I can tell Conservative Members that £3.60 an hour is a fantastic boost for many workers in my constituency, who have earned wages as derisory as £1.80 or £2 an hour.

**Mr. Evans:** The Deputy Prime Minister said that "any fool" knew that the minimum wage would involve a "shake-out" in labour. How many jobs does the Minister think that the introduction of the minimum wage will cause to be lost in Wales?

**Mr. Hain:** None.

**Mr. Evans:** Does the Minister disagree with the Deputy Prime Minister?

**Mr. Hain:** My right hon. Friend the Deputy Prime Minister did not say that. The fears that Conservative Members spread for week after week in the years running up to the general election—and subsequently during the passage through the House of the National Minimum Wage Act 1998—have been shown to be unfounded. The minimum wage will be introduced with the support of business, both large and small. It will also enjoy the support of the 100,000 workers in Wales who will benefit from it. Moreover, the introduction of the working families tax credit will benefit more than 70,000 working families. Some of the lowest paid and poorest people in Wales are benefiting from the activities of the Labour Government.

We are delivering objective 1 funding for Wales, including west Wales and the valleys. Plaid Cymru has constantly taunted and criticised Welsh Office Ministers for not being up to speed or ahead of the game in that regard. I realise that it is very tough to be in opposition when the Government are so popular and successful, but Plaid Cymru should acknowledge our success in respect of securing that funding.

**Mr. Llwyd:** I certainly did not taunt the Minister: I asked a few questions that I thought were reasonable. After the decision to award objective 1 funding is made public, we in turn will make public some documents that will prove what my right hon. Friend the Member for Caernarfon (Mr. Wigley) said earlier.

**Mr. Hain:** I do not accept that. The rant from the party's leader earlier showed that Plaid Cymru is still at it.

The hon. Member for Brecon and Radnorshire said that the Government should press very hard to obtain objective 2 funding also. We are working hard to that end. The Lucas plant in the hon. Gentleman's area is situated 200 yards from the objective 1 boundary, and there is no prospect of changing that boundary. However, there is a prospect that we can get investment up the Swansea valley, which will benefit the communities hit so hard and savagely by that plant's closure.

**Mr. Rhodri Morgan:** Can my hon. Friend cast any further light on the timing of a decision on matching funds for objective 1, which will solve the chicken-and-egg problem that I and many other hon. Members identified earlier?

**Mr. Hain:** My hon. Friend made some important and valid arguments about objective 1 funding and its matching equivalent. However, the problem is more complicated, and also involves the question of public expenditure survey funding. When we have secured a decision from the European Union about the exact amount that Wales will be able to draw down, the problem that my hon. Friend described will have to be addressed, and the important points that he has made will be borne in mind.

During the past 20 months, we have pursued policies that are distinctive, but not separatist. I agree with my hon. Friend the Member for Islwyn that we can be Welsh, but British too. Devolution is not about separatism, but about giving Wales a democratic voice for the first time, and about decentralising power.

**Mr. Letwin:** I had some difficulty in following the Minister's reply to the hon. Member for Cardiff, West (Mr. Morgan). Would I be correct to summarise him as having said, "We have no money, and we are not sure that we will be able to do what the hon. Gentleman asked?"

**Mr. Hain:** No, that intervention was too clever by half. The hon. Gentleman should have listened to what I said. He may study it in *Hansard* tomorrow, when, I am sure, it will make sense even to him.

We have pursued a distinctive policy on education, promoting partnership between further education and sixth forms to give pupils and others more choice. We have invested £50 million in school budgets this year, 95 per cent. of which has gone straight into school budgets. We shall invest another £70 million in school budgets in the next year.

I am disturbed by emerging reports that some local authorities plan not to put their full share of that £70 million into the education budget, or that they plan to retain a proportion centrally, which will leave schools with insufficient funds to meet pay and price increases, let alone the development of provision. At least five local authorities are apparently considering those options, and I am prepared to name them if we find that the funds do

not go into school budgets. I have made clear our expectation that their share of the £70 million should go to education, with the vast bulk of it included in delegated schools budgets. We shall monitor budgets closely to ensure that that happens, and a report will be made to the National Assembly, which I should expect to take a close interest in any authority that does not give a high priority to schools and education in its budget decisions.

**Mr. Livsey:** Powys has no intention of not supporting fully the additional money, but the number of schools in rural constituencies means that there are a lot of head teachers. The settlement is understandably skewed, but that is not taken account of in the budget, which is why some authorities are finding it difficult to balance the books on their education budgets. That is not to say that they will not pay the money due to their education budgets.

**Mr. Hain:** The formula for the money's distribution has been agreed with the Welsh Local Government Association, of which Powys county council is a member. Consequences flow from that.

Another distinctive policy is our decision to put an extra £3 million into rural bus subsidies this year, with an extra £2 million for the coming year, either for urban services or for extra services in rural areas. That is having a major effect on provision for those who have no access to a car.

**Mr. Edwards:** The additional money for rural bus services has been very welcome in Monmouthshire, but may I refer my hon. Friend to Monday's debate about the problems of school transport and the way in which many local authorities have had to reduce free transport provision for certain children because of financial constraints? Can he assure me that he will review that policy?

**Mr. Hain:** My hon. Friend pinpoints an important problem that affects virtually all of us. The cuts imposed by the previous Conservative Government on local authority budgets hit school transport. Our provision of £70 million should allow local authorities at least to start reversing those cuts, if not restoring them.

My hon. Friend the Member for Gower (Mr. Caton) spoke movingly, and with socialist passion, about the predicament of his constituents in Holtsfield. If he makes a representation to the Welsh Office on their behalf, we shall consider it very carefully.

My hon. Friend the Member for Monmouth (Mr. Edwards) commented on the delay in payments to farmers. The Welsh Office recognises the problem, and we shall invest £16 million in computer systems over the next three years to ensure that payments are made speedily and on time. I agree that the forms that farmers must fill in are incredibly complicated, perhaps too much so. To the hon. Member for Ribble Valley I say, yes, the new national stadium or millennium stadium, the new Cardiff Arms Park, will be open on time and I am sure that Wales will win the rugby world cup in it.

I accept the remarks about good-quality translation made by my hon. Friend the Member for Clwyd, West (Mr. Thomas), and I recognise that it is of concern that the translation of his speech in the Welsh Grand Committee in Aberaeron was not of sufficient quality. The matter needs to be addressed by the House authorities, but no doubt one of the reasons for the problem is that we are in the early stages of the Welsh language being spoken in the Welsh Grand Committee. The delay originally envisaged in the translation and reproduction of speeches made in Welsh in the Assembly is far too long; my right hon. Friend the Secretary of State recognises that and he will make an announcement soon.

My hon. Friend the Member for Cardiff, North asked about the role of Welsh questions, the Select Committee on Welsh Affairs and Members of Parliament representing Wales in the House of Commons. Procedure in the House is a matter for the House and its authorities, but we accept the need for further debate in Parliament as devolution becomes reality, so that hon. Members can understand its implications and any limitations on the issues they can raise. We are discussing with my right hon. Friend the Leader of the House how best to approach such a debate, which would also have an impact on Scotland and Northern Ireland.

The Select Committee on Procedure is examining the consequences of devolution, and substantive changes are a matter for the House to decide. The Government's memorandum to the Committee suggests that any changes at Westminster should be allowed to evolve as experience of devolution develops. That includes the role of the Welsh Grand Committee, the Select Committee on Welsh Affairs and probably Question Time as well.

I agree strongly with the passionate points my hon. Friend made about the evil of racism, which was highlighted by the Lawrence report. That report dealt mainly with London, but it applies in Wales as well. Perhaps because we have only a small ethnic minority community, we in Wales are extremely complacent about the problem of racism. However, four years ago there was a racial killing in my constituency: Mohan Singh Kullar was killed in the middle of the caring cohesive community of Cimla. That just shows that the strategies about which my hon. Friend spoke and which the Government support must be implemented as a matter of urgency.

**Dr. Julian Lewis:** Will the Minister give way?

**Mr. Hain:** No—time is marching on and I want to conclude my remarks. In 70 days, we shall have the general election for Wales, and we in the Labour party will be working for victory. We have a radical manifesto; we have already delivered on a long list of promises and we shall make further pledges to the people of Wales. We shall guarantee free bus travel for pensioners—a promise that we shall keep. That will liberate some of our poorest pensioners, who do not have access to a car, from the misery of being trapped at home, unable to travel freely. They will be able to travel right across Wales, this year on half fares and, in the next two to three years, free.

We pledge that no one in Wales will wait more than six months for out-patient treatment, or for more than 18 months for in-patient treatment. We are creating thousands of extra education and training opportunities for young people in Wales, and we have pledged to create 36,000 additional places in further and higher education for students in Wales. We are providing more than £1 billion extra for the national health service in Wales, and an extra £850 million for education and training over the next three years under a Labour-controlled Assembly.

*[Mr. Hain]*

On 6 May, voting Labour will give Wales a real voice for the first time—a voice for jobs, a voice for education, a voice for health, a strong voice in Europe and an effective voice in London. For far too long under the Tories, Wales was forgotten, ignored and neglected. Now, under Labour, we can shape our own future and make our own history by standing up for Wales, for our families and for ourselves and voting for Labour to run our National Assembly, because Labour is the real party of Wales.

6.29 pm

**Mr. David Jamieson** (Lord Commissioner to the Treasury): I beg to ask leave to withdraw the motion.

*Motion, by leave, withdrawn.*

## BUSINESS OF THE HOUSE

*Ordered,*

That, at the sitting on 1st March, the Speaker shall put the Question on the Motion in the name of Mr. William Hague relating to the Corporation Tax (Instalment Payments) Regulations 1998 not later than half-past Eleven o'clock or one and a half hours after the commencement of proceedings thereon, whichever is earlier, and the said Motion may be entered upon and proceeded with, though opposed, after Ten o'clock.—*[Mr. Jamieson.]*

## STATUTORY INSTRUMENTS (JOINT COMMITTEE)

*Ordered,*

That Mr. Colin Burgon, Rosemary McKenna and Mrs. Diana Organ be discharged from the Select Committee appointed to join with a Committee of the Lords as the Joint Committee on Statutory Instruments and Mr. Brian White, Mr. Ivan Henderson and Mr. Harold Best be added to the Committee.—*[Mr. Jamieson.]*

# Au Pairs

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Jamieson.]*

6.30 pm

**Mr. Nick St. Aubyn** (Guildford): I thank the Speaker's Office for helping me to secure this debate tonight on the employment of au pairs.

The date 16 February should go down as a day when the House showed its effectiveness and the Government demonstrated their disorder. Those who write off the power and influence of this place should listen to this debate.

I have correspondence regarding a written question inquiring about the Home Office's intentions vis-a-vis au pairs. In answer to a question from my hon. Friend the Member for Christchurch (Mr. Chope), the Under-Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), said:

"With effect from 1 April, overseas nationals living in the United Kingdom as au pairs will be subject to the National Minimum Wage provisions."—[*Official Report*, 16 February 1999; Vol. 325, c. *654*.]

As that announcement hit the presses, the Secretary of State for Trade and Industry made a different statement. He told the world:

"people working and living as part of a family (for example au pairs) will be exempt"

from the minimum wage legislation. The Secretary of State showed in a previous existence in the Education Department that he had something of a mental block when it came to arithmetic, but even someone who cannot remember his seven times table must surely realise that an inter-departmental responsibility requires communication between Departments. The problem for au pairs—which spurred this debate in the first place—was created by the complete shambles of Government policy in this area. The Government showed how little they understood the problem when they suggested that it could be solved by application of the minimum wage and the working time directive.

We can have no confidence in the DTI announcement. Although the Government have given an assurance that the minimum wage legislation will not apply in the related case of paper girls and boys, that has been flatly contradicted by senior European Union officials. The Minister who will respond to this debate does not have responsibility for those matters, but I ask her to secure from the Government a clear statement that they are confident that their exemption of au pairs from the minimum wage and the working time directive will not be overturned in future by the European Commission. It is clearly determined to overturn the ruling in respect of paper girls and boys.

There are about 25,000 au pairs in this country who came to Britain under a scheme that has been running for 50 years. In recent years, there has been a marked change in the nature of the au pair. One is far more likely to find a male au pair than a Swedish au pair in Britain today. The original scheme brought many au pairs from Scandinavian countries. However, as employment opportunities have opened up in the European Union, au pairs have increasingly come to Britain from eastern Europe.

The previous Government recognised the change in society and allowed men as well as young women to come to this country as au pairs. Far from being the luxury of an affluent family, the au pair is often a necessity for a working family. If the minimum wage regulations had been passed—as the Government tried to achieve until the last moment—many working mums would have had to leave their jobs. That outcome would have defeated one of the objectives of the Department for Education and Employment: to enable more of those with young children to find at least part-time work and afford child care in the home.

We must not forget the large number of au pairs who attend adult literacy courses, certainly in areas such as Guildford. They pay the full cost of those courses, which enables local councils, despite recent savage Government cuts, to continue to provide adult literacy education at lower cost to those who live in the local community.

This debate is about much more than the role of paid employees. It concerns a cultural exchange in which young people come here to learn English, which gives them a passport to jobs around the world, and to learn about our country and, hopefully, go home and spread the good word. It is a personal exchange in which the ties between a family and an au pair can last for many years after the terms of engagement have expired.

That is why the previous Government were particularly anxious to support and build on the au pair scheme at a time of great change. That is why they cut red tape, enabled the countries operating under the scheme to switch from Scandinavia to eastern Europe and allowed men to become involved in the scheme. This Government have so far signally failed to come up with any answers to the problems facing the au pair scheme today, and we must be in no doubt that those problems are the wider reason for this debate.

There must be a problem with the au pair scheme when I hear of an au pair who was made to work from seven o'clock in the morning until nine o'clock at night, five days a week. It is a requirement of the scheme that au pairs should not be put in sole charge of children, and such cases completely contradict the scheme's purpose and intentions. There must be a problem with the scheme when an au pair arrives back on Christmas eve at the home where she has been staying to find her suitcases on the pavement and nowhere for her to go. There must be a problem when, in her first employment, an au pair receives a scalding mark from an iron on the back of her hand and, in her next job, she is sent up ladders to wash windows. There must be a problem when a case comes to my attention of an au pair who was sent out on cleaning contracts, earning £5 an hour for the person with whom she was living, when the typical au pair earns £50 a week.

This is, above all, an issue of child care, and that is why I welcome the Minister's interest. If those au pairs are not being properly treated by the families with whom they live and whom they assist, it is ultimately the children who will suffer in those families, with much greater and wider consequences. I emphasise that those are isolated cases. There are many thousands of examples of the au pair scheme working effectively and building links between this country and other parts of Europe.

I shall make a number of practical suggestions as to how the scheme could be improved. I have in my hand a guidance information note published by the Home Office. It was revised by the Government shortly after they came to power. It says that, if au pairs stay in this country for more than six months, they will

"normally be required to register with the Police."

That is the system that the Government inherited but, last August, they did away with that requirement. I am told by responsible people who work in that area that the Government's action has led to a significant increase in the scale of problems that they are encountering. I urge the Government to reconsider the relaxation of that rule.

There should be a registration system to protect au pairs and to ensure that they abide by the terms of the scheme. There should be no incentive for anyone to distort the au pair scheme into a system whereby people can illegally gain entry to this country.

In 1996, the previous Government set up a complaints helpline for those who find employment through employment agencies. That scheme was intended to cover au pair agencies as well. It is noticeable that, in the revised leaflet produced under the present Government, there is no mention of that complaints hotline. I suggest to the Minister that the Government would do well to publicise both to families and to potential au pairs the availability of that helpline, so that au pairs who find themselves in trouble will have somewhere to turn to, and families who might otherwise contemplate taking advantage of the situation know that the girl or boy in their care has a means of making a protest about the conditions.

The source of au pairs has switched from a part of the world where people are typically as affluent as in Britain to a part of the world—eastern Europe—where there is a great deal of poverty and deprivation. Many of those who come to this country do not have the standing, nor does the scheme have the history, that would tell them that advantage is being taken of them. Rules and regulations developed under the previous Government need to be adjusted to take account of the new circumstances.

Without wishing to impose regulations and bureaucracy on the au pair scheme, I suggest that some simple form of check-up on the whereabouts of au pairs might involve them giving information about the hours per week that they have been asked to work during their employment. Such a form could be handed in at the end of the period of employment, thereby removing any pressure that might jeopardise their position.

Those who come to Britain as au pairs have no formal training. They may have experience in their own families, but they have had no training that would raise them, for example, to the status of a nanny. In severe cases, where it has been found that families have persistently infringed the terms of the scheme and taken advantage of someone who has come to help the family, I suggest that some follow-up should be considered. That might be by local social services under the terms of the Children Acts or by some other means.

It is unacceptable that young people who come to Britain on a cultural exchange should be exploited and used as household skivvies. That must stop. It may be possible to draw up a register of such cases, limited as they are.

Above all, we should build on the good standard developed by responsible agencies and responsible families. There is far too much regulation of business,

*[Mr. Nick St. Aubyn]*

which is extremely burdensome, as I am sure my hon. Friends would agree. However, there is a case for self-regulation of child care, which is the subject of the debate.

I should like to draw a parallel with the year-out organisations. My last Adjournment debate last summer was on the topic of gap-year students and the development of guidelines that would ensure that they got a fair deal from the organisations with which they set up their gap-year programme. It is fortuitous that, this morning, I held a meeting with the senior gap-year organisations, in which we formally constituted a new association of gap-year organisations, among whose aims is to develop quality standards and clear guidelines to assure school leavers and others seeking a gap year that they will get the best possible deal. I pay tribute to the Minister and her officials for their help in developing that initiative. I have no doubt that, with additional help from the Department and through their own efforts, the year-out organisations will succeed in issuing guidelines and developing standards.

In the course of that meeting, we debated whether au pair agencies should be included as year-out organisations. Many of those coming to Britain as au pairs want a year out before they go on to university, or between university and the real world of work. There must be a distinction between organisations that are primarily in the voluntary sector, and send people from this country overseas, and au pair agencies. There is, however, a role model that au pair agencies could follow. With, I hope, the help of the Department, I shall be inviting the senior agencies to a meeting to establish whether a self-regulating body can be set up. In the past, agencies could be affiliated to the national organisation for all employment agencies, but I am told by experts that that system is far too expensive.

What could a self-regulating body achieve? It could certainly ensure the existence of a test of suitability. It could be said that there are not enough tests to establish that those who come to this country to look after children have the right attributes. We can all think of recent tragic examples in which people have been misplaced, with very sad consequences. A self-regulating body could provide for feedback to ensure that best practice is followed, and that those who work with families have not just a helpline to Government but another route by which they can improve their circumstances. It would enable the agencies to develop standards, and, in time, to establish a "kite mark" to distinguish the best and most responsible agencies from the one or two fly-by-night organisations.

I have heard of organisations that are placing advertisements in eastern Europe, offering what appear, in terms of the local currency, to be lucrative opportunities in this country. Only when the young people concerned come here and discover the costs of living in this country, and the terms and conditions under which they are expected to work, do they realise that they are being taken for a ride—and by then it is far too late.

The cost of a typical au pair placement is about £150, barely £1 a day for the term of the placement. I do not think that is enough for parents to pay in order to ensure the welfare of their children. A small increase could be secured if some cheap organisations were excluded as a result of higher standards. There is still considerable competition among the agencies, which, until a few years ago, were governed by a licensing scheme. It would be in the interests of child care, as well as those of families, if the best organisations felt able to charge a little more for giving a great deal more in terms of service and safety.

The United Nations convention on the rights of the child demands that children be protected from abuse and neglect. That is why I am so pleased that a Department that is already taking responsibility in regard to nannies is also taking an interest in au pairs, with the aim of ensuring that children eventually receive what they expect. Let us not forget, however, that this is a cultural exchange. If, after the shambles of the last fortnight, the Government finally get their act together, we can be sure that, as a result of that cultural exchange, the country's reputation will also be safeguarded. We can be sure that many more thousands will go home speaking well of Britain and their experiences here, and will continue to do so throughout their working lives.

6.50 pm

**The Parliamentary Under-Secretary of State for Education and Employment (Ms Margaret Hodge):** I am replying to the debate on behalf of three Departments, which have responsibilities for and an interest in the important issues that have been raised. The Home Office has responsibility for the immigration rules, which govern au pairs. The Department of Trade and Industry regulates the employment agencies, and therefore the au pair agencies, and has responsibility for the national minimum wage and employment rights. My own Department is responsible for the regulation of child care and for the national child care strategy.

Those Departments have an equal interest in the issues that have been raised by the hon. Member for Guildford (Mr. St. Aubyn), so he may want to know why there are not three Ministers in the Chamber to listen to the debate. The reason is efficiency and effectiveness of resources. I am a London Member and, on a Thursday at the end of parliamentary business, it is logical for me to reply to the debate.

I am grateful to the hon. Gentleman for bringing these matters to the attention of the House. They are important for children, for the young people who are au pairs and for the families who employ them. Some issues transcend the traditional party political divides, so I am happy to deal with the serious points that he raised. However, it is one of the ironies of life that I, and many Labour Members, have spent years arguing that there is a proper role for the Government and for the state, at central and local levels, to provide a proper framework of support for parents.

The Conservative party, of which the hon. Gentleman is a member, has argued for a long time that the interests of children and families are a private concern for parents and families with the state intervening only at times of crisis, when the child is at risk of abuse. I am delighted that he has performed a U-turn, which he accuses us of doing and which I hope I can persuade him we did not do.

However, I am pleased that we have found political agreement on this important issue in respect of the role of the state in supporting families. The hon. Gentleman will agree that we have to ensure that, in providing a framework of support to families and children, we do not create a nanny state that interferes too much in the concerns of families.

Part of the shambles to which the hon. Gentleman referred stems directly from the problems that we have inherited because of actions specifically taken by the previous Government. Under the Conservative Government, we experienced the extensive deregulation of employment agencies, including au pair agencies. Until 1995, those agencies had to be licensed. Applicants had to publish a notice of their intention to establish an agency and the former Department of Employment, which had responsibility for these matters, would consider whether they were fit persons to trade. Matters considered included previous convictions for theft or dishonesty, and that was appropriate in respect of the au pair agency trade.

Three Members of Parliament took responsibility for deregulating employment agencies. Two—the previous Members for Tatton and for Enfield, Southgate—are no longer Members of the House and the other, who is not in the Chamber, is the right hon. Member for Henley (Mr. Heseltine). One could argue that those disappearances from the House are associated with the deregulation of au pair agencies. It is hard to envisage a more motley crew of Conservatives, and they are colourful in their diversity and division rather than because they represent a broad church within the Conservative party.

In 1995, licensing was swept away and, instead, a power of prohibition was established. That gave the Secretary of State for Trade and Industry the power to apply for an order to prevent individuals from trading as employment agencies for up to 10 years. Since we came to office, we have not hesitated to act where appropriate. Recently, the DTI secured a 10-year maximum ban against the proprietor of a schoolteacher agency. He was acting improperly, and not in the interests of children, in the employment of supply teachers.

I am delighted to inform the hon. Gentleman that the Employment Relations Bill will ensure a better framework of support through the re-regulation of some aspects of employment agencies, and hence au pair agencies. We want to improve the standard of protection for the clients of agencies, whether they are the workers or the parents who employ them.

The legislation that we inherited is inappropriate. In the Employment Relations Bill, we have made the first steps towards modernising the framework that governs the industry. My right hon. Friend the Secretary of State for Trade and Industry has made clear our intention to consult in the near future on a comprehensive overhaul of standards. Existing standards provide only for au pairs to be told who is responsible for meeting their return fares. The Minister of State, Department of Trade and Industry, my hon. Friend the Member for Makerfield (Mr. McCartney), is giving careful consideration to ensuring that agencies do not arrange placements for au pairs if they are required to pay their fare to or from home out of money payable by the family with whom they live.

The hon. Gentleman suggested that the Government had made a massive U-turn a couple of weeks back on the national minimum wage in relation to au pairs. I contend that our approach was sensible and practical. During the consultation process on the implementation of the national minimum wage, we considered the likely impact of our proposals on people such as au pairs, and what the best answer would be for that group. Our decision on whether au pairs fell under the definition of workers as defined in the National Minimum Wage Act 1998 was a logical and proper interpretation of the Act in relation to that group of young people. It was not a U-turn—just good, practical common sense.

**Mr. St. Aubyn:** That is the point. It was such common sense not to include those young people in the minimum wage legislation that the Government should never have proposed to do so in the first place.

**Ms Hodge:** We could argue about that all night, but I suggest that it was during the implementation of the national minimum wage legislation that we considered this group of people and took the appropriate steps. It was not a U-turn, because we did not implement the legislation and then withdraw that provision.

This group of young people are not workers as defined by the 1998 Act because they work as if they were members of the employer's family. Foreign nationals in the United Kingdom under the au pair scheme who undertake light household duties or child care and are treated as members of the host family clearly fall within this category.

We have provided in regulation 2(2) of the national minimum wage regulations a limited exemption from the provisions of the 1998 Act for such work, provided that the worker is treated as a member of the employer's family, particularly for the provision of accommodation and meals, and the sharing of tasks and leisure activities.

Our approach will enable au pairs living as a member of the family to continue to undertake work for their host family, and it will also prevent exploitation through low pay for those workers who do not enjoy the benefits of family life. The hon. Member for Guildford asked whether the measure could be challenged in the European courts. That is not my direct departmental responsibility, but I undertake to ensure that he receives a full answer.

*It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.*

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Jamieson.]*

**Ms Hodge:** I will deal now with how we see the role of au pairs developing. It is amusing that the word "au" could be an abbreviation of the Latin word "aurum", and is the chemical symbol for gold. Gold is one of the four oldest words in English, so it may that au pairs have been with us for some time.

Certain rules regulate the way in which au pairs can be treated. They must be unmarried, young—between 17–27—and without dependants. As the hon. Gentleman suggested, they come to the UK to learn English, for cultural exchanges, to live as a member of an English-speaking family and to have opportunities to study. The scheme is open to young people from a limited and named range of countries. A maximum of five hours work can be done a day, in return for a reasonable allowance and with two days free per week. There is also a maximum period in which they are allowed to stay in country.

The fact that we now have male as well as female au pairs was not as a result of a great liberal move by the previous Government, but in response to a court case in relation to a Swedish au pair. As well as the rules, guidance is produced by the Home Office, suggesting the

*[Ms Hodge]*

sort of work that au pairs should do, that they should have a room of their own and that they should have an allowance of up to £35 per week.

The hon. Gentleman asked whether there should be new regulation for au pairs, as they involve child care issues. My Department has recently undertaken wide-ranging consultation on the regulation of early education and day care. On 12 January, I announced a four-point plan for taking forward some of the issues that the consultation raised. We were aware of the strong lobby for a register of individual nannies and child care workers, but we felt that that was not appropriate, as it would not bring the security and benefits that families want. The benefits would not be commensurate with the bureaucratic burdens that such a move would impose.

The Department has begun work with the nanny agencies to draw up a voluntary code of practice to complement the revised regulations for the employment agency industry that are being drawn up by the Department of Trade and Industry. When the work is complete, agencies will be recognised as working to new, higher standards and parents using the agencies will be reassured that certain checks will have been carried out on nannies before they are submitted for jobs.

At this stage, there are no plans to include au pairs, who are not normally trained in child care, in the scheme. However, I am happy to assure the hon. Gentleman that we will look at the issue as we learn from our experience in running the scheme. However, some of his suggestions were incredibly bureaucratic, cumbersome and over-regulatory, would intervene enormously and would diminish the cultural exchanges and the flexibility of the current scheme. I am sceptical about some of his suggestions.

The hon. Gentleman referred to information and support for au pairs. There is a leaflet on immigration requirements for entry to the UK under the au pairs scheme. I know that my right hon. Friend the Home Secretary would be happy to include in that leaflet information on where advice on au pair rights might be sought. That might include the Department of Trade and Industry helpline, to which the hon. Gentleman referred. I undertake to ask the Home Secretary to look further both at what is incorporated in that leaflet and how it is distributed—whether there should be greater access to it at points of entry into the country and through au pair agencies.

Au pair agencies will give advice to both the au pair and the employer about their respective rights and responsibilities. We probably have to make more clear and publicise better the fact that, if people have complaints about the agencies through which they secure employment or, indeed, the services of an au pair, they should complain to the employment agency standards inspectorate at the DTI, which will not flinch from taking action.

The agency may be committing an offence in the situations that the hon. Gentleman described of au pairs working excessively long hours or being exploited. The agency must not knowingly place an au pair in a situation that is contrary to the terms of entry that govern the au pair scheme.

**Mr. St. Aubyn:** I am sure that the Minister is aware of the difficulties of proving that point. That is why one has to consider that it is ultimately the parents in those families, who have created the situation and who clearly know what is going on, who must in some way be made responsible for their actions.

**Ms Hodge:** A system that would require form filling by au pairs and some policing of parents would be an absolute nightmare and incredibly difficult to execute properly. It would not serve its purpose. The best thing that we can do is have a greater spread of information. Au pairs always have the right to change the family for whom they work, but they choose to come over to this country and, as with all such life choices, that involves some risk.

Like anyone else living in this country, au pairs have full access to the criminal justice system, so au pairs who believe that they have been wrongly treated, or mistreated, should report that to the police. Such a report would be fully investigated in the same way as any other offence.

The hon. Gentleman talked about reporting to police stations. The current system is that only visa nationals who come in as au pairs—those from four countries—are required to report to the police. There is no enormous benefit in the police knowing where the au pairs are. I am not clear how that would improve the opportunities for au pairs, protect them or ensure that they were not exploited.

**Mr. St. Aubyn:** Clearly, the scheme was more rigorous until August last year. There is no evidence that it was a huge burden on the police. It is a point of contact for au pairs. It is a point where their welfare can be checked, but it also means, as I have said, that the police know who the au pairs are and which au pairs are extending their stay within two years. That will ensure that the terms of the scheme are not abused by people who are seeking unlawful entry to this country.

**Ms Hodge:** I still think that the bureaucratic burden of such a scheme outweighs the benefits. What is probably better is to ensure that, in the leaflet, we publicise a range of agencies to which au pairs can go, from citizens advice bureaux to FRES—the Federation of Recruitment and Employment Services—and that there is a better distribution of the leaflet, so that au pairs have access to that information. I genuinely believe that that would be a more appropriate, less bureaucratic way forward.

The hon. Gentleman talked about the good work that he has been doing on the gap year and a voluntary code of practice. I have said that we will return to that issue when we see how our voluntary code of practice in relation to nanny agencies develops.

As part of the national child care strategy, we are setting up a national child care information line to provide printed information for parents on a range of issues. That will give a signposted service, referring callers to local contact points, other national organisations and helplines.

As part of the four-point strategy that I announced in early January, we are drawing up guidance for parents—first, on the employment of nannies in their homes—which we shall issue in April. Furthermore, by the end of next year, we should be issuing more general guidance for parents on a range of child care issues. We shall ensure that

we incorporate in that guidance—which is being prepared for us by the Daycare Trust and the National Early Years Network—some ideas on guidance on au pairs.

The rights of children were at the heart of the hon. Gentleman's speech. I agree with him about those rights, which are behind every decision that the Government take on children being cared for by both formal and informal carers. He raised many important issues in the debate, and I congratulate him on having secured it. I hope that he will be satisfied that we are taking seriously some of the proposals that he made, and I look forward to working with him in the future, to ensure that we provide the best start for our children.

*Question put and agreed to.*

*Adjourned accordingly at eleven minutes past Seven o'clock.*

# House of Commons

*Friday 26 February 1999*

*The House met at half-past Nine o'clock*

PRAYERS

[MADAM SPEAKER *in the Chair*]

# Orders of the Day

## Protection of Children Bill

*Order for Second Reading read.*

9.33 am

**Ms Debra Shipley** (Stourbridge): I beg to move, That the Bill be now read a Second time.

It is a great honour to promote the Bill today. It seeks to protect the most vulnerable and innocent in our society. It seeks to protect children from abuse, and closes down some of the avenues through which paedophiles operate. "Paedophile" is the wrong description—because "paedophile" means "child lover"; child molester, child rapist and child destroyer are all more accurate descriptions of adults who abuse children. Childhoods have been destroyed by individuals who have molested, raped or attacked children.

"Abuse", itself, is too gentle a word for the ordeal to which children—often very young ones—have been subjected, including oral sex, anal sex and a whole spectrum of sexual relations which no child should ever know about, let alone be subjected to by an adult who is meant to care for them.

The Bill refers to child care workers in whom trust has been placed. There are many people with immense power over the youngsters in their care—immense power to do good or evil. I pay tribute to the child care workers who strive hard to provide the best possible conditions of safety for children. I say to the others that we will close down their avenues of abuse. Child care workers who are decent and good know above all others how urgently the Bill's proposals are needed. Commenting on the proposals, the chief executive of the Children's Society said:

"It is crazy to leave the protection of children to chance. We need rigorous checks by law."

The need for vetting is now well recognised, and I commend colleagues who have battled for years to get the matter on to the political agenda, and charities such as the National Society for the Prevention of Cruelty to Children and Save the Children which work hard to shine some light into the dark places of child abuse. Supporting the Bill, the chief executive of Childline said that it is

"a vital step in preventing known abusers continuing to harm children."

Since my announcement in December that I would be dealing with child protection in my Bill, I have received many messages of support. An early one came inside a small Christmas card. The well-wisher simply wrote:

"Thank you, thank you, thank you."

It is clear that there are thousands of people in this country who, due to their personal experiences, are longing for greater child protection measures to be introduced.

Sadly, my Bill cannot deal with every possible area of vulnerability, and it certainly cannot guarantee that no child will ever suffer abuse again. I ask organisations to review their employment good practice procedures. Although the Bill cannot cover every avenue of potential abuse, it will substantially increase the level of protection in those public areas where that is most desperately needed.

It may help to follow the structure of the proposed arrangements if two crucial definitions used in the Bill are kept in mind—"child care position" and "child care organisation," both of which are laid down in clause 12. "Child care position" refers to a position that is concerned with the provision of services to children for which an organisation is responsible and where the worker has regular contact with children.

For the purposes of the Bill, a "child care organisation" is one whose activities are in some way controlled or regulated by statute, including all local authority social services functions relating to children; all children's homes—be they local authority, private or independent; nursing homes or mental service homes accommodating children; registered child minders; and some NHS trust services regarding children.

All those organisations will have a mandatory requirement to vet prospective employees, paid or unpaid. Other organisations not covered by the Bill—such as voluntary groups and cadet forces—will be able to vet employees and volunteers, and to refer names of abusers to the list. I sincerely hope that organisations such as the scouts, who have provided immense opportunities for youngsters, will fully avail themselves of the vetting mechanism for all volunteers who work with children.

No organisation is free from potential abusers. It is only right and proper that parents should expect organisations in which they have put their trust to vet their workers, paid or unpaid. That is a service that organisations such as Schools Outreach have pleaded for. Its chief executive remembers telling 12 interviewees that he was able to vet their backgrounds. One then admitted that he was a convicted child abuser; another admitted that he was awaiting trial.

It is important that the strong framework of vetting proposed by the Bill is balanced by a strong mechanism for appeal. The Bill proposes a right of appeal backed by an independent tribunal, as laid out in the schedule. It sets out for the first time a means whereby an individual who has had a conviction quashed on appeal or a malicious referral uncovered may have his name removed from the list. Furthermore, a discretionary power may be exercised by the Secretary of State without the need to go through the appeal tribunal. That is a major step forward in terms of civil rights.

Currently, an individual may be referred to existing lists without his knowledge, and if he discovers that his name is on a list, he has no statutory right of appeal. My Bill will allow for all those whose names are referred to the list to be notified. That, along with the appeal mechanism and independent tribunal, represents a significant improvement on the present situation.

*[Ms Debra Shipley]*

Child care employers will be required to refer names to the list. That provision has been included to prevent the practice of letting people go when they are discovered to be abusive. By failing to report abusers, some unscrupulous employers have allowed—indeed, enabled—known abusers to move to new employment where they are able to continue their abuse. The requirement to refer is a fundamental measure in closing avenues of abuse.

Referrals will be made if someone in a position of child care is dismissed on the grounds of misconduct that harms a child or puts a child at risk of harm; if an individual resigns or retires in circumstances in which he or she would otherwise be dismissed; if an individual has been transferred due to circumstances of misconduct to a job in the same organisation, not in a child care position; or if an individual has been provisionally suspended or transferred to a non-child care position while inquiries are being carried out.

**Mr. David Maclean** (Penrith and The Border): I apologise if I have misunderstood the hon. Lady's Bill. She says that there will be an obligation on the relevant organisations to refer, but I could not see any penalties in the Bill for failure to comply. Is that deliberate or because the issue is covered in some other Act that I did not study in conjunction with the Bill?

**Ms Shipley:** I am grateful for that intervention, which gives me the chance to clarify the issue. The child care organisations to which my Bill refers are covered by statute, so we have a means of bringing sanctions against them.

The message to child abusers and those who knowingly employ them is: "We will not tolerate you or your cruel and destructive activities."

The Bill has four main provisions. It will put the Department of Health's current administrative consultancy index, which lists individuals considered unsuitable to work with children, on a statutory basis and will require regulated organisations to refer names for inclusion on the new list. It will provide rights of appeal against inclusion on the Department of Health list and the similar List 99 of the Department for Education and Employment, which has always been statutory.

The Bill will require regulated child care organisations to check the names of anyone whom they propose to employ in posts involving regular contact with children against both the departmental lists and not to employ them if they are listed—although only if they are listed on certain grounds, in the case of List 99.

The Bill will amend part V of the Police Act 1997 to allow the Criminal Records Bureau to act as a central access point to criminal records information, List 99 and the new Department of Health list for those who need information on people applying to work with children.

The provisions that I have outlined form the foundations of what, in time, will become a one-stop shop. The proposals are the result of extensive consultation by the interdepartmental working group on preventing unsuitable people from working with children and abuse of trust. Its report was placed in the parliamentary Libraries on 25 January. Some 39 parties are recorded as having taken part in the consultation process. It is reasonable to conclude from the report that there was a thorough airing of the issues involved.

The Bill should be viewed as part of the process of seeking means to protect the most vulnerable in our society. It does not complete the process, nor does it deal with abusers operating outside the child care or teaching sectors. However, it is an indispensable step towards a more complete system.

Several hon. Members have approached me with concerns about vulnerable adults, particularly elderly people. The case studies that they have cited are horrific. I greatly regret that abused elderly people are outside the scope of my Bill. However, I understand that the working group is moving on to investigate how the procedures outlined in the Bill might best be extended to vulnerable adults. I welcome those urgently needed endeavours.

However, in clause 10 I have been able to include powers to extend the benefit of the Bill's provisions to adults suffering from mental impairment—those adults whose vulnerability arguably puts them closest to the position of children. The measure is welcomed by the charity Mencap, which has also brought to my attention the case of a child care worker who had abused a youngster and who was subject to disciplinary procedures that resulted in him being transferred to work in a residential care centre for children with learning disabilities, where the abuse continued. The Bill will close the loophole that allows known abusers to move on, free to abuse again.

The Mencap example is not isolated. Recent newspaper headlines provide all too many examples: "Freed sex killer given a job with schoolgirls"; "Social workers linked to widespread abuse"; "Child sex probe to go back 40 years". Such headlines represent only the smallest tip of a terrible iceberg.

I do not need to tell hon. Members that it is our job as parliamentarians to do all that we can to protect the most innocent and vulnerable in our society. That is the aim of the Bill.

9.46 am

**Mr. James Paice** (South-East Cambridgeshire): I congratulate the hon. Member for Stourbridge (Ms Shipley) on her good fortune in pulling out No. 1 in the ballot. Many of us who have been here much longer than she has—there are many who have been here much longer than I have—have never even appeared in the top 20. She is very fortunate. I also congratulate her on the excellent way in which she has introduced her Bill, presenting the arguments cogently and without the extreme emotional language that such issues can engender. Such language is not constructive to the purpose of the Bill.

None of us would disagree with the need to protect our children. We have all seen newspaper headlines such as those to which the hon. Lady referred. Many of us have come across constituency examples. We must do all that we can to address this very important issue. I had the privilege to be the Minister responsible for the youth service in the previous Government. We did a lot of work on problems in this area, from which the concept for the Criminal Records Bureau came. I am a little surprised that the Government have not already brought the provisions into force. We could not do so, because the issue came

up in the last week before the House was dissolved. [HON. MEMBERS: "You had 18 years."] Hon. Members know that the issue has got worse over those years. If they want to make party political points, they are welcome to do so, but it is pretty pointless. I am trying to be constructive, as the hon. Lady was. I congratulate her on her speech. However, I wonder why the measure has not already been brought in.

It is right to ensure that we cover as wide a spectrum of children as possible. The hon. Lady is wise to have included the provisions covering mentally ill adults and I congratulate her on that sensible addition. I have a few concerns which I shall raise in a few minutes, but I assure the hon. Lady that I support her Bill in principle, although I hope that there might be one or two improvements.

I am not a great believer in rights generally. We spend too much time on rights and too little on responsibilities. However, we must bear in mind the right of parents to expect that a registered child minder or a statutory body to whom they entrust the responsibility of looking after their children has been properly vetted. The hon. Lady rightly pointed out that the measure will not stop all child abuse problems. Much child abuse takes place in the home. Parents who take on a nanny are not obliged to seek information about that individual.

We must find the right balance. Often in debates in the House, we try to put right wrongs and protect members of society, but we sometimes fail to keep a sense of proportion. I do not question the need for the Bill, but it might give the impression that there are millions of people out there preying on children when we all know that to be wholly false. Yes, there is a group of people who are almost beyond comment because of their desire to abuse children sexually and physically, but the vast majority of people—like, I trust, all hon. Members present—are sensible and reasonable, and concerned to protect children. We must not give a different impression.

I have immense respect for the work of the voluntary sector in caring for young people. It has a huge range of experience. The hon. Member for Stourbridge referred to Mencap; I have an excellent Mencap home in my constituency. I am anxious to ensure that the voluntary sector does not get into difficulties through the Bill.

Another aspect is the need to legislate on the back of the Utting report, which was set up by the previous Government and rightly continued by this Government. That report catalogued a range of abuses of trust and identified the need for an appropriate vetting system. I was surprised when I researched the issue to discover the Home Office study of 1997 which found that one in 60 males from a sample of those born in 1953 had a conviction for a sexual offence. I do not question that research, but I was astonished that the figure was so high. If that study was valid, it underlines the need for the Bill.

The study concentrated on men, but—as I hope the hon. Ladies present on the Government Benches will agree—the problem is not restricted to men. Women, too, can be involved in child abuse, both violent and sexual abuse, and it would be unfortunate if the debate focused entirely on men.

**Ms Shipley:** I am grateful to the hon. Gentleman for raising that point. It is important that the Bill is not seen as an anti-man Bill. Everything in the Bill refers to both men and women, and the hon. Gentleman is right to say that women abuse too.

**Mr. Paice:** I was not suggesting that the Bill and the hon. Lady's speech did not apply to everybody, but wider comments about the issue seem to imply that it is a male-only problem.

**Mr. Michael Connarty** (Falkirk, East): I ask the hon. Gentleman to do the arithmetic. On his figures, one in 60 is almost 500,000 of the male population. The problem is serious, but the hon. Gentleman dismissed the numbers earlier in his speech. I find that 500,000 a frightening figure.

**Mr. Paice:** I was not dismissing the figures. If that study is right, the figure is 500,000. I may be at fault for not going into great detail about how statistically valid that study was and whether it would be replicated if other age groups were examined. I do not know, but if the study is right, the problem is significant. However, that does not mean that all those 500,000, to use the figure that the hon. Gentleman derived, are out there being predatory. Many of them may be able to keep their problems under control, especially if they have already been convicted of an offence. Some people are rehabilitated by our systems.

Some confusion is caused by the present system of registers and they should be amalgamated. The Bill would not achieve that directly, but, as the hon. Member for Stourbridge suggested, it sets out a move to a one-stop shop arrangement. That is right, because too many agencies are involved and too many different criteria for inclusion on the lists are used. Policies also differ on access to the lists. It is time to put the consultancy index on the same statutory footing as the national computer database and List 99, so that we move towards a one-stop, centralised register.

I said earlier that I was concerned about the voluntary sector and that includes the issue of costs. I know that the cost of accessing the register will not be huge, but, for the voluntary sector, even a few pounds can be painful. I hope that the cost can be kept down. I assume that the hon. Member for Stourbridge will reply to the debate, and I hope that she will be able to shed some light on the link between the voluntary sector and the statutory sector. So much of the voluntary sector is grant-aided by the statutory sector, especially local education authorities, and I am not clear whether the obligation to make checks will automatically accompany grant-aiding. Will the grant-aiding body be able to impose that obligation on the voluntary sector?

I also wish to ensure that sufficient safeguards are put in place. I pay tribute to the work that the hon. Member for Stourbridge has done to try to meet the civil rights concerns that she described, but the process through which someone is included on the list is still administrative and not judicial. Although a tribunal will be set up, I find it surprising that the tribunal will not make the decision on whether someone should be included on the list, but instead it will be made by the Secretary of State or his nominees.

The threshold for initial inclusion on the list is quite low. That is not necessarily wrong, but it makes it harder to ensure that the list is operated fairly. Organisations that

*[Mr. Paice]*

are obliged to report an incident involving an individual will still have to judge whether to report it and decide on the seriousness of the offence. I am referring not to offences that lead to prosecution, because they are covered in the Bill, but to activities described in clause 5(2) of the Bill.

I understand that there is no requirement that any dismissal should be lawful, and that must be addressed. Human nature being what it is, we must also be careful that no opportunity exists for malicious nominations of individuals to the list. We must be frank about the realities of life and accept that, for whatever reason, malicious accusations are made that do not have a basis in fact. Safeguards must be put in place against employers or anybody else who seeks to smear the reputation of an individual. How many people would have to endorse the submission of a name before that person was included on the list? What procedure would be followed by a firm, youth service or child-minding agency to submit the information and how would that submission be validated?

**Mr. Eric Forth** (Bromley and Chislehurst): My hon. Friend served his penance with me in the Department for Education and Employment for some time, so he will know that a genuine problem in the education world is that pupils often make serious allegations against teachers. Those allegations may be unfounded, but sometimes they ruin careers and lives. Does my hon. Friend share my worry about the Bill—and I hope that the problem will be clarified later—that the provision for placing a person on a provisional list does not include access to a tribunal? There is, therefore, the possibility that someone will linger on the provisional list for some time, possibly on the basis of an unfounded allegation. Does that not reinforce the point that my hon. Friend is making?

**Mr. Paice:** My right hon. Friend is right on both counts. As I said a moment ago, we have to accept that life out there is not as good as we might wish. Some people want to be malicious, for whatever reason: their potential victims must be protected.

I should also be interested to hear what the hon. Member for Stourbridge has to say about paragraphs (c) and (d) of clause 5(2), which deal with the grounds on which people are to be considered unfit for employment. *[Interruption.]* Excuse me, Mr. Deputy Speaker, but my pager is going off, as did the hon. Lady's during her opening remarks. I was impressed with the nonchalant way in which she silenced it and was not thrown off her speech.

I am worried about how wide the definition of who is fit and proper goes. Should not the Bill include some criteria about the seriousness of the alleged offence? Also, what about people who were themselves abused as children? There is plenty of evidence to suggest that such people are more likely—although not necessarily through their own fault—to become abusers when they grow up. I hope that the Bill will not mean that people, because they have been abused, will be regarded as not fit and proper to work with children: indeed, some people who have been abused learn from that awful experience and go on to become extremely valuable members of society. However, the problem needs to be tackled.

In addition, the onus is on people who believe that they have been included in the list wrongly to ensure that their names are removed. The Bill needs to place a greater obligation on the Secretary of State, or whoever will operate the list, properly to investigate complaints by people who believe that they have been wrongly included in the list. The hon. Member for Stourbridge will no doubt point out that the Bill provides that anyone included in the list will be informed and will have the right to inquire about why they have been included. Nevertheless, the onus appears to me to be in the wrong place, with the result that the Bill smacks a little of suggesting that a person is guilty until proven innocent. That is not a feature that I would welcome in our legal system.

**Mr. Robert Syms** (Poole): There is also the worry that legal aid would not be given in such cases. Would not people without good financial resources suffer from the burden of trying to ensure that their names were removed from the list?

**Mr. Paice:** My hon. Friend has relieved me of the need to read the next paragraph of my speech, which deals with that very point. I am worried that many people who believe that they have been wrongly nominated will not have sufficient resources to fight to clear their names.

It is fashionable sometimes to use phrase "big brother", and I do not want to use it in the context of the Bill, but we have to strike the balance between protecting our children and enshrining in statute a level of authoritarianism that is unacceptable in a free society. We do not want to create a poisoned chalice: people who would otherwise be prepared to commit their lives to looking after children must not be deterred from doing so by a fear that their backgrounds may be subject to intense investigation and inquiry.

The Bill will not cover nannies and child minders employed by private individuals. However, will there be an obligation on registered child care agencies to carry out checks? That is especially important, as such agencies often bring in nannies and child minders from abroad. Will we find that it is much less safe to employ foreign people in that role than people who are registered in Britain? Hiring foreign workers is well known to foster good international understanding, and our young people also enjoy the benefits of working in foreign countries.

**Mr. Forth:** I am grateful to my hon. Friend for giving way again, and I hope that the hon. Member for Stourbridge (Ms Shipley) will return to that point when she replies to the debate. The House needs the maximum reassurance that the levels of quality and reliability of people hired from overseas are as high as we would expect in people from this country, because there is a danger of a lacuna appearing in the Bill if they are not. Our other option would be to say that people from abroad would not be allowed to work here if the information about their backgrounds was not reliable. Is that not a genuine dilemma which must be resolved if the measures in the Bill are to be secure and properly implemented? I suspect that my hon. Friend is aware of that problem, and I hope that the hon. Lady will deal with it later.

**Mr. Paice:** I entirely agree with my right hon. Friend. A person who employs a child minder from a registered agency may not realise that other countries have different

vetting systems. It would be invidious to name another country, but a parent employing a person from, say, Scandinavia, may not realise that that person could be less well vetted than an English person.

I appreciate the value of the Bill. When it becomes law, agencies recruiting staff to positions of control, responsibility and care with regard to children will have to make the checks that the hon. Member for Stourbridge has set out. By simplifying and improving the system, the Bill will lessen the possibility that children will be abused.

I have set out where I believe that the Bill needs more work with regard to the civil liberties of people who may be wrongly accused, and I have described the safeguards that need to be put in place. I also spoke about the problem of the voluntary sector's links with statutory bodies not being covered by the Bill. However, I am sure that the hon. Member for Stourbridge will return to that, and the matters that I have raised can be discussed in Committee.

I congratulate the hon. Member for Stourbridge on winning the ballot, and on her wisdom in choosing this subject, which is more complicated than those normally covered by private Members' Bills. I hope that there will be unanimous agreement that it should proceed.

10.10 am

**Mrs. Llin Golding** (Newcastle-under-Lyme): Ever since I came to the House 12 years ago, I have battled to improve the lot of children. It has been a hard battle. So concerned was I in 1995 at the slow progress being made that, as shadow spokesperson for children, I, along with the late and sadly missed Joan Lestor—then Member for Eccles—and my right hon. Friend the current Home Secretary, wrote a letter to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), who was then Home Secretary.

We asked, among other things, for the establishment of a nationwide database of known or suspected sexual offenders and a tightening up of the vetting procedures for those who worked with children. The right hon. and learned Gentleman's written response was positive, but his action was not vigorous. We have had to wait until today for this welcome Bill, promoted by my hon. Friend the Member for Stourbridge (Ms Shipley), to narrow a glaring and obvious gap in child protection legislation.

It is good at last to have a Government who contain so many members committed to improving the lives of some of the most vulnerable people in our society—children. As a trustee of the National Society for the Prevention of Cruelty to Children, I have even heard the complaint that so many excellent initiatives, guidelines and legislation are coming from the Government that the society is finding it hard to keep up with the pace.

Interdepartmental working groups have been making progress, and we have seen the continuing work of the social exclusion unit, sure start and the national child care strategy. There has been work on tackling drug abuse, and the positive response to the Utting report has included the proposal for important and long-fought-for children's rights officers. There has also been the long-awaited implementation of the remaining recommendations of the Piggot report on child witnesses. The quality protection initiative sets standards for looking after children. There is real progress at last.

Even when I wrote to the right hon. and learned Member for Folkestone and Hythe in 1995, it was obvious that there was, despite the best efforts of the National Criminal Intelligence Service, an urgent need for a coherent cross-sector system to identify people unsuitable to work with our children. As the Bill makes clear, a number of departmental lists contain the names of people who should never work with children; lists are also held by the police and, more recently, there is the national sex offenders register.

I feared that those with a tendency to abuse children would be able to slip through the net simply because information held on one list was not available in another place. I also worried that voluntary organisations would be unable to ensure that volunteers had a clean bill of health. The system was quite unable to cope with the skill that child abusers develop in hiding their evil intentions, and we all know of many cases of that happening. We have seen enough evidence to know that abusers who have been caught have often had access to children through several previous jobs or voluntary positions.

We also know how hard it is to convict child abusers. The Crown Prosecution Service and the police often have to make hard judgments about whether the pain of going through the present court system is in the best interest of the child concerned, or whether the evidence of a child will be enough to convict. I am sure that the Government share my concerns about the fall in the number of successful prosecutions, and that they will keep a close watch on the number of failed and successful prosecutions. There are certainly further lessons to be learned in that area.

It was obvious to me then, and it remains so now, that to hold separate lists in different departments with no way of cross-referencing them would always put children at risk. I welcome the concept of a one-stop shop, making it clear to all the organisations that work to help children how they can help to protect those in their care.

I welcome the proposed tribunal to ensure fairness. There are dangers in having lists that include the names of people who have not had allegations against them tested in court. Many hon. Members will know of cases in which allegations have been made out of spite and vindictiveness. It is only right that there should be a right of appeal against inclusion on the list.

Some people will say that the Bill goes too far, and others that it does not go far enough. In my opinion, my hon. Friend has struck the right balance. I congratulate her on coming top in the ballot, but, even more, I offer my warm congratulations on her determination to put children first.

10.15 am

**Jackie Ballard** (Taunton): I, too, congratulate the hon. Member for Stourbridge (Ms Shipley) on achieving first place in the private Members' ballot. I know of her genuine concern for children's welfare and her desire to increase their protection. The Bill proves her acceptance that much can be done to increase the safety of children. Much can be done, but nothing can be done to ensure 100 per cent. safety for all children in every circumstance, or 100 per cent. peace of mind for every parent. Sadly, life can never be risk free.

In November 1997, I secured an Adjournment debate in which I called for a register of nannies and child care workers. The register would have listed all the people who

*[Jackie Ballard]*

work with children, their qualifications and their employment records. It could have been checked by employers, both corporate and individual. It would have helped them to make judgments about the people whom they were considering employing to look after their children. The Government have so far resisted setting up such a register, for a number of reasons. Instead, they have put forward other proposals, of which the Bill is one. With their backing, it will certainly fill some of the gaps.

The Bill has my backing, too. We have heard many positive reasons why it should be supported. It puts the consultancy index on a statutory basis, and it means that there will in future be a single access point for checking the names of people involved in the care of children. Employers will have to refer the names of relevant people to the list, and they will have to check the list before they employ someone.

However, the ability—if not necessarily the statutory duty—to check the list must be extended to every employer, perhaps on the payment of a fee. If that is not allowed, people on the list may see that their best hope of going undetected—we must remember that child abusers can be very devious and will seek other routes by which to carry out their actions—is to work for a private individual as, for example, a nanny. Private employers will have no access to the list, and abusers might thus yet again slip through the safety net which should exist for every child in every situation.

Everyone whose name goes on the list will have to be informed of that inclusion, and the Bill, for the first time, brings a welcome right of appeal. Everyone in the House will be appalled at reports of mental, physical or sexual abuse of children. I am pleased that the hon. Member for Stourbridge resisted the temptation to give us an horrific catalogue of events, but abuse is the ultimate destruction of childhood innocence. It is an abuse of trust for any adult to behave in such a way to a child in his or her care.

The hon. Lady is right to want to identify people who are unsuitable to work with children, and to prevent them from getting further access to children through their work. Both as a parliamentarian and as a mother, I want the House to do everything in its power to ensure the safety of children. However, the Bill will not address every instance of child abuse, especially institutionalised abuse.

The inspection of private boarding schools is currently split between social services, the Office for Standards in Education and the Department for Education and Employment. That tripartite arrangement means that a culture of low-level abuse or lack of care is often not sufficiently focused on. Each organisation takes only a partial view of the situation: Ofsted looks only at the quality of education in a boarding school, and it may not look at inappropriate relationships between adults and children; and, the DFEE says that it has no role or resources to investigate allegations in the schools.

I have written to Ministers about allegations of events in a school just beyond my constituency boundaries. Ultimately, it decided to close of its own accord. If it had not done so, it is difficult to see how the three bodies concerned could have engineered a closure. Certainly, that had not happened throughout the long period during which the allegations had been made.

Children are especially vulnerable when they are living away from home. Therefore, it is vital that we ensure that the inspection system within any child care setting is robust, comprehensive and co-ordinated. The Bill focuses on the individual abuser, but we must also focus on the institutions within which children are cared for because institutional abuse shows adults at their most damaging and dangerous.

**The Parliamentary Under-Secretary of State for Health (Mr. John Hutton):** The hon. Lady makes an important point, but I hope that she is aware that we have already outlined in the White Paper on modernising social services proposals for improving the quality, depth and range of inspections in children's services.

**Jackie Ballard:** I am aware that there are proposals and I hope that it will not be too long before they are enshrined in legislation so that the system can be better co-ordinated than hitherto.

One part of the Bill worries me. The Secretary of State can decide that someone should be on the list, if he is of the opinion that the referring organisation reasonably considered the individual to be guilty of misconduct or incompetence and, therefore, to be unsuitable to work with children.

In the House, we often have to balance the rights of individuals and to come down on one side—it is not always obvious which side, and there will be differences of opinion between us. Looked at simply, it could be interpreted that the rights of the child to protection are more important than the rights of the adult to work in an employment setting of his or her choice. If we followed that argument to its logical conclusion, we would bar men from child care roles altogether as most, but not all, abuse is perpetrated by men. That would be taking the precautionary principle too far, as we all would agree.

If the list is to have credibility, we must ensure that the people on it are there because they really are a danger to children and have not merely fallen out with their previous employer or been the subject of malicious allegations. As has been said, we all know examples of teachers who have been wrongly accused of an assault by a teenager and whose career has ended as a result. If the Bill is enacted unamended, the danger is that men may not go into jobs in teaching or child care. Some men who are suitable for such work will feel that it is not worth the risk, and there is already a serious shortage of male role models in primary schools and residential child care.

**Ms Shipley:** I must make it clear that the Bill does not sexually discriminate between men and women. Women are abusers too. If we investigate in some depth, we may even find that a significant number of women abusers are not yet known. It is much harder to accuse a woman of being an abuser. There are a significant number of male abusers, but men should not be put off work with children by the measures in the Bill any more than women should be. Those measures apply equally to both genders.

**Jackie Ballard:** I accept that the Bill is not designed to discriminate between genders. I was not trying to imply that it was. However, I think that we would all accept that, statistically, men make up the greater percentage of people who have been cautioned or convicted for child

abuse. I also accept that those statistics may hide many cases of women who are never brought to court or of allegations that have not been followed through for various reasons, perhaps because it is culturally easier to accuse a man of abuse rather than a woman. That also means that it is easier falsely to accuse a man because the accusation is likely to be taken more seriously. The differences between me and the hon. Member for Stourbridge are not as great as they might appear.

If the Bill is enacted unamended, allegations may be made maliciously and may for ever destroy someone's career. That is a pretty big stick to hand to a disturbed or damaged teenager. The reasonable suspicion provision tips the balance too far against civil liberties and natural justice. I hope that we can look carefully at that part of the Bill in Committee.

I hope that the Bill goes to a Standing Committee because, in most ways, it is an improvement on the present situation. A number of issues cause concern, including the reasonable doubt provision and the maximum time allowable between someone's name appearing on the register and an appeal being held and decided on. I do not think that anyone would want someone who has been falsely accused to have to wait in limbo, unable to work in the setting of his or her choice while the process grinds on, so a maximum time limit must be written in.

I want individual employers outside the categories listed in the Bill to have access to the register. We must also consider the cost of checking the register, especially for volunteer organisations.

Such scrutiny is the purpose of the Standing Committee. I will certainly not oppose the Bill today because I support it in principle, as I hope that I have made clear. If I am fortunate to be a member of the Committee, I hope that we will be able to table constructive amendments to deal with some of the issues that I raised to enable a sensible debate to take place and to enable us to enact a Bill that will make life safer for many more children in years to come.

Before I sit down, I must apologise to the Minister and the hon. Member for Stourbridge as I have an unavoidable appointment after 12.30 pm and, if the debate carries on until lunchtime, I may not be here for the replies.

10.26 am

**Ms Dari Taylor** (Stockton, South): I am pleased to have the opportunity to support and speak to the Bill promoted by my hon. Friend the Member for Stourbridge (Ms Shipley). The Bill will not merely protect children and all who are vulnerable, but deal with many older people who feel that they have the right to abuse in private others who do not have the ability to protect themselves. Therefore, the Bill is profoundly valuable.

We and our society have been shocked too many times by revelations of day-to-day occurrences. No doubt, they have occurred in a minority of places, but those revelations have been heartbreaking and, invariably, repairing the damage has been almost impossible. The establishments concerned have been public—schools and care facilities—and there has been clear abuse of the privileged position of care.

Helping to develop a stable and caring home life and environment—whether in schools or public places of enjoyment, such as the scouts or the girl guides—is something that we all, as parents and people who believe that we are principled, want to do. That ensures the best start in life for all children and young people. That is obvious. We say the obvious so regularly, and achieving such a stable environment should be an obvious fact of life. However, for so many, that is not the case. Such a start in life provides the best way to achieve a well-balanced and well-adjusted society. However, we must protect the young and vulnerable from prejudicial acts or behaviour not merely because it helps us to achieve a stable society, but because that is their right.

Unlike the hon. Member for South-East Cambridgeshire (Mr. Paice), I see the Bill as clearly and determinedly establishing a right to be treated with dignity and with respect. It is valuable to have a right without question to be able to turn away and object to unwanted advances, which could well be abuse, and to have at all times and in all circumstances protection against all those who would threaten those rights. I see the Bill differently from the hon. Gentleman because I see it as implicitly and explicitly defining a right.

**Mr. Paice:** I hope that the hon. Lady will do me the courtesy of reading what I said. She will find that I did not say that I did not see the Bill as being about rights. I made the general point that we spend too much time thinking about rights, rather than responsibilities. I recognise that the Bill is about rights, both those that she described and those that I described—the rights of parents to expect their children to be cared for by responsible people.

**Ms Taylor:** I thank the hon. Gentleman. Perhaps I misunderstood him; I will read his words.

I want a clearly stated law that will deter actions that have the potential to be prejudicial or damaging. It is not a question of appropriateness but one of establishing a right that without question should be afforded to all people, particularly children and the vulnerable, who are away from the public gaze in the private worlds of education, caring or police custody. The Bill is such a law in the making. For me, it is long overdue.

Laws that embody the protection of human rights are the cornerstone of a good society. Their very acceptance, existence and operation underpin individuals and their freedom to act. Rights inevitably define responsibilities. Rights, with their accompanying responsibilities, can control the acts of all people at all times and, I hope, outline, define and control consequences. The Bill is about establishing the relationship between rights and responsibility, an easily operated means of control and the facility to enable people to grow up, develop and participate in every situation without interference from others with known abuser records.

In my previous life, I worked in care as a house mother. From that experience, I want to describe for two minutes how rights can easily disappear. I happened to work in an excellent home with staff of the highest quality. However, the very need for the existence of that care establishment was heartbreaking. The children, aged from five to 16, obviously felt discarded and excluded by the good society. It was appalling to feel that sensation when we were trying to build up their hopes and expectations of life. It was a difficult task.

During the week, in a stable, warm environment, we survived most experiences. On Saturday and Sunday, I longed for Monday to come. Whether five or 16,

*[Ms Taylor]*

the children sat at the window looking at the drive, hoping that a mum, dad, friend or someone who cared about them would walk up. That was a daunting experience, especially when, as often happened, no one appeared and the child would make excuses and say, "They are busy." Seeing such young people so vulnerable and out of all the good life has produced in me a belief that we must—and I believe that we can, with the Bill—make such situations as caring, supportive and without abuse as we can. We should have taken that responsibility a long time ago.

I was only a young woman when I was asked to work at another home because someone was away on pregnancy leave. I had had the experience of a good supportive staff. I was suddenly in a home where the staff were not supportive; frankly, they were scuppering. If the first experience was daunting, the second was unacceptable. The control mechanisms were few and far between. The children were told regularly that they were naughty and a problem, that they were not people whom someone could love. That was not abuse in the sense of sexual abuse or of being slapped, but traumatising emotional abuse. Putting a six-year-old who was out of his or her family life in a dormitory where he was the only one in a room with 12 beds, and then hearing of the abuse of other staff and the absence of the care that my previous experience made me feel was normal and natural, was very distressing.

I realise that the Bill in no way protects children from uncaring people; it is to protect children from known abusers. We must all understand that known abusers are a crucially group to control. Homes for children and vulnerable people must have control and protection mechanisms so that those in their care have a chance of coming out into society as well balanced as they can, given that they have often come from broken homes or homes to which death has ensured that they cannot return.

I am pleased—more than pleased, privileged—to support the Bill of my hon. Friend the Member for Stourbridge. It seeks to ensure that all agencies—all statutory agencies; I wish it were all agencies, including voluntary ones—work together. A list—a one-stop shop—that can be effortlessly retrieved to give clear, precise guidance about employment will be operable shortly. That is an incredibly important first move towards ensuring that we afford the young and vulnerable in our society the protection that they deserve. It is the first move towards ensuring that they have rights that they can lean on against any abuse or potential abuse of which they are or could be victims, and that we can begin to prevent such abuse.

10.38 am

**Mr. Philip Hammond** (Runnymede and Weybridge): On behalf of the Opposition, I congratulate the hon. Member for Stourbridge (Ms Shipley) on securing her position in the ballot and on her choice of Bill. I repeat that the Conservatives will support any reasonable, sensible measures that seek to address the abuse of children and other vulnerable people. No one in the House would dissent from the view that the protection of the vulnerable, especially children, is one of the paramount duties of Parliament. However, we have an obligation to uphold the principles of natural justice, and to ensure that adequate safeguards are provided, so that any infringement of liberty that is necessary to ensure the protection of the vulnerable is the minimum necessary to ensure that protection, and that proper mechanisms are in place to review any such infringements to ensure that injustice does not occur.

The hon. Member for Taunton (Jackie Ballard) questioned whether the legislation, based as it is on maintaining the balance of probability standard of proof, was the correct way forward. I have asked myself the same question, but concluded that it is necessary—

**Ms Margaret Moran** (Luton, South): Will the hon. Gentleman give way on that point?

**Mr. Hammond:** Of course.

**Ms Moran:** I am sure that the hon. Gentleman accepts that the balance of probability is the correct balance, according to the Utting report, which, as I am sure he knows, provides a full and comprehensive review of the needs of vulnerable children. After that lengthy review, the report recommends the balance of probability as the basis for judgment, and the Bill follows that recommendation.

**Mr. Hammond:** I thank the hon. Lady for her intervention, but, if she had waited another microsecond, she would have heard me say that, after careful consideration, I have concluded that to ensure the proper protection of vulnerable young people it is necessary to stick with the civil standard of proof, rather than move to a tougher standard.

When introducing her Bill, the hon. Member for Stourbridge referred to the need to get right the balance between protection of the vulnerable and the natural justice imperative to ensure that those who are accused have a chance to answer their accusers. She is absolutely right: if the legislation is to be durable and to command public support, it must achieve that balance.

By introducing a statutory ban on employment in respect of those on the Department of Health list, the Bill brings that list into line with the existing arrangements for the list maintained by the Department for Education and Employment. It also addresses concerns which have been voiced about the lack of appeal rights in respect of both lists. In those respects, the Bill represents a positive step forward. As the Minister reminded us, the Government have already announced that they intend to introduce measures to ensure tighter controls over those working with all vulnerable people. The Bill does so only in respect of those who work with children, and I share the hon. Lady's expressed view that it is a shame that it is so narrow.

**Mr. Syms:** I read Ceefax this morning while I was preparing my speech. I was intrigued to see that the lead story stated:

"Government plans to extend paedophile curbs",

and that it made no mention of the hon. Member for Stourbridge (Ms Shipley). Perhaps the BBC got it wrong and had not been briefed that the Bill was not a Government Bill, but we must take care to ensure that the issue does not become too political.

**Mr. Hammond:** I thank my hon. Friend for that intervention. I approach the matter in a spirit of

co-operation across the House and I sincerely hope that that Ceefax announcement is a result of a misunderstanding by the BBC, not of an attempt by Government spin doctors to claim credit for a private Member's Bill.

**Ms Shipley:** It is a small point, but the BBC got it wrong a couple of times yesterday: at one point, I was billed as the Health Minister.

**Mr. Hammond:** The hon. Lady can live in hope, and I am sure that her performance this morning will have done nothing to diminish her prospects.

It is a shame that the long title of the Bill clearly constrains its scope, but, in a constructive spirit, I wonder whether the hon. Lady has considered the possibility of extending clause 10 so that the definition of mental impairment includes at least a significant number of vulnerable elderly people, for example, those suffering with Alzheimer's disease. I suggest that we explore that possibility in Committee: perhaps, by broadening that definition, we can ensure that, in practice, large numbers of vulnerable elderly people can be covered by the legislation without going outside the scope of the long title.

In view of the Government's announced intention to introduce tighter controls of their own, we have to ask the Government how they envisage the Bill interfacing with their programme. Perhaps the Minister can tell us whether the Government, who back the Bill, regard it as complementary to their agenda, or as an interim measure which will be overtaken by, or subsumed within, the Government's more comprehensive proposals for registering and vetting all those who are employed in the social care sector.

Will the Minister also explain the Government's thinking in supporting the Bill? My remarks are not intended as a criticism of the Bill, but I note that the interdepartmental working group on preventing unsuitable people from working with children recommended that there should be no compulsion, either on employers to report dismissals or on potential employers to run checks on potential employees. The explanatory notes prepared by the Department of Health refer to that interdepartmental working group, but not to the fact that the group's recommendation was that there should be a non-compulsory system. Similarly, the regulatory impact assessment prepared by the same Department states:

"Extension of a 'voluntary' scheme would be likely to increase costs to Government without delivering significant benefits in terms of increased protection for children; it would not, therefore, represent value for money."

I do not necessarily disagree with that conclusion, but it contrasts sharply with the conclusions of the Government's own interdepartmental working group, so it may be useful and illuminating for the House to be told by what process the Government arrived at the decision to support the Bill in its entirety and so to abandon the conclusions of the interdepartmental working group.

I have several questions to ask and concerns to express, but I hope that the hon. Member for Stourbridge will accept them as constructive comments and criticism and regard them as issues on which we shall work together in Committee in an attempt to improve the Bill. They are in no way meant as criticism of or objections to the principles underlying the Bill, which I certainly support. However, I am concerned about the inclusion in clause 2(2)(a) of the reference to "incompetence". In her opening speech, the hon. Lady referred to paedophiles and abusers, and the hon. Member for Stockton, South (Ms Taylor) said—wrongly, I am afraid—that the Bill addresses only known abusers; unfortunately, the inclusion of the reference to "incompetence" means that the scope of the Bill is far wider than that.

There is no doubt in my mind that those who through their incompetence put children at risk of harm need to be dealt with effectively. However, someone who is merely incompetent is in a quite different category from someone who has actively or aggressively physically or sexually abused a child. When we take into account the relatively low standard of proof required before a person can be included on the list, the breadth of the concept of incompetence is such that for people to be included on a list with paedophiles and abusers merely for being incompetent might be considered to be the basis of considerable potential injustice.

**Ms Shipley:** I am grateful for the hon. Gentleman's constructive approach to what he sees as the problems with my Bill; I am sure that that is the right way to produce the best possible Bill to protect children. However, I should like to clarify the specific point which he raises. He refers to that part of clause 2(2)(a) that states:

"that the organisation has dismissed the individual on the grounds of misconduct or incompetence",

but the paragraph continues:

"(whether or not in the course of his employment)"—

that should read "his or her", but apparently I am not allowed to do that—

"which harmed a child or placed a child at risk of harm".

The reference to "incompetence" is not to any old incompetence, but is specifically targeted on cases where there is harm or risk of harm to a child.

**Mr. Hammond:** I hear what the hon. Lady is saying. I have already said that I recognise the case for action against someone who puts a child at risk through incompetence. Let us take the example of someone who fails to supervise a child adequately when taking him or her for a walk and the child runs on to a road. Such a person must clearly be dealt with and is obviously not suitable to look after children. However, I question whether it is reasonable to include that person's name on a list with the names of known paedophiles and sex offenders.

The public will view this list as a list of paedophiles and child abusers. The hon. Member for Stockton, South shakes her head, but she said that the Bill deals with known abusers of children only. That will be the widespread perception. We must examine this matter later to see whether there is some way of distinguishing between names on the list. Perhaps sub-lists could be created.

**Ms Shipley:** I fully understand where you are coming from and I agree with you. We must work on it.

**Mr. Deputy Speaker (Mr. Michael Lord):** Order. The hon. Lady must not agree with me about these matters. Although I do not wish to constrain debate in any way,

*[Mr. Michael Lord]*

we are in danger of straying on to points that might be raised in Committee. An awful lot of hon. Members wish to contribute to this Second Reading debate, so I hope that we can move on.

**Mr. Hammond:** Thank you, Mr. Deputy Speaker.

**Mr. Forth:** I am grateful to my hon. Friend for allowing me to intervene—it may mean that I do not need to speak later.

**Mr. Tony McNulty** (Harrow, East): Hear, hear.

**Mr. Forth:** It may.

My hon. Friend drew attention to an issue that has concerned me: we shall need to consider the "momentary inattention" point. It also strikes me that a strict reading of the paragraph could give rise to the inclusion on the list of the name of a social worker, for example, who could be perceived to have caused harm to a child by failing to protect it. That individual could be caught by the provision and included on the list. We will have to examine that point in detail to ensure that the Bill does not move in a completely different direction from that obviously intended.

**Mr. Hammond:** I thank my right hon. Friend for that point. Mindful of your strictures, Mr. Deputy Speaker, I shall move on.

We have said that, although we support the principle of dealing with abusers and paedophiles, we must be careful about how far we extend the scope of the list. We shall no doubt discuss the issue at greater length in Committee.

If incompetence is to remain a ground for inclusion in the list—or, I suggest, in any case—the Secretary of State should have the power to remove someone from the list when evidence of a material change of circumstances is presented. That would mirror the provisions in place in relation to List 99. The Bill, as drafted, does not give the Secretary of State that power. He is able to remove someone from the list only when he becomes aware subsequently that that person's original inclusion was wrong. That is a completely different circumstance. I am talking about a person who was correctly included on the list but who, 20 or 30 years later, should be removed from it because the Secretary of State has deemed that that person is no longer a threat or a risk to children.

The Bill does not require informants to provide information to the Secretary of State. There is simply a requirement to give the names of persons within the defined category. It will be necessary to include a provision regarding the supply of information to the Secretary of State in order to allow him to make a decision. Perhaps we should also include in the Bill a power for the Secretary of State to refer a case to the tribunal for decision when he is unable to reach a clear-cut conclusion in light of the information available. Under the present structure, the Secretary of State will have to make a decision using the information available, which may not be fully adequate. The person whose name appears on the list will then have to appeal to the tribunal, and it is only at that stage that the tribunal will become involved in the process.

**Mr. Oliver Letwin** (West Dorset): Is my hon. Friend entirely comfortable with the general approach of proceeding via administrative action through the Secretary of State and only then allowing appeal to the tribunal? My hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) recommended that the initial approach should be via the tribunal rather than through administrative action.

**Mr. Hammond:** I recognise my hon. Friend's concern, which has been voiced by various organisations. We already have an administrative procedure in relation to the list. The hon. Member for Stourbridge proposes introducing an appeal mechanism that does not exist at present. I believe that we are moving steadily in the right direction.

The Bill provides that certain employers "shall" inform the Secretary of State in certain circumstances and that other employers "may" inform the Secretary of State. Those in the compulsory category—those who shall inform the Secretary of State—are regulated voluntary and statutory bodies. I have no problem with that. However, I am concerned about those who are invited to inform voluntarily, as they will not all be bodies of uniform competence or probity. The Secretary of State will be placed in a position of having to put people's names on the list—at least provisionally—merely because they have been referred voluntarily by a body.

My premise is that the list will carry considerable stigma: merely having one's name placed on the list—albeit provisionally—will stigmatise the individual significantly. I wonder whether we shall need in due course to consider ways of tightening the definitions of those organisations that report voluntarily to the Secretary of State. Perhaps we should at least give the Secretary of State some discretion to examine the quality of the organisation making the complaint and the quality of the information provided.

My hon. Friends have referred to the problem of the provision of malicious information. Some of the organisations that report to the Secretary of State may be very small. Perhaps information will be provided in the context of a matrimonial dispute; regrettably, allegations of child abuse are not unknown in those circumstances.

The Bill does not refer to the issue of defamation. It may be appropriate for the legislation to state whether the Secretary of State or the informant will be subject to the usual laws of defamation in respect of information that is supplied. I wonder whether the Secretary of State could be vulnerable to defamation action in respect of his decision to include someone on the list. Does the hon. Lady intend that proceedings in relation to the list will be absolutely privileged? If that is the case, it will be helpful if she will explain that point later this morning. It will no doubt be reverted to in Standing Committee.

The Bill provides for the inclusion of a name on the list as soon as information is received. I understand that, during the period of provisional inclusion, a person will be banned from any employment within the specified categories. However, he will not have access to the appeal mechanism during that time. As my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) said earlier, if a person is to suffer that jeopardy during the period of provisional inclusion without any redress to the

appeal mechanism, a time limit must be placed on the term of provisional inclusion so that the period of jeopardy does not extend indefinitely. It appears that clause 2(2)(d) would compel the Secretary of State to include on the list people who have been provisionally suspended from their employment rather than dismissed by their employer.

*It being Eleven o'clock,* MADAM SPEAKER *interrupted the proceedings, pursuant to Standing Order No. 11 (Friday sittings).*

## Stephen Lawrence Inquiry Report

11 am

**The Minister of State, Home Office (Mr. Paul Boateng):** Madam Speaker, with permission, I should like to make a statement about the publication of the report of the Stephen Lawrence inquiry. I have been asked by my right hon. Friend the Home Secretary to apologise to the House for the fact that he cannot be here today. He agreed with the right hon. Member for Sutton Coldfield (Sir N. Fowler) that I would make the statement on behalf of the Government. I understand that the hon. Member for Ryedale (Mr. Greenway) will reply on behalf of the Opposition.

My right hon. Friend the Home Secretary presented the report to Parliament on Wednesday. It consists of two volumes: the report itself and a volume of supporting appendices.

As the House will be aware, we have held up further distribution of the second volume of the printed report of the Stephen Lawrence inquiry containing the appendices and ordered a reprint without appendix 11. Appendix 11 in that volume contains detailed information, such as the addresses of those who provided information to the police, which has not previously been in the public domain and which should have been kept in confidence.

We were alerted to that at about 10.45 am yesterday morning by the inquiry staff. They had been contacted by the Metropolitan police, who were rightly concerned about the sensitivity of the details in appendix 11. We immediately stopped further distribution of the appendices volume.

I have spoken to Sir William Macpherson this morning. He has confirmed to me that the inquiry takes full responsibility for the error and has expressed his deep regret. He has asked me to express that regret to the House. The inquiry staff had intended to include in appendix 11 a version of the document with names and other details deleted, which was the version used in evidence before the inquiry. The text submitted to the Home Secretary contained in error the unexpurgated version of that document.

It was the Home Secretary's responsibility to present the report and its appendices to Parliament. It was also our responsibility to ensure that the report of the independent judicial inquiry was published in full in exactly the text submitted. It would not, therefore, have been right for Ministers or officials to have edited the report or its appendices. Nor would it have been right for the Home Office to have second-guessed the judgments of the inquiry as to whether identities of particular individuals should have been omitted, especially as in other parts of the text the inquiry judged that identities should be made anonymous or pseudonyms used. Only the inquiry was in a position to make those judgments. It had the benefit of over a year's consideration of the evidence in order to do so. The Home Secretary deeply regrets that the error has happened.

The Metropolitan police have assessed urgently whether the publication of any of that information will pose any risk to the safety of individuals or to the further investigation of the murder. Their assessment is that a number of individuals may be put at risk by the disclosure of personal details. They have put in place appropriate protection measures.

*[Mr. Paul Boateng]*

The House will appreciate that I cannot disclose details of those measures, but we have been assured by the Metropolitan police that every possible measure is in place to protect the individuals concerned. The Home Office stands ready to offer any assistance that the police or the local authority believe necessary.

I take this opportunity to condemn the mindless vandalism that defaced the memorial stone to Stephen Lawrence on Wednesday night. I extend my deepest sympathies to the Lawrence family at this very difficult time. The Metropolitan police have confirmed to me that the memorial is now under constant surveillance.

The Home Secretary has said that this was a serious and regrettable error. It should not have happened. We should not lose sight, however, of the wider issues addressed by the inquiry report, which my right hon. Friend set out to the House on Wednesday. We shall not allow the error to sidetrack us in our determination to carry forward the recommendations of the report.

**Mr. John Greenway** (Ryedale): That is simply not good enough. This has been an appalling week for the Home Office. First, the most important report affecting race relations in Britain for two decades was leaked, accompanied by widespread rumours that Home Office Ministers and officials had been selectively briefing members of the press. Then, we had the farce of the botched injunction, followed by the Home Secretary's humiliation at the hands of a judge. We then witnessed prolonged dithering about whether there would be an inquiry into the leak. Will the Minister of State take the opportunity to confirm that he had nothing to do with any leaking or off-the-record briefings on the report?

We now have the grotesque spectacle of the Home Secretary having to take back part of the report because incompetence has imperilled the lives of people brave enough to support the local police inquiry into the murder of Stephen Lawrence. What a catalogue of errors: first, the report is leaked, then there is an injunction and now part of the report has been withdrawn. The Home Secretary and the Minister of State cannot abrogate responsibility for jeopardising the safety of informants and witnesses named in the Macpherson report.

We accept Sir William's apology and the gracious way in which he accepted that the initial mistake was his. However, the Home Secretary told the House on Monday that he received Sir William's report on the previous Monday—15 February. There was more than ample time for the report to have been studied by Ministers and officials before publication and for them to have spotted the obvious mistakes in volume II. Yet we are told that the Metropolitan police discovered the blunders within a day of receiving the report. We understand that Sir Paul Condon was allowed to visit the Home Office to read the report, but it is clear that, if the Metropolitan police had been extended the greater courtesy of sufficient time to study both volumes properly, that grave error could have been avoided.

Ministers cannot say that they did not have sufficient time to spot the mistake for themselves. Had the Home Secretary and the Minister of State paid more attention to what was in the report, rather than trying to reverse the damage of a deliberate leak from within the Home Office and seeking to prevent the press from writing about it, the sorry incident might never have happened.

Last Thursday, only eight days ago, the Home Secretary called for an end to the walk-on-by society and asked the public to play their part in fighting crime. Yet today, he, his fellow Ministers and his Department stand accused of putting in peril people who did just that. Has the Minister given any consideration to the damage that will have been done to public support for helping the police to deal not only with petty crime but with serious criminality and violence?

The witnesses and informants who came forward to help the police in the Lawrence inquiry have been placed in grave danger. We shall not publicly pursue details of the security arrangements put in place by the police beyond what the Minister has already said. We have absolutely no wish to jeopardise further the safety of vulnerable witnesses and informants who are now at risk as a result of such incompetence. However, we seek an absolute assurance that everything that needs to be done will be done and that the local Metropolitan police division will have all the resources that it needs to satisfy the concerns of those who are afraid for their safety. I am sure that the Metropolitan police authority and the Home Secretary, supported by the Minister of State, will recognise their responsibilities to ensure that adequate resources are provided.

Will the Minister give an unequivocal undertaking that such protection will remain in place for as long as is necessary? Has he given any thought to the possibility that some witnesses may seek help to move home as a consequence of their identity being revealed? Will any request for help and support be granted? Has any thought been given to how potential claims for compensation will be met, or will the Home Office force individuals who have already been wronged to resort to the courts to sue for any damages to which they might be entitled?

We wholeheartedly endorse what the Minister said about the despicable way in which Stephen Lawrence's memorial was desecrated again yesterday. I am sure that the revulsion that we all feel at such callous disregard for the sensitivity of the Lawrence family and their friends will strengthen our resolve to improve race relations and put right the wrongs of the past. We agree with the Minister about that, but will he say why the active closed circuit television camera at the memorial had been removed and replaced with a dummy one? What does that say about local police resources? Was no thought given to the prospect that racist thugs, some of whom may have been associated with those responsible for Stephen's death, might seek to vandalise the memorial to coincide with the publication of the report?

I do not for a moment doubt the sincerity of the Home Secretary in setting up the Macpherson inquiry or the way in which he has responded to its recommendations. We have supported him in both. The Prime Minister, who told the nation on Wednesday night that he had read the report, also spoke of his determination to root out racism in our society.

When the Home Secretary, on behalf of the Government, presented the report to the House less than

48 hours ago, he took justified pride—and I mean that—in what had been done and said that the report was a testament to

"the courage and determination of Neville and Doreen Lawrence . . . and upon the report we must build a lasting testament to Stephen."—[*Official Report*, 24 February 1999; Vol. 326, c. 393.]

We share that view. However, such a personal endorsement of the inquiry and its findings surely owed a responsibility to ensure that the matter was handled with the utmost care. The Government have failed in that task.

**Mr. Boateng:** I shall not respond to the hon. Gentleman's personal attacks, save to say that they are utterly without foundation, and he knows it. On the point of substance, I spoke to Sir William Macpherson this morning and he confirmed that it would not have been possible for anyone who had not been closely involved with the inquiry and had detailed knowledge of its procedures to know that appendix 11 contained any information that was not already, or should not have been, in the public domain. Therefore, it would not have been possible for anyone not involved in the inquiry on a day-to-day basis to know that the release of that material would have serious consequences. That was Sir William's assurance to me. I take it at face value and I hope that the hon. Gentleman will do the same.

On the wider issue, which of course concerns the whole House, I have the utmost confidence in the determination of the Metropolitan police to ensure that all those at risk or potentially at risk as a result of this lamentable disclosure will have their best interests protected at all times. I repeat that we in the Home Office stand ready to do all that we can to assist the London borough of Greenwich and the Metropolitan police to make sure that all those at risk or potentially at risk have their best interests protected.

On the desecration of Stephen Lawrence's memorial, the hon. Gentleman will appreciate that it is the responsibility of the Metropolitan police to ensure, as an operational matter, that that memorial is properly protected. The Commissioner is under no illusion as to our determination to ensure that the Metropolitan police make every possible effort to bring those who desecrated the memorial to justice and to make sure that all the security arrangements, which I cannot discuss, are now in place to make sure that it does not happen again. I hope that that assurance will satisfy all hon. Members that everything possible has been done.

**Mr. Clive Efford** (Eltham): Some of my constituents are named in the appendices to the report. Will my hon. Friend be writing to them to explain the circumstances that led to their names being published and to offer them any assistance that they may need from his Department? May I draw the attention of the House to the fact that, the last time Stephen Lawrence's memorial was attacked, the camera surveillance was not responsible for catching the perpetrator; intelligence given to the police led to the arrest? The camera was installed on the road as a deterrent, not as a surveillance device.

Will my hon. Friend review the procedures in his Department as I did not manage to speak to Home Office officials until yesterday, when I contacted the Department having discovered that my right hon. Friend the Home Secretary was coming to my constituency? In future, will his Department spare a thought for the constituency Member who is trying to defend his constituents?

Yesterday, I started the day defending my constituents, who had been accused of being racist because they live in Eltham. I finished the day defending my constituents, several of whom, at risk to themselves, gave evidence to the police to assist in the inquiry. Does my hon. Friend have a message of support for my constituents, who need time to reflect on the report of the Lawrence inquiry and rebuild the unity of the local community?

**Mr. Boateng:** My hon. Friend safeguards and protects the interests of his constituents with care and vigilance. He is to be commended for that and for his efforts yesterday. Of course, the Home Office will afford my hon. Friend every facility in terms of advising him of the appropriate arrangements that are being made to protect the interests of his constituents—and I have instructed my officials this morning to that effect. We shall arrange a meeting this morning between my hon. Friend and Home Office officials so that he can satisfy himself as to the arrangements that have been set in hand. The many good people of Eltham who join him in the unequivocal condemnation of the desecration of the memorial to Stephen Lawrence are also to be commended for the care and devotion with which they have tendered their respect. The mound of flowers that is now on that memorial shows that there is a good anti-racist spirit alive and well and living in his constituency.

**Jackie Ballard** (Taunton): I share the deep concern and regret of everyone in the House that individuals should have been put at risk by the disclosure of their personal details, but I cannot accept that the Home Office did not think to check the publication of the relevant appendix with the inquiry. The responsibility must be shared; it cannot simply be passed on to the inquiry. It would have been sensible for the Home Secretary at least to question the danger posed to individuals by the publication of their names. Can we have an assurance that there will be a proper investigation into the failure of communication between the Home Office and the inquiry team to ensure that procedures are tightened so that such a serious and grave mistake does not happen again? I fully accept that details of protection measures cannot be given to the House, but can we have confidence that the Metropolitan police have the resources to provide adequate protection to the individuals named over what may be a lengthy period? Does he acknowledge that community relations are likely to be further damaged by the disclosure of those names and by the reprehensible vandalism to the memorial to Stephen Lawrence? What action does he think the police should now take to help minimise that damage to the community?

**Mr. Boateng:** Resources will not be a consideration in affording proper protection to those at risk and potentially at risk. Everything that needs to be done will be done, and the Home Office will assist in that process.

I assure the hon. Lady, however, that there is no question of Home Office officials not having done all that they ought to have done with officials of the inquiry to ensure that liaison and communication between them was kept in a good state of repair. This matter cannot be laid at the door of the Home Office. Sir William Macpherson has written today to the Home Secretary—I will lay a copy of the letter in the House of Commons Library—

*[Mr. Boateng]*

accepting full responsibility for all that has occurred, and apologising most sincerely to Madam Speaker and to the House.

**Mrs. Irene Adams** (Paisley, North): I am sure that my hon. Friend agrees that the safety of witnesses is paramount to any police investigation. Does he recall my effort to enact the Witness Protection Bill in the previous Parliament, which was thrown out by the Conservative party? It therefore ill befits Conservative Members to cry crocodile tears when the protection of witnesses fails. What steps are the Home Office taking to protect future witnesses in any criminal trial against such a thing happening again?

**Mr. Boateng:** I am grateful to my hon. Friend for her comments. *[Interruption.]* No, she cannot be accused of being partisan—not least in the light of Conservative Members' response to this statement. She makes a valuable point. As the House should know, we are taking forward a raft of measures in the other place, which will soon come to this House, which are designed to protect vulnerable witnesses and to give them that which they have signally lacked in the past.

**Mr. Roger Gale** (North Thanet): First, I thank you personally, Madam Speaker, for the effort that you have made, since I raised this matter on a point of order at 12.30 pm yesterday, to seek to ensure that information that should have been volunteered to the House has finally been made available.

We have heard this morning a junior Minister seeking to defend the indefensible, but we should have heard yesterday the Home Secretary, at the Dispatch Box, offering his resignation. *[Interruption.]* Labour Members may jeer, but I wonder whether they would feel differently if their sons, wives and daughters had been named and their addresses revealed.

The Home Secretary has turned a vile tragedy into a black farce. The handling of this by the Home Department has been lamentable; it has been a catalogue of disaster. The Home Secretary and his team have had this report for a fortnight, and it is simply not right for them to come to the House today to say, "We didn't know." Either the Home Secretary has read the report, in which case he should have withdrawn the relevant information or had it withdrawn, or he has not read the report, in which case he is culpable and misled the House on Wednesday when he said that he had read it. Have the Minister and the Home Secretary even yet read the report and appendices in full? Will the Minister ask his right hon. Friend the Home Secretary to tell the House next week what damage has been done to the prospects of a successful prosecution of those who are guilty of this crime?

**Mr. Boateng:** The hon. Gentleman takes a reasonable point, and goes over the top with it. An examination of the facts simply does not bear his imputation against the Home Office, its Ministers or officials. Every effort has been made—and will be made—to protect witnesses and all those who might be put at risk, or who are put at risk, as a result of this lamentable disclosure. The hon. Gentleman must surely appreciate that. He must also agree that Sir William's acceptance of responsibility in this matter makes it quite clear that this error cannot properly be laid at the door of the Home Office.

**Mr. Dennis Skinner** (Bolsover): Did I hear correctly my hon. Friend say that information regarding the mistake was known in the House for 19 hours after the publication of the report? Did nobody in the Home Office receive any telephone calls from eagle-eyed Tory opponents who, having read the report, drew attention to the mistake? Did any of those Lobby correspondents, who are spouting about the matter, ring the Home Office to point out the fault in part of the appendices? Did anybody at the BBC, with its anti-Labour propaganda, draw it to my hon. Friend's attention? Does not every person who picked up one of those documents and its appendices suffer the same collective guilt? They had 19 hours to draw the fact to Ministers' attention.

The truth is that the Tory party is not concerned about the big picture. Conservative Members are not concerned about racism; they are not concerned about Stephen Lawrence. They have come here this morning to make a seven-course dinner out of a pan of boiling water.

**Mr. Boateng:** My hon. Friend makes his own point in his inimitable way. There remains one truth: were it not for my right hon. Friend the Home Secretary, we would not have had a report, and the House would not be addressing these long overdue matters.

**Mr. David Maclean** (Penrith and The Border): If Sir William is planning to take the blame for this shambles, are we not seeing, to coin a phrase, institutionalised incompetence of a level which would make even the most incompetent officer named in the report seem a paragon of administrative efficiency? Is the Minister asking us to believe that, with 10 days to read the report, those in the Home Office did not spot the information in the appendices and did not have the nous to get in touch with the Macpherson inquiry to clarify it? We are asking the Minister not to purge the report, but merely to clarify it.

Does the Minister accept that, when the report was shown to us in the Lobby yesterday, it was pretty obvious—one does not have to be an expert, who has followed the inquiry minute by minute—that a line in it saying, "Mrs. Smith of 23 Acacia avenue said X, Y and Z did it," was sensitive material of the first order, and that the Home Office and Ministers should have drawn it to the attention of the Macpherson inquiry?

**Mr. Boateng:** A blush really ought to come to the cheeks of the right hon. Gentleman when he makes such remarks. He has sat in my place, as Minister of State at the Home Office, and knows very well that, while he did so, he did nothing whatever to bring these matters before the House. Yet he has the cheek to point the finger at us.

**Mr. John Austin** (Erith and Thamesmead): My hon. Friend is right to point out that we had to wait for a Labour Government to set up an inquiry into what went wrong in the investigation of the murder of Stephen Lawrence, and that Conservative Members failed to set up such an inquiry, which had been demanded and was necessary.

Having said that, it seems astonishing that, as the Home Secretary had the report for nine or 10 days—I appreciate that he may not have felt it appropriate to veto or amend the report in any way—nobody in the Home Office had the wit to telephone Sir William Macpherson to point out the inclusion of the names and addresses of sensitive witnesses and police informants.

My hon. Friend the Member for Eltham (Mr. Efford) and I live on the patch. Both his children and mine go to, and went to, the schools attended by Stephen Lawrence and those accused of his murder. I am probably one of the few hon. Members who met and knew Stephen Lawrence. I think that today's statement will be heard with disbelief by people in our area, who simply will not understand how a report with their names and addresses in it could have been published. I only wish that my hon. Friend or the Home Secretary would say, "Fair cop, guv, we accept some responsibility for that."

**Mr. Boateng:** My hon. Friend expresses the concern of his constituents, and of residents of Eltham, about this matter. In the Home Office, we share that concern, which is why we have put in place the train of events that we have, to clarify how the error came to be made and to protect those at risk or potentially at risk, a number of whose names and details were already in the public domain as a result of the redacted copy which was used by the inquiry for many weeks. When my hon. Friend has had an opportunity to study the letter by Sir William Macpherson that I have today placed in the Library, he may feel that the charge that he lays at the door of my right hon. Friend the Home Secretary and the Home Office is not well founded.

**Mr. Nick St. Aubyn** (Guildford): Clearly, the bungling incompetence that the Government have shown throughout this sad affair has undermined the fight against crime, let alone the fight against racism. The Minister told us this morning that everything that could be done would be done. Would he like to tell us which ministerial job is now on the line?

**Mr. Boateng:** The hon. Gentleman does not do himself or the occasion any favours by making that cheap party political point. He must understand how the error came about. He must understand the immediate steps that we took to rectify that error when the matter had been drawn to our attention by the inquiry team, and he should desist from pointing the finger where it ought not properly to be pointed.

**Fiona Mactaggart** (Slough): I find the approach of the Conservative party—which failed to protect Stephen, failed to investigate his death and failed to ensure that we learned from the failure to investigate his death—horrific, but I do think that we might learn lessons from this episode.

When I read the appendix—I have actually read it—I assumed that the names were in the public domain, just as, had any of those people been called to give evidence at a murder trial, they would have been.

Although the situation is deeply perturbing, this episode and the statement that we received on Monday may lead us to the same conclusion: that, where such a judicial inquiry is demanded by a Government, it may be right that the publication of the report of that inquiry should be in the hands not of the Home Secretary, but of the chair of the inquiry. In this case, the fact that it has been in the hands of the Home Secretary has led the Conservative party to suggest that he exceeded his powers in seeking an injunction, and has led to a suggestion that he had not censored part of it, as he should have done. Some aspects of those two different positions seem to me mutually contradictory. If there is a similar inquiry in future, will the Home Office consider giving the inquiry chairman, instead of the Government, the right and duty to publish his conclusions, to ensure that the report is genuinely independent?

**Mr. Boateng:** My hon. Friend makes an interesting point. However, we had a duty to publish the report of the inquiry as it was presented to us. We were, to that extent, in publishing the report of the inquiry to the House, acting as agent for Sir William and the inquiry team, and it was right to do so. It was also right to publish it in the form in which we published it.

If my hon. Friend looks at the first page of the report, she will find as its preface a letter from Sir William to the Home Secretary. The last paragraph of that letter consists of this sentence:

"I take personal responsibility for all that is set out in the Report."

That makes the position absolutely clear—in reporting the report to the House, as the Home Secretary has, he was under a duty to publish it in full, unedited and unexpurgated, as it was presented to him.

**Mr. Eric Forth** (Bromley and Chislehurst): Is the Minister not ashamed to come here today and effectively encourage the "not me, guv" society? Will he tell us again in detail exactly how long the report was in the hands of the Home Office before it was published? Will he tell us how many officials and Ministers saw, and had an opportunity to read, the report between when it was received and when it was published, and will he tell us whether there were any personnel or officials in common between the Home Office and the inquiry at any time who might well have provided the link that he previously denied existed?

**Mr. Boateng:** I need no lessons in shame from the right hon. Gentleman. He does not know the meaning of the word shame, as his record in government shows.

**Mr. Tony McNulty** (Harrow, East): My hon. Friend will of course agree that this is a catastrophic error, and that all that can possibly be done must be done by all agencies to help those named. Does he also agree that people will be heartily sickened to the stomach by the pictures of the desecration of Stephen Lawrence's memorial in the papers this morning, but equally will be sickened to the pit of their stomach by the utter hypocrisy and cant of the Conservative Members who seek to use this issue, of all issues, as a political football for some obscure, mealy-mouthed, small-minded political partisan gain? They are an abject disgrace.

**Mr. Boateng:** The good judgment of the public can be relied on in this instance, as it can be in so much else, and all well-minded, well-meaning people will unequivocally condemn the desecration of the memorial, as all hon. Members do.

**Mr. John Butterfill** (Bournemouth, West): The statement that the Minister made to the House this

*[Mr. John Butterfill]*

morning is inconsistent. He first said that it would have been improper for the Home Secretary to withhold any section of the report; yet, as soon as—as he admits—the Metropolitan police drew that problem to his attention, he did withdraw part of it. So it was not improper to do so—indeed, the problem should have been spotted earlier by his Department. There is a profound inconsistency in what he said.

Moreover, it is not the responsibility of the Metropolitan police to examine reports of this nature; its responsibility is to investigate crime. It was not Sir William's responsibility either, because his responsibility was to produce a report to the Home Secretary and, subsequently, to the House, although he has been very magnanimous in accepting responsibility. The responsibility for the protection of witnesses is that of the Home Secretary, and he has patently failed to carry out that responsibility.

When the Home Secretary received the report, did he delegate any official or officials to examine the document to see whether witnesses or a future trial might be prejudiced? If he did not, he is totally culpable.

**Mr. Boateng:** The hon. Gentleman, uncharacteristically, if I may say so, misses and misunderstands the point. The Metropolitan police notified the inquiry of concerns in relation to appendix 11. The inquiry then notified the Home Office and, at the instigation of the inquiry, on whose behalf the report was presented to Parliament, we withdrew it at once. That is the position, that is what occurred and that, I hope, now makes the position clear to the hon. Gentleman.

On the important point that the hon. Gentleman raises about the prejudice of any future investigation, we have this morning spoken to Deputy Assistant Commissioner John Grieve on precisely that matter. He is of the view that no such prejudice has occurred in relation to his inquiries.

**Ms Beverley Hughes** (Stretford and Urmston): I share the views that have been expressed by all right hon. and hon. Members about the extreme seriousness of this matter and the extent to which such a happening must be prevented in future. However, may I ask my hon. Friend the Minister to respond to the single suggestion that we have had from the Opposition that this event might have been prevented had the Metropolitan police read the report before publication? Does my hon. Friend agree that that would have been entirely inappropriate in the publication of the judicial review, in that it would have undermined the conclusions of Sir William Macpherson? More importantly, or perhaps equally importantly, it has been demonstrated that, after years of doing absolutely nothing about this matter, the Conservative party is still completely out of touch with the wider issues of racism and the extent to which we need to gain the confidence of local communities?

**Mr. Boateng:** My hon. Friend is quite right. Conservative Members missed the point in making the reference that they did to access to the report by the Commissioner of Police of the Metropolis. The Commissioner had such access as was appropriate in the circumstances and it would be quite wrong, and is quite wrong, for hon. Members to suggest otherwise. My hon. Friend's point is well founded.

**Mr. John Wilkinson** (Ruislip-Northwood): Must not the Home Secretary take personal responsibility for the outcome of the judicial inquiry which he himself has sponsored? Will not people in London feel that the Home Secretary appears to have used the 10 days between the receipt of the report by his Department and its publication more to look for facile slogans about institutionalised racism and the easy headlines than to apply himself to the potentially extremely dangerous detail that could perfectly well have been eliminated by a process of responsible co-operation between the right hon. Gentleman's Department and Sir William Macpherson?

**Mr. Boateng:** The hon. Gentleman is quite mistaken in suggesting that there is anything facile or headline-grabbing about institutional racism. It is a fact of life and it is something that was responsible for the most appalling miscarriage of justice, mistreatment and mishandling of the inquiry into the death of Stephen Lawrence by the Metropolitan police at the time. Had the hon. Gentleman been listening to right hon. and hon. Members on the Opposition Front Bench who speak in relation to those matters, he would understand that they recognise the significance of institutionalised racism as the rest of the House does, even if he does not.

**Mr. Jim Fitzpatrick** (Poplar and Canning Town): Two elements of this discussion will sadden right-minded citizens throughout the country. One is the cheap party political points of Opposition Members in calling for the resignation of my right hon. Friend the Home Secretary, the Home Secretary who called for the inquiry into the Stephen Lawrence case, for which he is entitled to a measure of credit, which Opposition Members have accepted previously.

Does my hon. Friend accept that the second element that will sadden right-minded citizens throughout the country is the failure of the Home Office to accept a measure of responsibility for not identifying that there was a flaw in the report? Sir William Macpherson's letter saying that only someone who was involved in the inquiry throughout should or could have recognised that this was a mistake begs the question whether officials in the Home Office, either in the constabularies inspectorate or civil servants, were not tracking the report carefully enough or were not tracking it at all.

Conservative Members are members and officers of the "not me, guv" society. They created it during their 18 years in government. We have to learn the lesson that, if we make mistakes, we should put our hands up to a certain extent. However, this is not a resignation issue for the Home Secretary. I am sure that the Government will not be deflected from carrying out all the recommendations of the Macpherson inquiry.

**Mr. Boateng:** My hon. Friend misunderstands the point. We have nothing to put our hands up to. However, my hon. Friend is absolutely right to say that we do not intend to allow this to divert us from the proper point, which is to take forward the recommendations of the inquiry with all due expedition. This is much too much an important issue for it to be lost as a result of an

unfortunate error. There is a job of work to be done in making a new beginning in tackling racism in our society. Nothing will deflect us from that task.

**Mr. Andrew Lansley** (South Cambridgeshire): Will the Minister accept and understand that, in his statement, he was effectively silent on the job that he should have done in coming to the House this morning, which is to account to the House for the—*[Interruption.]*

**Madam Speaker:** Order. What is going on? There is only one Member who has the Floor, and that is Mr. Lansley.

**Mr. Lansley:** Thank you, Madam Speaker.

The Minister should be accounting to the House for the actions of the Home Office in relation to the period during which the Home Secretary had received the report. I am sure that the Minister is right to say that nobody is expecting the Home Office to have acted as censor or to have deleted or second-guessed the report on its own account. The question is not whether the Home Office is simply a print shop, which clearly it is not, but what the Home Office was doing during nine days. The report was leaked, and now we know that it was not read by those who should have read it in the way that it should have been read with the knowledge that the Home Office had of the inquiry.

A specific question that the Minister has patently failed to answer, and should have answered, is: who in the Home Office saw the report? Did those persons include any official or Minister—but more probably an official—who knew the day-to-day workings of the inquiry well enough, perhaps by being a member of the inquiry team at some point, to be able to identify the error which had occurred in the presentation of documents to the Home Secretary?

**Mr. Boateng:** The hon. Gentleman must understand that, in one sense, of course, the Home Office was the printing shop for the inquiry. It was our responsibility to make sure that the report was printed and presented to the House in its full and uncensored form. There was nothing on the face of the report or in its appendices that would have alerted one to the fact that witnesses, or potential witnesses, were being put at risk by the publication of the report and its appendices in the form in which they were published. The hon. Gentleman must understand that and, just for one moment, accept that the proper role of the Home Office in this matter, in printing and publishing the report to the two Houses of Parliament, was to ensure that our response, in the form of the statement of my right hon. Friend the Home Secretary and in the work that is now being carried forward in advance of the debate on the report, was to direct the attention of the House primarily to the substance of the report. That was done.

**Several hon. Members** *rose—*

**Madam Speaker:** Thank you. I shall bring this matter to a close now.

## Protection of Children Bill

*Question again proposed,* That the Bill be now read a Second time.

11.50 am

**Mr. Hammond:** I was alluding to the fact that the Bill, as drafted, appears to provide that someone who is provisionally suspended from their employment—but whose dismissal is not confirmed—shall be included within the list. Is that what the hon. Member for Stourbridge intended, as it seems to go against the grain of natural justice? If that is the intention, their inclusion on the list pending confirmation of dismissal must be time-limited, and the employer must be placed under an obligation to make the dismissal fully binding within a certain period.

Does the hon. Member for Stourbridge, or the Minister, feel that there is a need for an offence to be created of applying for or accepting employment when on the list? Should a person who knowingly applies for or accepts employment be guilty of an offence?

**Mr. Hutton:** It may help if I give the hon. Gentleman an assurance that the working group is looking at that area.

**Mr. Hammond:** The interdepartmental working group has looked at it, and recommended that such an offence be created. Is it intended to introduce such a measure?

**Mr. Hutton:** We will not be doing so during the passage of the Bill.

**Mr. Hammond:** I thank the Minister for clarifying the point. I still suggest that there may be a need for such an offence, and I wonder at what stage the Minister plans to introduce one. He will, no doubt, clarify that in due course.

I am concerned because there will be situations—particularly in relation to volunteers—where there are multiple employments. Someone who is placed on the list because they have been dismissed from one employment may still have other employments where they have access to vulnerable children. Should there be a duty on an individual to notify any other employer when he is placed on the list? That is particularly relevant to paedophiles, as past cases show us that they often manage to get themselves into positions of multiple access to children. Does the Minister think that there might be a need to develop a system similar to the "alert letter" system that the Department of Health operates, so that a person placed on the list is the subject of an alert letter to warn other employers?

That takes us to the question of the rights of other employers to dismiss someone, on which the Bill is silent. Would it be a lawful ground for dismissal that a person already in one's employment is placed on the list as a result of dismissal from another coincidental employment?

If someone gives employment to a person because the checks have failed—it is in the nature of all bureaucratic procedures that there are occasional failures, as we have seen this morning—and a person is appointed to a position

*[Mr. Hammond]*

that they should not hold, will it be lawful for the employer to dismiss that person when the information comes to light?

I hope that the hon. Member for Stourbridge will take these points in the spirit in which they are made. I support the principle of the Bill, but clarification is required. Many issues will have to be discussed in more detail if the Bill is to form an acceptable basis for legislation. We strongly support the principle of placing the list on a statutory basis. I was pleased to hear the hon. Lady's commitment to proper safeguards and to having balanced legislation, because only if it is fair and balanced will it be durable.

The hon. Member for Taunton said that we must not allow people to fall into a sense of false security—that, because they have consulted the list, that is all they need to do. There is a danger that that problem may arise, and there will still be a need for detailed checks into the backgrounds of people seeking to work with children. The Bill has our strong support in so far as it addresses paedophiles and abusers, but there are areas of concern where it goes beyond that, as I have outlined.

The hon. Member for Stourbridge will recognise that there are many detailed issues to be addressed in Committee. I give her an undertaking that we will approach the issues positively and constructively in Committee if, as I hope, the Bill receives its Second Reading today.

11.56 am

**Mrs. Joan Humble** (Blackpool, North and Fleetwood): I congratulate my hon. Friend the Member for Stourbridge (Ms Shipley) on coming first in the ballot, and on choosing such an important issue. I also applaud the other hon. Members who have spoken in a measured and reasonable debate. I was pleased by the response of the hon. Member for Runnymede and Weybridge (Mr. Hammond), and the Opposition clearly are taking this serious issue seriously. We all want to do what is in the best interests of young people at risk.

There has been much talk about balance, and our responsibility is to make sure that the scales come down on the side of those who are vulnerable—the ones whom we need to protect. Reports such as Sir William Utting's report "People Like Us" have warned us of the dangers facing children, and there have been enough horrid scandals over the years to shock us all.

Many members of the public would be surprised by how weak the existing system of checking is and how many loopholes it has. It is appalling, for example, that even when employers are aware that an individual is named on the Department of Health's consultancy index, he or she may still be employed in child care. People out there and in the Gallery may have had genuine hope and expectation that—

**Mr. Deputy Speaker (Mr. Michael Lord):** Order. Hon. Members do not normally refer to people who are in the Strangers Gallery.

**Mrs. Humble:** I accept your rebuke, Mr. Deputy Speaker.

I am sure that many would have thought that the existing rules and regulations were there to protect children. Clearly, they were not. My hon. Friend the Member for Stourbridge is right to draw the matter to our attention and to seek to do something about it.

I fully support the Bill's attempt to close loopholes and to strengthen the process of vetting staff. It will also require employers to consult the new index. I should like to address some of the issues in the Bill in more detail.

I hope that putting the consultancy index on a statutory basis will ensure that the operation of the scheme is safe from legal challenge. We have had some discussion about how many people may be affected. The Utting report said that there were 750 names on the index. We are all aware that many more people could be abusers. The current status and operation of the index are unclear because of its informal nature. It will be important to alert employers to the need to report cases to the new register—not just those who have been dismissed from their job, but those who have been disciplined for offences affecting children.

I particularly welcome the clauses that provide for the names of those who have resigned before they can be disciplined to be included on the register. I accept the need for clarification in Committee of the meaning of the provisions that refer to people who have been guilty of a variety of disciplinary offences or potential disciplinary offences, but it must be right to include on the register someone who resigns from their employment rather than being disciplined. Leaving them free to seek employment elsewhere could put children at risk.

Voluntary organisations are not directly covered by the Bill. Adults who have been withdrawn from fostering or from voluntary activities such as being a scout leader should be included. There are separate mechanisms to monitor foster carers, but we should consider how such monitoring takes place elsewhere and link it to the proposals in the Bill. Voluntary organisations will clearly be encouraged to consult the list. I assume that they will also be encouraged to report people to it, because that would ensure that it covered a wider range of people working with children.

Reforms to the index, changes to the operation of List 99 and the amendment to the Police Act 1997 will enable the proposed Criminal Records Bureau to act as a one-stop shop for checks. That will be an enormous improvement on the current system of checking three separate sources. The social services departments in Blackpool and in Lancashire county council welcome the proposals, but they have pointed out that there are delays with the present system which can cause serious problems in the appointment of staff. I hope that my hon. Friend will ensure that it is easier for statutory agencies to access the current system before the new bureau is up and running, as well as the proposed one-stop shop. Employers need speedy responses to their inquiries.

I applaud the aim of making it unlawful for any person included on the index to be employed in a child care capacity. I should like clarification now or in Committee on whether it will be an offence for the employer, the employee or both. We need to consider the legal status of that aspect of the Bill. The Department of Health's 1997 regulations on the protection of children, which prohibited anyone with a schedule 1 conviction from being a foster carer, are under review. In a few cases, they have worked against the best interests of children. Perhaps some

discretion should be introduced, but I applaud the general principle of prohibiting employment with children in such circumstances.

I am particularly pleased that the Bill contains an appeal mechanism for those who believe that their name has been wrongly included on the register. As a former chair of governors of a primary school, I am well aware of the potential for malicious false accusations against teachers. I know from my previous role as chair of Lancashire social services that such malicious allegations can be made against social work staff, residential care workers and nursery staff.

People working with children are in a difficult position. Any contact that they engage in to reassure children can be misunderstood and misinterpreted. There are rules governing their behaviour, but we should remember that not all accusations are accurate or well founded. I applaud the appeals mechanism, which will make it possible for those who feel that they have been placed on a register unjustly to have their name removed.

Clause 10 has not yet been discussed in detail. The Bill is aimed primarily at protecting children, but I welcome the recognition that many adults also need protection from those with a caring role who may abuse them. Adults with learning disabilities deserve as much protection as children because they are often as vulnerable and, in some cases, even more vulnerable. More and more children with profound learning disabilities are living through to adulthood because of modern medical advances. They often live in the community in supported homes and attend day centres. Social services organisations and private and voluntary organisations that employ staff to support those people need to vet their employees in the same way as those who look after children are vetted.

We have had some horrific instances in which child abuse cases have collapsed in court because children have not been seen as credible witness, but in just as many adults have been abused. However, because of their mental impairment, the courts have not accepted them as credible witnesses and the cases have collapsed. Preventing some of those instances of abuse by properly vetting and monitoring the staff who work with adults with learning disabilities will be an enormous benefit to everyone. I hope that my right hon. Friend the Secretary of State will present an order under clause 10 as soon as possible to reassure adults with learning disabilities and their families, who want to believe in care in the community, but have serious doubts about it.

Everybody who cares about vulnerable children or adults in our community must welcome the Bill. In my previous role as chair of Lancashire social services, I met many children who had been abused by their parents and I visited children's homes where they were usually looked after by caring staff, who had a difficult role to perform. Those children had suffered enough in the past without facing the additional fear that people who were employed to care for them in their new setting would also be potential abusers. If the Bill can reassure those children, and the wider community, it will do an immense service.

More recently, I met parents whose children were abused by their local primary schoolteacher, in a very difficult case in my constituency. Those parents went through the worst nightmare that any parent can: they sent their young children to primary school to be taught, but the teacher abused them. That is not an experience that any of us who are parents would wish to have. I want to be able to reassure those parents that we are doing something to prevent such abuse. My hon. Friend the Member for Stourbridge said earlier that the Bill would not catch every abuser, but at least we can say that we are doing what we can. That should be our role in this House.

12.8 pm

**Mr. David Maclean** (Penrith and The Border): I congratulate the hon. Member for Stourbridge (Ms Shipley) on her success in the ballot and on selecting this excellent measure with which to proceed. I shall make a short contribution, which will concentrate on some worries provoked by the Bill. That is not because I am opposed to the measure—I welcome it—but because the length of the statement and number of hon. Members who wish speak mean that it would be unfair of me to cover all the issues that I wish to talk about. I shall concentrate on the few issues of concern that I have, but that does not mean that I am generally critical of the Bill. I am condensing my remarks for the sake of time.

The concerns on which I want to concentrate are those flagged up by the organisation Liberty. As an avid supporter of that organisation, at least since 1 May 1997—*[Interruption.]* I hold up my hands, which is more than my successor at the Home Office did earlier. I hope that, when he replies to the debate, the Minister, who is an honourable colleague and a decent man, will deal with the concerns expressed by Liberty.

**Mr. Andrew F. Bennett** (Denton and Reddish): Will the right hon. Gentleman stress that the brief from Liberty makes it clear that that organisation "welcomes the overall aim" of the Bill?

**Mr. Maclean:** I am delighted to do so. I have the full text of that brief in my notes, but I will not need to refer to it as I also have an excellent short summary.

The process for initial inclusion in the list is administrative, rather than judicial. Liberty argues that that could contravene the European convention on human rights, which the Government have incorporated in our domestic law. The convention provides for fair and impartial hearings by an independent and impartial tribunal, for the purpose of the determination of civil rights and obligations. Article 6 of the convention states that a person is innocent until proven guilty. It could be argued that the inclusion in the list of unsubstantiated information is in breach of the convention. That is a small point and not an especially strong argument, but I should welcome some reassurance on it.

My hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) made an excellent speech, in which he said that the threshold for a person's initial inclusion in the list could be too low, as information that has not been tested by any formal disciplinary procedures will be allowed to be included. It is possible that people will have little or no protection against employers or, colleagues who refer them on malicious or inaccurate grounds. It is not too far-fetched to believe that a malicious member of staff—in, say, a social services department or some other organisation—with a grudge against a colleague could use the list as a way to destroy or severely disadvantage that colleague's career. I do not

*[Mr. Maclean]*

know the solution to that problem. Perhaps the judicial process should be put before the administrative process, although I appreciate the enormous difficulties and extra costs that could be created.

My hon. Friend the Member for Runnymede and Weybridge also noted that the basis for inclusion in the list is not confined to sexual or other intentional abuse; individuals will also be referred for incompetence or misconduct that places a child at risk. However, the Bill contains no criteria on the seriousness of that incompetence or misconduct. I believe that in one of the pieces of legislation that I have studied there is a definition of what is to be considered as harm that places a child at risk. In the absence of guidelines, if the Minister proposes to make regulations about incompetence and misconduct, there is a danger that different definitions will appear in different parts of the country.

The example has been given of a person who takes a child for a walk and who does not guard that child properly, so the child is placed at risk when he or she runs on to the road. Does that amount to incompetence or misconduct? If so, every parent—unwittingly and accidentally—faces the risk every day, and such accidents can happen to everyone. Of course, no one condones such accidents when they happen under the supervision of a social worker or in an organisation charged with child care, but we must be careful to ensure that well-meaning people who love children and want to protect them are not included, because of a slip-up, in the list of dangerous paedophiles, which the press will no doubt call the perverts list.

To a large extent, it will be such a list. The list will include dangerous people who are child abusers and paedophiles. I urge the Minister, and the hon. Member for Stourbridge, to think about dividing the list so that that it may contain, of course, the names of child abusers and paedophiles, but does not allow those who love children properly and who are not paedophiles or abusers, but have made a mistake, to be branded by the press and by potential employers as child abusers.

**Ms Moran:** I accept the right hon. Gentleman's point about definitions, but does he accept that part of the problem could be dealt with in the code of conduct for implementation of the Bill? It is important that bad practices, such as persistently shaking a child or inappropriate restraint, should be defined as misconduct, and should fall within the remit of the Bill.

**Mr. Maclean:** The hon. Lady refers to child abuse that is almost as bad as paedophilia and other sexual abuse. Shaking a child or being violent is definite abuse, but it is not incompetence. It does not compare with the incompetence of which we heard in the example of a person who takes a child for a walk. That could happen to any schoolteacher at any time. All the time in London, one sees teachers taking a crocodile of a dozen children for a walk. How those teachers manage to guard those children every minute of the day is beyond me. I certainly could not cope.

If someone makes a small mistake which puts a child at risk, that person surely should not be on the same list and under the same heading as child abusers, paedophiles and those who shake, beat or hit children. Such people should not be perceived by every potential employer as falling into that category.

I accept the point made by the hon. Member for Luton, South (Ms Moran) that a code of practice could deal with my concern. A code could help authorities and other child care organisations to determine what is incompetence, or what the levels of incompetence are. If, however, the person involved is placed on a single list—it will be regarded as the paedophile list—we may do an injustice to people who, it should be admitted, are not totally competent to look after children, but should not be considered to be as vile as paedophiles and others who sexually abuse children.

I had intended to raise a few more points brought up by my friends at Liberty. However, I have taken slightly longer than I intended, and I do not want to delay an important Bill. I may write to the Minister and to the hon. Member for Stourbridge with those concerns. I may even be forced to serve on the Committee.

Although some of my hon. Friends have lamented the fact that they have been in the House for many years without ever coming high in the private Members' ballot, I am pleased to have been here for many years without having done so.

12.18 pm

**Mr. Tony McNulty** (Harrow, East): I congratulate my hon. Friend the Member for Stourbridge (Ms Shipley) on introducing an important Bill. Like the right hon. Member for Penrith and The Border (Mr. Maclean), I am happy never to have come anywhere near the top of the list during the past two years.

The Bill is extremely worthy, and I am privileged to be one of its co-sponsors. Apart from the ugly interregnum between 11 am and noon, on which I shall not dwell, I commend the Conservative Members who have spoken today for seeking constructively to help the Bill become a good law.

The House will know that the Bill is rooted in the Utting report. It may be less well known, however, that there was considerable debate on the subject during the Standing Committee's discussion of the General Teaching Council introduced by the Teaching and Higher Education Act 1998. Both sides of the Committee then highlighted the need for the long overdue consolidation of lists.

Consolidation makes perfect sense and is entirely logical. My hon. Friend the Member for Stourbridge has been honest in saying that the Bill does not provide the one-stop list which we all want, and which is essential. As a former councillor, I well remember the inordinate length of time—rightly in one regard—that it took to carry out police checks. Vital posts in child care were not filled, which caused its own problems because of the time that it took to pursue all the assorted lists and track down all the police authorities involved to check up people's records. The fact that we are moving a step closer towards overcoming that problem must be very welcome.

Strangely, as a co-sponsor of the Bill, I want to dwell on some aspects that we must explore further in Committee. My hon. Friend the Member for Stourbridge will be the first to admit that the Bill is not perfect in many ways. Second Reading should be, and is, about the principles of the Bill. Happily, I have heard no one dispute

the principle behind it and the fact that it should and must get on the statute book. The concerns that will be raised, which I will mention now for the record and with which we will deal in Committee, are not many in one sense, but they are of importance. What has been said about the low threshold for inclusion on the list is fair and I hope that we can tackle it. Taking the administrative rather than the judicial route has been mentioned, and that is a fair point, but, if the appropriate safeguards are in place when the Bill becomes law, it is not one on which we need dwell.

I see that the right hon. Member for Penrith and The Border (Mr. Maclean)—the new-found friend of Liberty—has left the Chamber. I am sure that he would have even more to say on its behalf if we were talking about a judicial list—one that an individual would get on or off with extreme difficulty and only through the judicial process. There is a fear that, if we went solely down the judicial route, there would be a grey area—many people who would rightly be on the list proposed in the Bill would not find themselves on a judicial list.

The right hon. Member for Penrith and The Border made a point about incompetence. Although he did so rather clumsily and laboriously, it was a fair point. If we are serious about a consolidated list being effective and preventive in tenor, as well as simply prescriptive—so that people will fear being put on it and will keep away from work with children in which they should not be involved—the criteria of incompetence and putting children at risk must be tightly defined. Being on the list must reflect the concerns of my hon. Friend the Member for Stourbridge in promoting the Bill.

The hon. Member for South-East Cambridgeshire (Mr. Paice), who has now left the Chamber, made an elegant speech about the voluntary sector. He spoke of how we could widen the Bill so that we get what we all want and include that sector, but not restrictively.

In Committee, we must also explore the notion that there will be no legal aid for the appellant. The notion, which is a real advance in terms of human or civil rights, of a statutory tribunal and appeals process for those who were on the Department of Health list or List 99 of the Department for Education and Employment will be further served if the Bill or the code of practice contains a much sharper and clearer definition of the rights of appellants and whether they can have legal aid.

We must also consider the notion of malicious or vexatious referrals by informants. It is not covered to any extent in the Bill and needs to be considered far more readily—I am sure that it will be dealt with in Committee.

I was pleased that hon. Members mentioned extending the provisions to those over 18 who have mental incapacities or learning disabilities. It would not be over-broadening the scope of the legislation if, as some have suggested, we explored in Committee whether it could go as far as covering the elderly and mentally infirm at the very least, if not more general abuse of the elderly in the care sector.

I promised to be brief and, unusually when I am on my feet in this place, I mean it today. None of those concerns, which are all genuine and raised in a constructive spirit, detracts from the Bill's validity. In choosing this Bill, my hon. Friend the Member for Stourbridge wanted to explore those and other matters in Committee. I hope that no one will block it.

As Jim Harden, director of the National Society for the Prevention of Cruelty to Children, said in the foreword to a recent book:

"one of the most challenging child protection issues of our time has been the realisation that children can be more vulnerable to abuse in the places where they ought to be safest".

That is sad, and one might add, "Among the people with whom they should feel the safest."

None of the positive criticism made by hon. Members detracts from the strength of the Bill, which goes far to start to plug the gap suggested by that quotation. I have great pleasure in being a co-sponsor of the Bill. I congratulate my hon. Friend the Member for Stourbridge again on coming No. 1 in the ballot; her ordeal is almost over. I commend the Bill and all who spoke for their productive approach.

12.26 pm

**Mr. Andrew Lansley** (South Cambridgeshire): Like the hon. Member for Harrow, East (Mr. McNulty), I will be uncharacteristically brief. I, too, congratulate the hon. Member for Stourbridge (Ms Shipley) on her success in the ballot. I came much further down, and one of my reasons for brevity is that I hope to have an opportunity to discuss my Bill. I did not want the moment to pass without making some general comments and offering a further suggestion for consideration in Committee.

My hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) said that it was right not to use emotive language, but it is also right that we have had the right balance of emotional response to the issue in this constructive debate. None of us would want to proceed down a rational path, carefully balancing probabilities, to find later that, by dint of failure to act now, some abuse of or harm to children had occurred that we could reasonably have prevented. I thoroughly support the Bill in that sense.

In the inquiry by the Select Committee on Health on children looked after by local authorities, I was given an opportunity to appreciate that, when parents cannot protect their children, we as a society have a particular responsibility. It is important that we take the range of measures that is offered to try to ensure that we deal with that. As a parent, I know that we strive to protect our children in a range of circumstances, but many avenues for achieving the absolute protection that we seek are frustrated in various ways. We should try to minimise the frustrations and maximise the protection.

Our debates often seek to balance rights. In this case, we must discriminate carefully. Working with children is not a right, but a privilege. We are balancing the privilege extended to people who work with children with the right of children to protection. In that context, it is proper to weight, to a great extent, the balance in favour of the rights of children to protection.

The right to privacy raised by Liberty, as my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) mentioned, is indeed a right for individuals, but it is balanced under the human rights convention—and now, by extension, in our legislation—by the protections that are necessary in a democratic society. If for this purpose we can equate democracy with civilisation, it is clear that the protection that is necessary in a democratic society extends to the necessary protection of children as proposed in the Bill.

*[Mr. Andrew Lansley]*

In expressing my general support for the Bill, let me add one more point—not a reservation, but a suggestion. My constituency contains several English language schools, and representatives of the Association of Recognised English Language Services have raised with me two issues which I wish to offer for consideration in Committee: first, the extent to which those organisations that are not required to undertake the necessary checks do so; and, secondly, whether their efforts to carry out those checks should extend only to those who are in their employment, or also to those with whom they may contract for the purposes of acting as host families. My reading of the Bill is that the definition of employment is wide, and so might embrace host families; but it is important to make sure that it does so extend. The regular, often frequent, employment of host families by English language schools and by other organisations in several different contexts should be properly covered by the legislation.

The other point relates to the fact that, although certain organisations are not required to undertake checks, they have a discretion to do so. It is in our interests to arrange the structure of the process so that their ability to do so is maximised and they are not inhibited from choosing to do so. The level of resources is a question for the Minister, who should recognise that the administrative processes required to secure the checks must be swift and effective; otherwise, commercial organisations in a competitive market such as English language schools may be deterred from undertaking the necessary checks, not least in respect of host families, where there is rapid turnover. To echo the fair point made by the hon. Member for Taunton (Jackie Ballard), I should add that the processes of decision making on the part of the Secretary of State and the appeal processes must also be equally swift.

**Mr. Hammond:** Will my hon. Friend confirm that it is his understanding, as it is mine, that, while the transitory provisions of the Bill are in force, the list can be consulted free of charge at the Department of Health, but that, once the criminal records bureau has been established, there probably will be a charge? Might that not have a deterrent effect on those who are considering consulting the list voluntarily, for example, organisations such as those that he has mentioned?

**Mr. Lansley:** Yes, that is my understanding. It is important to recognise that, although a large number of organisations—including child minders organisations, voluntary organisations and commercial organisations—may want to take the opportunity to undertake checks, some of them may find it difficult to do so if the costs are high. I would never present that argument in respect of commercial organisations, because such a charge is a proper one which should be included in their running costs, and they should not hide from it. However, such costs might be a significant factor to voluntary organisations; we should be aware of that and try to minimise them.

I promised to be brief, so I shall conclude by offering my support for the Bill. I am extremely glad that the results of the ballot—with the hon. Member for Stourbridge appearing before me—reflected the view expressed by the hon. Lady that the protection of children should be our No. 1 priority.

12.34 pm

**Dr. Brian Iddon** (Bolton, South-East): In introducing her Bill, my hon. Friend the Member for Stourbridge (Ms Shipley), whom I congratulate on having won pole position in the ballot for private Members' Bills, emphasised two issues: first, the confusion in current vetting procedures and, secondly, the loopholes that the Bill would attempt to plug.

Let us imagine a member of the public who is trying to launch an organisation such as a nursery or youth club, but is completely unfamiliar with vetting procedures. That person's first thought would be to turn to the criminal records vetting procedures that are run by the police. However, few people would have heard of the other vetting procedures, such as List 99, which refers to the educational sector. Even fewer would be aware of the Department of Health consultancy index, on which this Bill is based.

My contact with the voluntary sector has revealed that it is totally confused about the current vetting arrangements, which are laborious to operate. I welcome the Bill, and I shall vote for it because it attempts to link the various vetting procedures in a one-shop mechanism. All concerned will appreciate that. However, I believe that we will need some kind of consolidation Bill in future that draws together all vetting procedures and contains clear guidelines that may be readily interpreted by the public and by professionals in the statutory and voluntary sectors who need to vet potential employees.

I hope that we shall witness an explosion in child care as a result of the Government's child care strategy and the provision of nursery classes and after-school clubs. There is no doubt that that will put immense pressure on the current vetting procedures. The new deal will also put pressure on existing facilities. Councillors in my constituency have drawn attention to the fact that the Bill will not plug some loopholes. For example, staff at local leisure facilities, such as swimming pools do not have to be vetted. It is pretty obvious that children use swimming pools and that abuse may occur. The Government must plug such loopholes in the future.

An organisation in my constituency, the Bolton Lads and Girls Club, has experienced difficulties with the police vetting procedures. I have received figures from the Greater Manchester police regarding child access checks. In the year ending 31 March 1998, the police dealt with 44,851 applications. In the year ending 31 March 1999, they expect to have dealt with 33,130 applications. That is a considerable decrease in the number of applications submitted to the police, which means that some voluntary organisations that do not have to be covered by police vetting procedures are being left out.

The Bolton Lads and Girls Club used to receive fairly speedy vetting information via the Greater Manchester police procedures, but it has now been excluded from the process. In Bolton, the club has started what I believe to be a brilliant project. It is a mentoring project for young people, which encourages them to use their leisure time responsibly. It points young people towards education, training and employment and away from undesirable life styles. The project entails a one-to-one mentoring arrangement involving scores, if not hundreds, of volunteers.

The club is hoping to extend the project shortly to Bury, and would like to vet all the people involved. However, its inability to access vetting procedures is hindering the

development of that project, as I am sure it is impeding the development of similar projects around the country. The club has approached the Voluntary Organisations Consultancy Service but, unfortunately, the membership of that organisation is full and it does not have the capacity to vet any more organisations, whether existing or soon to be established.

In conclusion, I welcome the Bill because it plugs some existing loopholes and tries to remove some of the confusion and point the way forward.

12.39 pm

**Mr. Robert Syms** (Poole): I congratulate the hon. Member for Stourbridge (Ms Shipley) on winning the ballot and introducing the Bill, which deals with a complex subject. It is to her credit that she picked a Bill that will require a degree of parliamentary skill to pass. No doubt the general tenor of today's debate, which has revealed support from hon. Members on both sides of the Chamber and from the Government, means that the Bill will go on to the statute book and stand as a testament to the hon. Lady's contribution.

In an intervention on my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond), I pointed out that the lead item on Ceefax suggested that this was a Government Bill. Whether that is due to the poor quality of the BBC's reporting or a misunderstanding of a Government spin doctor, the hon. Member for Stourbridge ought to make a phone call to the BBC because Ceefax did not even mention her, which is a disgrace.

The Bill may be item No. 2 on Ceefax, but it is important and the fact that the BBC has flagged it up is a sign of the public consciousness about this issue. As the years go by, people have become far more aware of the importance of the protection of children.

My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) made a valid point. We must balance the rights of individuals with those of children, but we should always lean towards the protection of children.

**Mr. Maclean:** On the point about the Government taking credit for private Members' Bills, does my hon. Friend agree that the Government must pay particular attention to that tendency? Many of my hon. Friends and I are here to support this private Member's Bill on a Friday that is devoted to such Bills, and I congratulate the hon. Member for Stourbridge (Ms Shipley) on her Bill. If, on this occasion or any other, the Government try to take the credit for private Members' Bills, they will have to suffer the risk of those Bills being defeated because they tried to bounce them through the House on a private Members' Friday.

**Mr. Syms:** My right hon. Friend makes a good point, and I am sure that the Minister will make the same point in his speech. The issue is too important for us to lose sight of it in a party political spat, although we are all, as politicians, sensitive to the situation.

To some extent, the Bill picks up on part V of the Police Act 1997, which was passed by the previous Government to set up the Criminal Records Bureau. The central point of having a one-stop shop is very sensible. I was a councillor for 14 years, and it is important to have one body that can deal relatively quickly with inquiries, because many of the agencies that will have to make inquiries of it will want to take on people. They may have people within their care and duties that they must discharge. In many cases, it is not easy to recruit people to important jobs caring for children.

I am a member of the Select Committee on Health and, until recently, I had very little knowledge of this subject. Last year, the Committee went on an inquiry visit to Australia to consider the welfare of child migrants who had been widely abused in the 1940s, 1950s and 1960s. We interviewed between 50 and 70 people who had suffered abuse and what struck us was the collateral damage that it caused to those individuals up to 40 years later.

I remember sitting next to a gentlemen at a dinner at the high commission in New Zealand who turned to me and said, "I was abused as a child. I have been married for 40 years and I have never been able to tell my wife that." He could tell a politician from Great Britain, but not his wife. The suppressed angst suffered by many of those people and the wreckage in their lives are due to how they were treated when they were young.

I shall not go into detail about the Bill's proposals because the hon. Member for Stourbridge has already done so; rather, as my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) did, I shall focus on a few concerns. Liberty, which no doubt will be mentioned again and again, expressed the concern that the Bill would set up an administrative rather than a judicial system. It could not be judicial, or we could not protect people. However, there is a duty within an administrative system at least to try to be fair and open. The appeal mechanism is good and sensible, although the provision of legal aid is also an important consideration as people without resources could well have to spend considerable time and money attempting to have their names removed from a list.

The thresholds for initial inclusion on lists are also important. If a list is too wide and encompasses too many spurious factors, it may become devalued. Although it must include paedophiles, there are people who could be described as eccentric. If a list includes people with eccentric characteristics as well as those who are dangerous, it will become devalued.

The Bill represents a great step forward and in my opinion it conforms to the European convention on human rights. In a recent case, the judge upheld the Secretary of State's right to include on such lists care workers about whom there were suspicions, even when there had been no criminal conviction, so long as the proof was on the basis of being beyond all reasonable doubt. Mr. Justice Richards said:

"It must be open to the Secretary of State, when acting to protect the welfare of children, to take into account the difficulty of proving allegations of sexual abuse to the criminal standard—and indeed the difficulty of establishing a real likelihood of harm. He has to strike a balance between the interests of the individual involved and the interests of the children whom the index is designed to protect."

That is a key point.

We must also consider the issue of people moving across boundaries and borders within Europe. It is vital that there is some exchange of information between countries. People come here from France and Germany, and indeed people from this country who are not permitted to work with children may decide to go abroad to pursue their particular interests. It is important for the Bill to be considered in a European and worldwide context in respect of the exchange of information.

*[Mr. Syms]*

My hon. Friend the Member for South Cambridgeshire mentioned the problem of language schools. There are many such schools in Bournemouth and Poole and the students often stay with host families. That issue will certainly have to be addressed.

Another matter that received attention in all the briefing was the treatment of the clergy. I know that it is difficult to establish where the clergy impact on voluntary organisations in this respect, but perhaps those definitions will be determined in Committee.

**Mr. Forth:** I am not quite clear whether my hon. Friend feels that such is the sensitivity of the matter that the clergy should not be included or whether he feels that they definitely should. I do not share my hon. Friend's sensitivities and feel that the clergy have a sufficient track record in these matters that they should definitely be included and we should find a way to make sure that they are.

**Mr. Syms:** I assume that the Bill impacts on the clergy when they work with voluntary organisations, not simply because they are members of the clergy. As we heard earlier, many other issues are not covered by the Bill. We have to acknowledge that there is no such thing as a perfect Bill, so we have to ask whether it improves the protection of children and whether it provides an efficient and workable system. There are many ways in which we could attempt to make the Bill perfect, but that would actually make it unwieldy and unworkable. The matter will have to be examined closely in Committee to establish the proper boundaries.

The Bill may be the first stage in a process and when it becomes law we may be able to make progress on other related issues. I welcome the Bill and the principles behind it and I hope that it becomes law. I am sure that it represents progress in the protection of children, but one or two issues will have to be examined closely in Committee.

12.49 pm

**Mr. Michael Connarty** (Falkirk, East): I know that we are short of time, so I shall not take too long. First, I congratulate my hon. Friend the Member for Stourbridge (Ms Shipley) on introducing the Bill and on the balanced and reasoned way in which she spoke to it. I am sure that her constituency party and her constituents are grateful to be represented by an hon. Member who is not only driven by compassion but able to put her case reasonably and in a balanced manner.

I speak in this debate because there is a Scottish dimension to the Bill: there is no mention of Scotland in it. In fact, there is no mention of Wales. There are no borders to paedophiles. The problem of people coming from other parts of the world has been mentioned, but, just within the United Kingdom, there are obviously people who will travel. Paedophiles, because of their predatory nature, will go to great lengths to be near people who then become victims of their abuse.

I was quite concerned when the hon. Member for South-East Cambridgeshire (Mr. Paice) said that a survey revealed that one in 60 people said that they had been involved in an offence or incident of sexual abuse. I calculated that, if the results of that survey are genuine, that would mean 416,000 people in the English population. I was therefore shocked to find only 950 names on the consultancy service index. That shows the gap between the potential danger and our knowledge of where it lies.

**Mr. Neil Gerrard** (Walthamstow): Does my hon. Friend agree that we should take care with the one in 60 figure because of the range of offences that it covers? Obviously, it refers not just to abuse but to any sexual offence, including some that are now legal following a change in the law on the age of consent.

**Mr. Connarty:** I take that point, although we should still acknowledge the scale of the problem and the clear information deficit.

Mention has been made of the Australian experience. I, too, spoke to people out in Australia about some of their experiences. There has also been the recent Belgian scandal, and some nearer to home. The internet is polluted with people who use it to transfer paedophiliac information, and to consort with others, in a sense, to gather strength and protect themselves.

I should like to take up the negative comment about the concept of a big brother. Big brother is also often the person who protects smaller children from bullies and abusers. We must strike a balance in the use of the term. I would rather have a big brother who cared for me, than not have one to protect me when I was being attacked.

**Mr. Forth:** Will the hon. Gentleman give way on that point?

**Mr. Connarty:** No, we are short of time. Expanding on such a philosophical point would not necessarily add to our discussion.

We need a very close concordat with the new Scottish Parliament on how information from lists can be transferred quickly. Everyone who works for a public authority—all authorities named in the Bill are public authorities—in Scotland must already agree to undergo a Scottish Criminal Records Office check. The SCRO has become part of the public sector. Unfortunately, the check is not applied to many parts of the voluntary and private sectors. I noted the clear definition of an United Kingdom-wide working relationship in legislation that set up the Scottish serious crime squad, passed in the previous Parliament. We must establish such a relationship in this Bill as quickly as possible.

I have personal experience of the deficit of information in this area. On the second anniversary of the disappearance of Vicky Hamilton, a constituent of mine, I raised in an Adjournment debate the problem that, at that time—and probably not even now—there was not a United Kingdom missing persons register. From speaking to Mrs. Lamplugh, the mother of Suzy, I know that it is one of her concerns that information does not transfer. Someone can go missing in Scotland, but information to enable a search will not readily appear on any other register. We must do something about that.

Lists that are compiled nationally must be operated locally. I take the point of my hon. Friends the Members for Harrow, East (Mr. McNulty) and for Bolton, South-East (Dr. Iddon) on the problem of the length of

time that it takes to find those who may have some record that would exclude them from having contact with children. They can easily be allowed to escape from the net. Following the Cullen report, most authorities in Scotland seem to be taking a one-door approach, with child and family units, the police, social workers, education services and the voluntary sector working together very closely. I hear that that approach has much improved their responses.

In considering this Bill, and this whole area—I found the same when considering the Children (Scotland) Act 1995—and as an ex-teacher and a father of a 20-plus son and a 20-year-old daughter, I find the concept of breach of trust and abuse of power difficult to comprehend. I agree with the hon. Member for Poole (Mr. Syms) that it is a privilege to be given a position from which one can help, nurture, support, protect, defend and reconstruct the lives of children in one's care in education or, after a negative experience, through social work. However, the evidence tells us that that abuse of power goes on. We must deal with it firmly.

Questions still remain in my mind. First, at what age does someone cease to be a child? The Children (Scotland) Act 1995 answers that by saying, at 18 years of age in some circumstances—which is quite old. Secondly, what are the scope and range of the risk situations, and do we cover all of them? Obviously, the Bill does not do so. Does it do enough?

The potential exists to extend the terms of the legislation to those with mental impairment. For a long time before I came to this place, I taught in a secondary school for children with learning difficulties, and I believe that they need to be protected in many ways when they leave that environment. I often told the children, "You are not special when you leave here; you are special only when you are here." Sadly, in society that is the case.

Should the protection of the Bill be extended to other vulnerable persons? The elderly were mentioned and perhaps we should consider other categories.

Will what was described by my hon. Friend the Member for Stockton, South (Ms Taylor) as bad practice be covered by the concept of incompetence, when that incompetence is an act of commission, not omission?

In Committee, we should consider how to cover all those questions—or whether we can cover them, and whether instead we want to cut the remit of the Bill at a certain point and make it a useful addition, but not comprehensive.

Some deficiencies sprang to my mind from situations with which I am familiar. The name of a foster carer may not be on a list, but he or she may have a relative who has a record that makes that carer unsuitable. For example, if a foster care home has a parent or a former parent who is an abuser who may have contact with that family, that becomes an unsuitable environment. The person with the criminal record is not necessarily the foster carer, and his or her name may not appear on any list. Should it appear on the list? I would err on the side of saying that it should; it is an unsuitable environment when someone in the family at the same address, or likely to have contact with the family, has an unsuitable record.

I am concerned about two groups of people who work for contract companies who have contact with children through those contracts: taxi drivers and bus drivers. I know of a situation in central Scotland where a bus driver keeps popping up on contracted-out bus routes that take children to and from school—in one case, the school where I used to teach. He can be dismissed by a company when he is found out, only to turn up, a few months later, on another bus company's contract, doing the same thing. The exclusion of voluntary organisations also causes me great concern.

I urge members of the Committee to study the Cullen report and the situations involving Thomas Hamilton in central Scotland. He ran his own scout group of which he was the leader. He saw himself as an alternative to Baden-Powell. In all that he did, he had obviously been grooming children for years. As a council leader in Stirling, I refused him the right to hire halls from the council. He then tried to hire halls from the education authority and was turned down. He took the education authority to the ombudsman, who found in his favour and criticised the local authority for not giving him halls in which to run his youth club.

Photographs that emerged later showed that Thomas Hamilton had all the children in little black shorts which he supplied, and he took photographs of them constantly. He was never proven to have done anything that was child abuse, but obviously that, connected with his other behaviour, should have caused the police to list him as an unsuitable person—and yet they did not do so. That shows that paedophilia and child abuse can quickly spread in voluntary organisations. We should consider that closely.

I was also amazed to find that, if I interpret clause 12 correctly, subsection (3)(b) basically says that anyone working at an independent school cannot be considered to be offering child care unless it is a private school that is a children's home. Are we therefore saying that private schools are excluded from the protection offered by the Bill? That is such a glaring omission that surely we must consider a way of bringing those schools within the Bill's ambit.

I wish to illustrate some of the dangers. Sir William Utting referred to "soft information". He referred to the scheme of the Department of Health and stated:

"It is the only system available for dealing with soft information cases which is valuable."

He went on to express the hope

"that its future operation will preserve the balance of probabilities"

as the

"standard of proof."

That shows that, in dealing with soft information, we are in a dangerous area. For example, false accusations are sometimes made against teachers where there is malicious intent. Having been the president of a teachers' union in central Scotland, I have seen teachers break down as a result of the pressure that results from a false accusation. They have then to retire because their health has genuinely broken down. They will be on a provisional list. It is—*[Interruption.]* I see the signals that are being sent by some of my hon. Friends, but I did not make the mistake of printing the names at the end of the Lawrence report, an issue which took up about an hour of our time this morning. I must get on with what I wish to say. I must return to Scotland almost immediately for a surgery, which I hold every Friday night. However, I hope that my remarks will be taken in the spirit in which they are intended because they are designed to be helpful.

The problem is that there is no appeal against false provisional inclusion. If that inclusion turns out to be incorrect there is no guarantee, given the bureaucratic

*[Mr. Connarty]*

powers that are to be found in certain systems, that it will ever be removed. A person may go into retirement with a false accusation having been made against him and be branded for the rest of his life. We should examine seriously how we should deal with that.

The question is whether there should be an act of commission—with incompetence we are dealing with acts of omission. There must be massive safeguards to ensure that people are not labelled along with others who by acts of commission cause a child to be put in danger by their incompetence and not by failing to do something because of forgetfulness.

We should proceed carefully, but we should make firm progress because children deserve no less. We should not see the Bill killed because it cannot cover all my concerns and those of other hon. Members.

1.1 pm

**Mr. Oliver Letwin** (West Dorset): I am conscious of the time. Like my hon. Friends and Labour Members, I want to see the Bill proceed. Consequently, I shall not dilate for as long as I would like. Indeed, I shall be as brief as I can.

I am in favour of the principle of the Bill, but I want to take up a point that was made briefly by my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) and taken up by my right hon. Friend the Member for Penrith and The Border (Mr. Maclean). Although it is a matter of profound significance, it has not been exposed in anything like the light that it deserves.

Oddly enough, the Bill makes an improvement. It starts with the situation that there is a purely administrative act for including people on lists. In addition, it would provide for a tribunal, which would allow an appeal. To my mind, that is an advance, so my comments are not intended to suggest that the Bill is retrograde. However, as it stands, it is a missed opportunity. I hope that, in Committee, we shall improve it, by reversing the order and ensuring that the tribunal becomes the basis for inclusion, with the Secretary of State's role much diminished.

I have two reasons for expressing that view. One is particular to the case and the other is general in its scope. The one that is particular to the case arises because, as all of us who are parents know, for good reasons, strong emotions are raised when somebody has been accused of abuse. I take the points that have been made about the difference between incompetence, abuse and paedophilia. I am talking not of where mere incompetence is involved, but of abuse. Unfortunately, in contrast to the hon. Member for Stourbridge (Ms Shipley), those emotions are raised to the level of hysteria by the popular press. However, I do not speak of that. I discount that. Of course the Secretary of State will pay no attention to such hysteria. However, he will be conscious of the strong emotions.

**Mr. Hammond:** The point is that the Secretary of State will not have any discretion. If a name is referred to him, he will be required to include it provisionally on the list.

**Mr. Letwin:** That is true, but I am speaking not of provisional inclusion but of final inclusion. I accept the points that have been made about provisional inclusion and I think that there is a problem there. However, when it comes to final inclusion, the Bill properly provides that the Secretary of State shall take certain considerations into account. That is right. He will be guided by an attempt to arrive at the truth, and not by the popular press and its hysteria. However, he will recognise that strong emotions are raised in such cases. He will be acutely conscious of the fact that, if he refuses to include someone on a list—and if, at a later date, that person transpires to be an abuser—then that Home Secretary and the Government whom he represents will suffer the grossest abuse, not only from the Opposition, alas, but from the popular press and others.

We have witnessed a realm of those problems in dealing with social services; the luckless director of social services who makes a slight slip and fails to pick something up is later categorised as a vile villain. The Secretary of State will not want that to happen, and the great thrust of his investigations will be to find a way of ensuring that somebody who has been referred for inclusion is on the list. There is in that a grave danger for civil liberties, and that particular point leads me to suggest that the Committee ought to find a way of reversing the order, so that the tribunal is the basis for getting on to the list.

There is a more general point. In the current state of affairs, and in the Bill—that is why I call the Bill a missed opportunity—there is a presumption of guilt. The appeals procedure allows that presumption of guilt to be overturned. Hon. Members on both sides have maintained that there is no presumption of guilt because the ability to engage in child care is not a right, but a privilege. I doubt whether those hon. Members were thinking as carefully as they should have about what they were saying.

Every hon. Member would agree that one of the fundamental freedoms of our society is that people should not be prevented by the state from engaging in the kind of work in which they wish to engage. Were there to be a Bill suggesting some blanket provisions preventing certain classes of persons from working in a certain field, hon Members on both sides would rise with one voice to oppose that, as a gross abuse of freedom.

It is important that people should not be prevented from doing something, unless it is shown that there is good reason to do so. The Bill acknowledges that logic by providing for an appeals process. If the Bill is enacted as drafted, we may be implicitly accepting the idea that—at least in relation to things where great emotion is attached—it is somehow reasonable to start with a presumption of guilt. If that principle were adopted generally, it would wreak havoc with civil liberties.

There is a particular reason—and a more general one—why it would be extraordinarily helpful if the Bill's supporters were willing to accept in Committee a change, so that the tribunal became the gateway to the list. With that profound amendment, the spirit of the Bill would be entirely preserved and the risk to civil liberties virtually eliminated.

1.8 pm

**Mr. Neil Gerrard** (Walthamstow): I join those who have congratulated my hon. Friend the Member for Stourbridge (Ms Shipley) on the Bill, the intentions of which are welcomed by everyone. It is clearly wrong that there is no systematic method to stop people who have been guilty of abuse and have demonstrated their unfitness to work with children from continuing to work

with children—and to wreck lives. That was brought home to me vividly when a young man in his late 20s in my constituency committed suicide as a result of abuse that he suffered 15 years ago. Lives are wrecked permanently.

As my hon. Friend the Member for Stourbridge said, we understand that the Bill in itself cannot prevent all abuse. We need good working practices. Children and other vulnerable people must be listened to when making complaints, or when exhibiting evidence suggesting abuse—such as self-harm. We need procedures to ensure that staff, if possible, are not put in positions where problems can develop; that is for the protection of the staff, as well as the child. We need speedy responses from management to problems. That may mean that people are sometimes suspended during investigations, but it is better to err on the side of caution.

However, we need to provide safeguards. It worries me to agree with the Tory right on the need for further consideration of such issues, but at least that may give me some protection from the tabloids. Innocent people should not end up on lists if that would mean wrecking their careers, their relationships and their lives. The tests in clause 2 are widely drawn. The problem of malicious accusations has been mentioned. What happens if an employer sets out to victimise someone? There is no guarantee that an employer is not capable of that just because it is a child care organisation.

Several aspects of clause 2 need to be considered in detail in Committee. Subsection (2)(b) covers an individual who

"has resigned or retired in circumstances such that the organisation would have dismissed him, or would have considered dismissing him".

That opens up broad areas into which people might be drawn.

Subsection (4) provides for convoluted mechanisms for information and observations to go backwards and forwards between the Secretary of State and the individual or organisation. Subsection (5) says that the Secretary of State will consider the information, observations and

"any other information which he considers relevant".

We have to examine the disclosure of such information in the appeals procedure.

If we are to have provisional lists because people are suspended, I strongly support the introduction of a time limit on how long someone can remain on such a list. I know of examples of people being suspended from their employment on the basis that disciplinary action may be taken for all sorts of reasons and the employer—sometimes a local authority—taking months or even years to make a decision. That should not happen, particularly in such cases.

We should consider strengthening clause 2, because it is written entirely in terms of employment and dismissal. How does one employ a volunteer? That applies not just to voluntary organisations, but to the many statutory organisations that use volunteers.

If entry to the system is to be widely drawn, a robust appeal process is vital. There is a powerful case for legal aid being available. It is difficult to know what the rules for appeals will be, because all the procedures are covered by clause 9, which gives the Secretary of State the power to make provisions. It would be helpful to know what the rules will be, particularly on disclosure.

I should like clarification on how people get off the list. I understood my hon. Friend the Member for Stourbridge to say that, if a criminal conviction were quashed on appeal, that person would come off the list. One could assume the same of someone who was acquitted of a criminal charge, but I am not sure that that is the case. If the test for being on the list is a civil one—a balance of probabilities test—it is possible that someone acquitted in a criminal court could end up on the list on the civil test.

We need to be clear on that point, because, if I am right, we need to acknowledge that that is the position. If I am not right, we could end up with the odd situation in which somebody against whom suspicions were felt strong enough to bring a criminal charge, but who was acquitted, would not go on the list, but somebody against whom there were lesser suspicions that were not felt to be strong enough to bring a criminal charge would end up on the list. That would be a perverse situation.

I welcome the Bill. It will be a major step forward and will improve the position. I hope that the issues that I have raised will be addressed in Committee and we will end up with a Bill that cannot be challenged under the human rights legislation. It would be a tragedy if the Bill were to be caught under that legislation.

1.16 pm

**Dr. Ashok Kumar** (Middlesbrough, South and Cleveland, East): I join my colleagues in congratulating my hon. Friend the Member for Stourbridge (Ms Shipley) on introducing the Bill. I shall be brief, but I wish to declare my strong support for the Bill. I have always argued strongly that children have rights, and I presented a Bill last year that called for children to be given further rights to be consulted on issues that affect their daily lives at school and in the community. However, children also deserve greater levels of protection.

Hon. Members on both sides of the House are horrified by the seemingly endless stream of abuse cases that have been exposed in institutions and organisations that have, as their first principle, the care of children. We have had far too many cases in my region. In Newcastle, Durham and Stockton, there have been cases of abuse perpetrated by both men and women put in a position of trust and responsibility. We have to put in place structures to stop that hideous abuse.

On the face of it, the man or woman in the street would think that the present database registers should be a strong check on offenders or people considered unsuitable being put into positions of trust, but the system does not seem to be working very well. The police national computer database of people with criminal records should be an adequate safeguard, but people still seem to evade police checks. The National Society for the Prevention of Cruelty to Children tells us that there is a problem in the voluntary sector, with no comprehensive representation of voluntary bodies on the voluntary organisations consultancy service, membership of which is needed to be able to access police records. The Department for Education and Employment also has a comprehensive list of people considered unsuitable, by virtue of a criminal conviction or other misconduct, to be put in a position of trust with children. However, that list is updated only twice a year and it is sent only to local education authorities.

The register that needs root-and-branch revision, and is the subject of the Bill, is the Department of Health consultancy index. It has no legal footing or weight in

*[Dr. Ashok Kumar]*

law. It relies heavily on an employer determining that the name of a former employee should be placed on the list because of dismissal or resignation for behaviour that could be seen to pose a future risk to a young child. Many hon. Members have mentioned the 1997 Utting report, "People Like Us", which reveals that there were only 750 names on the index that had been referred by employers, when the report was drafted. That is incredible, given the many hundreds of thousands of people employed in schools, children's homes, social services departments and the voluntary sector. The suspicion must be that names are not being referred, for whatever reason, and that must be investigated by the relevant Departments.

At the very least, local authorities and local education authorities must have a legal duty to refer names to the list routinely when employees are dismissed. According to Utting, some 4,800 other names have been referred to the index by the police, following the conviction or cautioning of people employed in child care. Again, that figure seems very low. I understand that Utting noted that not all police forces send the information to the Department of Health. That is astonishing. It is easy for people to move from one part of the country to another, and from one police force area to another. There must be protocols and procedures to ensure that that information can be collated nationally and updated continually.

It also appears that the Department of Health does not routinely monitor its own index, and that, too, is astonishing. The Department cannot even say how many local authorities and voluntary bodies use the index, or whether some authorities do not access it at all. Once again, that is astonishing.

The fact is, unfortunately, that sexual crime is common in our society. The NSPCC briefing about the Bill states that Home Office research has established that one man in 60 born in one particular year this century had a conviction for sexual offences. Even more worryingly, that statistic records only those who have been convicted. Some instances of abuse have lasted many years and involved many children, which leads me to believe that the figure is only the tip of the iceberg.

In today's society, people are more mobile. Sadly, family patterns are also more fluid. Utting states that, of the 12 million British children under the age of 18, 200,000 are away from their family home for more than 28 days. That figure alone gives us some idea of the potential for risk.

The Bill fulfils the valuable function of creating a legal footing for the Department of Health index, but much more needs to be done. The hon. Member for South-East Cambridgeshire (Mr. Paice) spoke of fears of an authoritarian, big brother computer watching over us, but I believe that many people recognise that the loss of privacy has to be balanced against the need to protect the most vulnerable.

The Department of Health index has to be put on a stronger footing, and the Bill will achieve that. However, that is only the first step. There should be a comprehensive review involving the Home Office, the Department of Health, the Department for Education and Employment, the Local Government Association, the Association of Directors of Social Services, the Association of Chief Police Officers and the national voluntary bodies so that a fully comprehensive, constantly updated and easily accessible central register can be made available to authorities and organisations working with children. There must also be a stronger duty placed on local authorities and on voluntary bodies to update and use such registers, with a defined failure to do so punishable by law.

As so many hon. Members have said, our children deserve better, especially those who are vulnerable and confused, and those who are put by society in a place of safety. We must be vigilant in stamping out abuse when it occurs, but the prime duty must be to prevent abuse from happening in the first place.

I believe that the Bill will go a long way towards achieving that aim. I hope that it gets a speedy journey through this House and the other place. I congratulate my hon. Friend the Member for Stourbridge on the Bill, and warmly recommend it to the House.

1.23 pm

**Ms Helen Southworth** (Warrington, South): I thank my hon. Friend the Member for Stourbridge (Ms Shipley) for giving us this opportunity to take action to deal with the terror inflicted on many children, and to protect them from adults who are predatory and destructive. My hon. Friend is doing a great job, and I thank her very much.

Like many hon. Members who have spoken, I have had to deal with cases that are an outrage in a society that lays claim to civilisation. Children are abused by adults in a position of trust; when those adults are prosecuted, they somehow get back into positions of trust. In one case that I dealt with, allegations were made against a child care employee and police investigations uncovered a previous conviction for a very similar assault. Why had no checks been made on the person before he was appointed? The answer is because they were not compulsory.

I surveyed investigations and prosecutions of employees of child care organisations, and discovered again and again people with previous convictions for abuse or violence in positions of power over vulnerable children. Discussions with the NSPCC and the Cheshire police paedophile unit, with professionals in social work and education and with survivors of abuse have made it clear that the current systems and procedures for recruiting and selecting staff have failed. They are not capable of identifying and rejecting known abusers.

Criminal record checks are currently available only to statutory bodies and a small number of major voluntary child care organisations that are members of the voluntary organisations consultancy service. The vast majority of voluntary and private child care organisations are unable to check the criminal backgrounds of people to whom they will offer a job, paid or voluntary, which involves working with children.

The Bill will make access to records available to regulated child care organisations regardless of whether they are statutory, voluntary or private sector, and that is very welcome. I hope that the key issue of extending protection to other voluntary bodies that work with children will be addressed quickly. It is even more welcome that the Bill requires child care organisations that propose to employ someone, paid or voluntary, in a child care post to ensure that records are checked, and requires them not to employ anyone identified for specified reasons on either the consultancy index or List 99.

That is a radical change, and it is crucial. A shocking number of abusers who gain employment working with children turn out, after they have damaged children in their care, to have previous criminal records. The decision on whether a criminal record check is necessary should not be a matter for the employing bodies. Previous practice has been so inconsistent—and, often, downright poor—that a clear and enforceable position must be taken on what checks must be carried out, when and by whom.

The vast majority of people who work with children want to be part of a profession that is trusted by children and that empowers them. Those people want public respect for their work, and they are let down by the few who abuse trust.

The Bill makes sense of what is currently an administrative nightmare. The case for bringing together the three different national sources of information, for ensuring that information is of high quality and for requiring that it be used in appropriate circumstances has been powerfully made here, but most strongly made by the appalling list of the failures of the system actually to care for people.

The system of safety checks for staff recruitment and selection for paid and voluntary workers with children must be sufficiently robust to deter committed abusers. It is appalling to realise that devious and determined criminals have in the past been free to abuse and molest children because Departments of Government have not worked together to root them out. Change is happening, and it is about time.

I shall turn briefly to a matter that I hope will be addressed in Committee—support for frail and vulnerable older people. My hon. Friend the Member for Stourbridge has supported that concept, and I hope that it can be brought into practice for a group of citizens who are much at risk and whose needs should be considered. I hope that our debate will generate speedy action to include those people in the remit of the law.

It is not possible to make vetting completely offender proof, but better and more comprehensive systems, with clear national guidelines determining usage, will make it more difficult for potential abusers to get around procedures for protecting children. Most importantly, the statement made by such Government investment would be clear: children are valuable, adults have responsibilities to protect them and our society will police and enforce their protection.

1.28 pm

**The Parliamentary Under-Secretary of State for Health (Mr. John Hutton):** The whole House has benefited from an extremely well-informed debate, and we have heard distinguished speeches, including one from a former Minister, the right hon. Member for Penrith and The Border (Mr. Maclean), and several from Labour Members. Those speeches reflect the strong feelings of hon. Members about child protection. The debate has also tapped into the direct experience of Members in coming to terms with the problem.

I understand entirely some of the concerns raised on both sides of the House during the debate, and I hope to dispel some of them. If any outstanding issues of concern remain after I have spoken, I hope to deal with them further in the Standing Committee. The hon. Members for South Cambridgeshire (Mr. Lansley) and for Taunton (Jackie Ballard) and my hon. Friend the Member for Walthamstow (Mr. Gerrard) welcomed the Bill, but expressed some concerns for civil liberties. It would not be appropriate to go into detail during a Second Reading debate, but I shall address those concerns in the Standing Committee. If the hon. Member for South Cambridgeshire is fortunate enough to be a member of that Committee, I look forward to discussing those matters with him.

My hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding), in another good speech, emphasised the importance of getting this legislation through and getting it right. She has played a huge role in developing better safeguards for vulnerable children, and I am pleased to pay tribute to the work that she has done in the House.

My hon. Friend the Member for Stockton, South (Ms Taylor) spoke strongly and powerfully about her experiences and made a moving contribution to our proceedings.

I am pleased to welcome the hon. Member for Runnymede and Weybridge (Mr. Hammond), who strongly supported the Bill and made some constructive suggestions. I am afraid to say that he got one thing wrong—I hope that he will not mind if I try to put him right. He felt that the Bill was inconsistent with the recommendations and work of the interdepartmental working group to which he referred, which is not the case. If he looks a little more closely at paragraph 5(12) of its recommendations—in particular, the second bullet point—I hope that he will be reassured that the Bill is entirely consistent with what that group says.

**Mr. Hammond:** I apologise if I have misinterpreted the group's views. I have relied on the Library research paper on the Bill, which states, in paragraph 6 on page 12, that the group said:

"The new system should be voluntary; there should be no requirements on employers to make the checks or submit information to the lists."

**Mr. Hutton:** I am grateful for that correction. I hope that, if the hon. Gentleman looks at the report of the interdepartmental working group, the position will be clear.

My hon. Friend the Member for Blackpool, North and Fleetwood (Mrs. Humble), who is experienced in these matters and a distinguished former chair of social services in Lancashire, asked whether foster carers would be included in the provisions of the Bill. I understand that, as drafted, it would include them. Private and voluntary foster carers would be covered by the permissive provisions, but the local authority would be covered by the mandatory aspects.

The right hon. Member for Penrith and The Border showed himself in his new and rather surprising colours as a defender of civil liberties. I do not want to disappoint him, but that is not how we have come to see him during our proceedings; but I am happy to see him in that new incarnation and all Labour Members look forward to more contributions in a similar vein. Together with a number of his hon. Friends, including the hon. Members for Poole (Mr. Syms) and for West Dorset (Mr. Letwin), who is never here when I respond to his speeches, which is a shame, he expressed concerns about the basis on which the Bill is proceeding. The right hon. Gentleman

*[Mr. Hutton]*

described his concerns about the administrative nature of the list and how it is administered and asked whether it would be better to put it on a purely judicial footing, with a tribunal deciding whether someone should be on the list.

The right hon. Gentleman needs to look carefully at the structure of the Bill. One key aspect is that we are putting the list into a proper statutory framework. My right hon. Friend the Secretary of State will exercise his functions under the clear wording of the Bill. The appeal tribunal will exercise an appellate function and, on points of law, appeals can ultimately be made to the High Court and beyond. The system will be more transparent. It will be open and, as a result, significantly improved.

**Mr. Forth** *rose—*

**Mr. Hutton:** Does the right hon. Gentleman want to intervene about the appeals system?

**Mr. Forth** *indicated dissent.*

**Mr. Hutton:** In that case, I will not give way.

This is a stronger and better system. We are opening up the decision-making process and putting it on a proper legal basis. Therefore, I hope that Conservative Members will be assured that the appellate system and the structure of the Bill will support proper, independent decision making.

**Mr. Paice:** Am I not right in thinking that the Bill provides for the Secretary of State to make the final decision, over and above whatever conclusions the tribunal reaches? I understand that few Secretaries of State are likely to overrule the tribunal; nevertheless, the Bill as drafted could allow that to happen.

**Mr. Hutton:** My understanding of the Bill is that that cannot happen. The hon. Gentleman is an experienced former Minister and knows the arrangements for reaching such decisions in Departments. The Bill's purpose is to put the framework on to a proper, open basis, with a proper appeal system and points of law going ultimately to the High Court. That is a significant improvement on existing arrangements. I know that the hon. Gentleman concerned about the quality and independence of decision making. Taken together, the Bill's provisions would significantly enhance the quality of the decision making that will underpin the list that we maintain. I hope that that somewhat reassures him about that fundamental piece of the Bill's architecture.

The right hon. Member for Penrith and The Border was concerned about the concept of harm and its definition in the Bill, particularly in the context of misconduct or incompetence. He probably realises that the concept of harm for the purpose of this Bill will have the same meaning as in section 31 of the Children Act 1989. That will confine and define the way in which the term can be interpreted in any future cases. Ultimately, the Secretary of State himself has to be satisfied in the case of misconduct or incompetence that the person involved is unsuitable to work with children. There is a safeguard in the system, and I hope that he is reassured.

The hon. Member for South Cambridgeshire made a characteristically good speech. He correctly noted the need to strike the right balance between civil liberties and child protection. The Government strongly believe that the Bill strikes the right balance. The hon. Gentleman made the good point that employers should receive a prompt response from the Department when someone is referred for consideration against the list. We try to do that by striving to turn round responses to inquiries in five days. We want to ensure that our systems fully reflect the needs of employers. We will certainly continue to do that.

I am glad that the hon. Member for West Dorset is back. Egged on by the hon. Member for Runnymede and Weybridge, he expressed anxiety about provisional inclusions on the list. It was partly that prompting that led him to conclude that people will go on to the list automatically, and that there will be no discretion and no independent judgment by the Secretary of State. That is not the case. He should examine clause 2(3) in more detail.

**Mr. John Butterfill** (Bournemouth, West): In my constituency, a convicted paedophile continues to profess an interest in the welfare of young people. He organises weekends for young people at his home and exhibitions outside. He does not do it for profit and is not part of any organisation. I am advised that nothing in existing law, or in this otherwise admirable Bill, can prevent that sort of thing. Can the Minister confirm that? Can anything be done under the Bill?

**Mr. Hutton:** I have no details of the case to which the hon. Gentleman alludes. Social services departments have clear responsibilities under the Children Act 1989 in respect of children and vulnerable children. It is their legal obligation to discharge them. Has he considered raising this with social services locally? If he has, and is not satisfied with the response, I would be willing to receive representations.

**Mr. Forth:** The provisional list has troubled several hon. Members. Has the Minister considered whether a problem might arise in respect of someone who remained on the provisional list for a long time? The Bill contains a provision that precludes people on the provisional list from appealing to the tribunal. There could be a serious problem of possible injustice arising from perhaps malicious claims accepted in good faith by the Secretary of State. Once on the provisional list, someone could get stuck there because there is no way out.

**Mr. Hutton:** I agree absolutely. If there are concerns about how the scheme applies as it appears on the face of the Bill, we shall be keen to explore those issues in Committee. If the right hon. Gentleman tables specific amendments, we shall give them careful consideration.

**Mr. Letwin:** On re-reading, I accept entirely that the provision is not automatic, but does the Minister accept that the test for inclusion on the provisional list is merely one of appearance, which is extremely weak; and that we might properly examine in Committee whether that test ought to be strengthened?

**Mr. Hutton:** My hon. Friend the Member for Stourbridge will have her own thoughts and opinions on

that, which is perfectly proper as she is the Bill's promoter. However, in general terms, the Government believe that it is extremely important that the new statutory framework includes provision for a provisional inclusion on the list. We do not want people to slip through the net simply by changing their employment or moving from one job to another. If we are to protect children properly, it is important that there is a provision that answers the need for provisional or temporary inclusion on the list until a fuller determination of events can be resolved. I hope that I have now dealt with most of the points raised in the debate. If I have failed to do that in any respect, I shall be happy to write to hon. Members.

Let me now join with other hon. Members in congratulating my hon. Friend the Member for Stourbridge, not only on her good fortune in coming first in the ballot, but on choosing this topic for her Bill. We in this House have a special responsibility to ensure that children, especially the most vulnerable children in our society, are properly protected from harm and abuse at the hands of adults. The Government take that responsibility extremely seriously, and I am delighted that that view is shared by every hon. Member who has spoken in the debate.

That is why the Government have already introduced several measures to improve the safety and protection of innocent children; I shall speak briefly about those initiatives later. It is also why the Government strongly support the Bill and why we are grateful to my hon. Friend for giving the House this important opportunity to improve the safety and well-being of children. I am delighted that the Bill has received such strong support from child care organisations and from hon. Members who have spoken today. However, the Bill should be seen in the wider context of the Government's strategy to strengthen both the quality of care that vulnerable children receive and their protection from the activities of dangerous adults.

We have to start with a frank assessment of the extent to which we have discharged our responsibilities toward those children in the past. The evidence is clear: we, as a society, have let those children down badly. We have not acted strongly enough to ensure that vulnerable children receive the love, care and protection that all of us would demand and expect for our own children. For too long, we have failed to take the necessary action that would have helped those young people to develop their talents to the full. The price of that failure has been high in both human and social terms.

The Government are determined to learn the lessons of those past failures and to act decisively to improve children's services across the board. We are taking action now to improve the quality of care that those children receive, but we also need to strengthen [illegible] protection against abuse and criminal behaviour. That is why the Government welcome this private Member's Bill. The Bill will make a significant contribution to improving that protection and will thus be a fundamental part of our new approach to caring for vulnerable children. We are tackling the problem in a joined-up and concerted fashion, by addressing both quality and safeguards.

That is why we launched the quality protects initiative, to which several hon. Members have referred. It is a three-year programme to modernise social services for children which will be backed up by a new special grant of £375 million over the next three years. Quality protects is about delivering better outcomes for children in need by setting new national objectives for children's services, promoting an important role for local councillors, and requiring all local authorities to submit new quality protects management action plans to the Department of Health by the end of January. I am pleased to say that all the action plans were submitted on time and evaluation work is now well under way.

Before addressing the Bill, I should deal with the important issue of compliance with the European convention on human rights. Because the Bill is a private Member's Bill, section 19 of the Human Rights Act 1998 does not strictly apply; however, it will be helpful if I make the Government's view on ECHR compliance absolutely clear. I can confirm that, in the Government's view, the Bill is fully compatible with the European convention.

I shall comment specifically about several important aspects of the Bill. They are the scope of the Bill, the appeal arrangements and the timetable for bringing the provisions into force should the Bill achieve—as I very much hope it will—Royal Assent. As the scope of the Bill, it is clear from what my hon. Friend the Member for Stourbridge has said that the Bill will lay the foundations necessary for a more complete system of protection.

However, it is clear that further action will need to be taken as we continue to develop our thinking in this area. The Bill does not, for example, make it a criminal offence to offer employment or fail to check against the lists. As I said to the hon. Member for Runnymede and Weybridge, those questions are being looked at within Government at present. They will, as necessary, be the subject of further Government legislation, taking into account all the relevant considerations. Even though that means that the most direct criminal sanctions are absent from the face of the Bill, we think that, in practice, all responsible organisations will act fully in accordance with its provisions.

**Mr. Maclean:** I am very grateful to the Minister for giving way on this point. I shall be brief. I raised this issue with the hon. Member for Stourbridge (Ms Shipley) because I am worried about the lack of criminal sanctions. Like the Minister, I believe that most organisations will try to do their duty. However, some of the worst child abuse cases in this country have arisen because of failings on the part of social services departments. Does the Minister accept that, unless there is a threat of severe criminal sanctions—similar to those that apply to other departmental inspectors, such as members of the Health and Safety Executive—there is a danger of a lacuna in this legislation?

**Mr. Hutton:** As I tried to imply a moment ago, the Government are examining the whole issue of criminal sanctions: what they should be and when and how we can bring those proposals forward. The right hon. Member for Penrith and The Border mentioned specifically his concerns about social services departments. So far as child care is concerned—and regulated organisations in particular—existing powers may be used to overcome any failures to comply with the terms of the Bill.

For example, there are powers of ministerial direction to local authorities and to NHS trusts, which will be covered by the Bill. Registered homes would risk putting

*[Mr. Hutton]*

their registration in jeopardy if they failed to comply with their clear and unambiguous statutory obligations not to employ people who were on the list. The public will demand this—as will we—from all those organisations covered by the Bill. We will not hesitate to use those powers, if that becomes necessary, to ensure that children are protected from dangerous and unsuitable people.

**Mr. Hammond:** The Minister said that he would consider introducing criminal sanctions for organisations that did not comply with their obligations. Will that review extend to the creation of a criminal offence of applying for a position that one is not allowed to hold as a result of the Bill?

**Mr. Hutton:** We are considering that proposal, but the hon. Gentleman will have to await the results of our deliberations.

Clauses 4 and 9 deal with appeals. Most hon. Members who have spoken in the debate have expressed concern about that issue, and the new provisions will significantly improve the protection against unfair or unreasonable inclusion on the list. They represent an enormous improvement on the existing scheme and strike the right balance between increasing protection from abuse—which is what the Bill clearly does—and respecting individual civil liberties. The Secretary of State will in future be required to exercise his functions within the clear framework of the Bill, subject to proper review in the tribunal and, ultimately, in the courts.

I understand the concerns that hon. Members have expressed about those aspects of the Bill. The Government's view is that the provisions will both improve protection and defend the civil liberties of the British people. We do not need to trade off one against the other. That is one of the many strengths of the Bill. However, the Government are persuaded that the provisions are necessary: strong powers must be accompanied by strong protections. Although we are all concerned about protecting children, we must also have regard to the position of individuals who face being placed on the lists and the serious consequences that they will face if listed. There is always a danger of false or malicious allegations, and people must be given every reasonable opportunity to clear their names. I believe that the Bill will provide those opportunities.

The tribunal will act entirely independently in making its decisions on individual appeals, The Secretary of State's responsibilities will be to provide staff and accommodation and pay expenses. The tribunal will also have the power to review completely afresh the full circumstances that led to listing. That will include a factual review of the allegations made and a review of whether the individual is unsuitable to work with children. The tribunal will not, however, be able to review any finding of fact on which a criminal conviction was based.

The Secretary of State will, quite rightly, be consulted in the appointment of lay panel members to ensure that the individuals have suitable education or social service experience. The regulations for the tribunal's proceedings will be made by the Secretary of State. The independent Council on Tribunals will, however, be fully informed and consulted about any proposed regulations.

Finally, I should say something about bringing the measure into force. The relevant powers are in the final clause of the Bill and give considerable flexibility over timing. That is sensible and appropriate, and I hope that the House will be prepared to accept our intended approach.

We intend to be open and inclusive in consulting fully about all aspects of the Bill's implementation, as I am sure my hon. Friend the Member for Stourbridge would want. There is also the point that the Criminal Records Bureau has not yet been set up and it will not, therefore, be possible to introduce the one-stop shop—the central point of reference—until it has been.

If the Bill is passed, the Government will have to think hard about enforcing the provisions in clauses 1 to 3 before the tribunal is set up. Parallel regulations were made under the Education Reform Act 1988, and there would be subsidiary regulations under, for example, clauses 4(1)(b) and 12. In addition, careful and extensive administrative guidance would have to be prepared and issued simultaneously with the implementation of the necessary statutory instruments to make sure that everyone in the regulated and unregulated sectors understood what was expected.

Hon. Members will, I am sure, recognise the difficulties involved. There will be no unnecessary delay in implementing the Bill, but we shall make absolutely sure that all the preparatory work has been done thoroughly and all the machinery is in place before that happens.

This is an important measure which will improve the safeguards protecting vulnerable children from abuse, strengthen the arrangements for maintaining accurate information about the abusers and fully address the proper concern for civil liberties.

For all those reasons, I strongly urge the House to give the Bill a Second Reading and, in doing so, help to discharge our clear responsibilities to some of the most vulnerable children in society.

**Ms Shipley:** With the leave of the House, I shall make a few more remarks.

The Bill is a serious attempt to ensure the protection of children, and I am greatly heartened by the fact that hon. Members on both sides of the House have accepted it as such. The comments today included serious propositions for areas of difficulty. I am grateful for the support of all colleagues for the Bill's intention.

Several times, the hope was expressed that some of the issues raised would be dealt with in Committee, and it is my firm belief that they should be. Serious points have been made. All hon. Members have carefully thought through the issues and received the backing of various organisations that also recognise the Bill's importance, the necessity for measures to protect children and the fact that there must also be a balance to protect individual rights.

I thank the House. I am pleased that there is so much support for this important Bill.

*Question put and agreed to.*

*Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).*

## Company and Business Names (Chamber of Commerce, Etc.) Bill

*Order for Second Reading read.*

1.54 pm

**Mr. Andrew Lansley** (South Cambridgeshire): I beg to move, That the Bill be now read a Second time.

I am grateful for the opportunity to share in the good fortune of the hon. Member for Stourbridge (Ms Shipley) in the ballot, albeit in a much more humble position. I present a Bill that the House will recognise to be of a lower priority than that introduced by the hon. Lady, but I hope that, on reflection, Members will none the less find it an important and useful measure that should secure their support.

I should first declare a past interest. Some 10 years ago, when I was deputy director of the British Chambers of Commerce, I was made aware of the difficulties involved in the control of the title "chamber of commerce", which give rise to the Bill.

The Bill follows one that was introduced last year by my hon. Friend the Member for Windsor (Mr. Trend). During discussions at the time, I was grateful for the support of and the interventions by the Financial Secretary to the Treasury, the hon. Member for Hornsey and Wood Green (Mrs. Roche), then the Minister responsible for small businesses. As a result of our exchanges, many potential difficulties have been ironed out of the Bill that we are now discussing.

To put the Bill in context, chambers of commerce have transformed themselves over the past 10 years. Accreditation, approval of chambers and the establishment of a system of quality service have led to the creation of a network of more than 230 approved chambers of commerce. Some 95 per cent. of companies and businesses in Britain now have reasonable access to the services of chambers of commerce, which cover national and international trade, export support services, information services, representation of business and access to training sources. In the latter context, some 16 chambers of commerce have recently merged with training and enterprise councils, adding another important aspect to the work of those organisations which are led by the private sector and work in partnership with the public sector.

The increased integrity and comprehensive character of the chamber of commerce network increases the need to ensure that those who seek the support of a chamber of commerce receive the standard of service that they should expect. The difficulties and the scope for abuse in the system fall into two categories. First, persons without the essential characteristics of a chamber of commerce seek to describe themselves as such. I shall not delay the House by giving too many examples, but, particularly after the collapse of the former Soviet Union, there were a number of opportunities—happily as part of the growth of freedom and capitalist enterprise in those countries—for people to establish themselves as chambers of commerce of a bilateral character, working between the United Kingdom and some former Soviet republics. It was not always the case that people who sought to use such a title were genuinely representative of the business community in the countries concerned.

As hon. Members may know, chambers of commerce around the world often occupy not only a significant position in the business community and as providers of services, but a statutory position. As a result, those who deal with them expect a service that is of a disinterested character. That would not be the case in respect of the bodies to which I referred, which did not have the backing of their local business communities. In one case, a sole trader might have been seeking to gain a preferential trade advantage with companies that were not aware that they were not dealing with a chamber of commerce, as the term applied in their own country.

The second problem arises within the United Kingdom and relates to the geographical description of chambers of commerce. It is important that people dealing with a chamber of commerce understand which business community it represents. Its title should accurately reflect its responsibilities. For example, a chamber of commerce in the west of Wiltshire that represented a small geographical area sought to describe itself as the Wessex chamber of commerce. Another chamber of commerce in West Yorkshire sought to describe itself as the West Yorkshire chamber of commerce, although there were chambers of commerce that had been established for more than a century and a half in other major cities in West Yorkshire. It is important that bodies that describe themselves as chambers of commerce, even though they may properly be chambers of commerce, do not do so on the basis of an inappropriate geographical description.

**Mr. Eric Forth** (Bromley and Chislehurst): I suspect that I shall pre-empt my hon. Friend by what I am about to say, but, just in case I do not, may I ask him whether he intends to describe—however briefly—the mechanisms and bureaucracy that he thinks will be required to fulfil the purposes of the Bill?

**Mr. Lansley:** My right hon. Friend is right; I was proposing to come to that. I shall happily address it now, if it will help him.

The Bill's structure closely matches that of the Companies Act 1985 and the Business Names Act 1985, under which any company or person seeking to carry on a business is able to apply for the use of a name. Therefore, there should be no increase in the compliance cost to a person seeking to register as a chamber of commerce or any other related title. That person will apply in the normal way, in recognition of the essential characteristics of a chamber of commerce, which the Secretary of State will be able to stipulate. The Secretary of State will undertake consultation with a relevant representative body—the British Chambers of Commerce or the Scottish Chambers of Commerce—and determine whether to approve registration.

Like my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), I do not want to create a structure that will increase the compliance cost for bodies that want to describe themselves as chambers of commerce. On the other hand, I am anxious to introduce a measure that secures benefits for the business community and, on balance, is therefore desirable to it.

The business community as a whole has a substantial vested interest in ensuring that businesses beyond those that subscribe to a system of approved chambers of commerce understand that chambers of commerce fulfil a

*[Mr. Lansley]*

role and operate services to a standard, and that a chamber of commerce with which they deal has all the essential characteristics—in effect, they see what they get.

My right hon. Friend the Member for Bromley and Chislehurst has helped me by allowing me to move on to describe the essence of the Bill. It works on quite a narrow basis. It seeks to support an essentially private sector body, which operates in areas where the Government often require it to participate in partnership. Chambers of commerce, not least in the light of recent mergers with training and enterprise councils and the establishment of business links, are increasingly the leading private sector vehicle for achieving a shared public sector-private sector objective. It is therefore important to recognise that the Bill is designed to give such private sector initiatives support and additional status.

Clause 1 requires the Secretary of State to include chambers of commerce and related titles—I could happily instance what sort of titles I have in mind, although I will not delay the House by doing so—in controlled titles stipulated in the Companies Act 1985 and the Business Names Act 1985. Clause 2 ensures that, before determining whether to approve registration under the Companies Act, the Secretary of State consults the British Chambers of Commerce or the Scottish Chambers of Commerce, with provision to consult other relevant representative bodies, which we shall come to later. Clause 2 also provides that the Secretary of State may publish guidance concerning which factors he will take into account in determining whether a body might appropriately use such a controlled title.

Clause 3 parallels the structure determining the use of any company title, but relates specifically to the Business Names Act. Therefore, under clause 2, the Secretary of State undertakes the consultation process in relation to factors for companies; under clause 3, he does so in relation to business names.

Clause 4 defines the bodies that the Secretary of State should consult. I mentioned the British Chambers of Commerce and the Scottish Chambers of Commerce, but there is further provision to allow the Secretary of State to add further relevant representative bodies. The specific example that I have in mind is the Training and Enterprise Councils National Council because, as mergers between chambers of commerce and TECs are increasing, it is important that the nationally representative body should be in a position to exercise a consultation role in relation to the granting of a title to such a body.

Clause 5 relates to commencement, at the discretion of the Secretary of State, and extent. Hon. Members may note that Northern Ireland is not included in the extent of the Bill. That is normal practice for companies legislation; comparable provisions have, in the past, been made and introduced in Northern Ireland by subsequent order, not incorporated into primary legislation. It is intended that, in a like fashion, if Ministers are willing, the Bill will be followed by a statutory instrument.

To sum up, the Bill is not designed to be retrospective; it is not designed to challenge the use of any title by any existing chamber of commerce. It does, however, address itself to where there is scope for improvement—there have been difficulties with the present system—and it strengthens the administration of the control of titles for companies and for those carrying on a business, and removes scope for abuse.

The Bill gives an opportunity to reinforce the very positive move that chambers of commerce have made towards the provision of approved and accredited services to the business community, and it does so without shifting the status of chambers of commerce in this country towards the public law systems that pertain especially on the continent, which would lead us to a mandatory system for chambers of commerce, with levies on their turnover and so on. My hon. Friends—I believe, from conversations, hon. Members on both sides of the House—would regard such a system as undesirable.

If we can reinforce a private sector-led, voluntary organisation that is trying to improve its service to the business community substantially by its own efforts, and if we can do so by changing the administration of the Companies Act 1985 and the Business Names Act 1985 in ways that will help it, there is everything to be said for that. I hope that hon. Members on both sides of the House, including the Minister, will express support for the Bill today.

2.8 pm

**Mr. James Cran** (Beverley and Holderness): I congratulate my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) on the clarity with which he explained his Bill, and on his luck in the ballot. I have been in this place for considerably longer than he has, and I have never come close to being successful in the ballot. [HON. MEMBERS: "Ah."] I am very grateful for the response of my colleagues on the Benches behind me.

A private Member's Bill is a double-edged sword, but I do not think that that will be the case with this Bill, as I can confirm that the Opposition support its provisions, as we did when we cantered round this course about this time last year. We share the conviction of my hon. Friend the Member for South Cambridgeshire that there is scope for abuse at present; he eloquently outlined why it occurs. People who are not representative of the business community as a whole, or who are pursuing a private commercial interest, will none the less seek to incorporate the chamber of commerce title, knowing that it gives credibility. Undoubtedly, the title "chamber of commerce" lends valuable assistance to any organisation. In my experience that is most certainly the case, and especially in international trade matters.

At one time I was associated with the Confederation of British Industry. These days, I disagree with one or two of the CBI's policy stances. However, when I was associated with it, I was frequently written to by international organisations which had the title "chamber of commerce". I had to check extremely carefully that it was bona fide, that it was in reality exactly that which it purported to be. It is clearly important that the use of such a title, including the geographic description, is accurate and is applied only to a body that generally meets all the criteria for the proper description of a chamber of commerce.

We accept that the Bill is intended to address weaknesses in existing legislation. When Companies House receives an application for the incorporation of a chamber of commerce, it considers, of course, whether the application will result in a genuine chamber of commerce. The problem

is that no benchmark exists for making such a judgment. I have been advised by lawyers that in law—I should say that I am not a lawyer, for which I think I am grateful—there is no definition that would constitute a chamber of commerce, and that there is no criterion for approval as a chamber of commerce. The Bill will help in that situation as it will provide objective—that is the important word—criteria to be used in determining which bodies should be able to use the title chamber of commerce.

When an application for incorporation is received, the current defences, as I have already said, are simply not good enough. In effect, as others have said, anyone can set up a chamber, canvas for members and sell services under a chamber trade name. I recall that some organisations with which I used to deal did not even have members. They claimed the title and then sold services, which is not acceptable. I think that we all accept that, including the Government. In practice, not a great deal can be done at present to stop this process. That is why my hon. Friend's Bill is extremely valuable.

Although no evidence exists of wide-scale abuse, we may see in future further examples of businesses attempting to sell services under the title "chamber of commerce". In effect, that is all that they are doing. That is why my hon. Friend is correct in what he is trying to do.

I wish to emphasise that existing legislation has not been applied badly. It is important to say that. Robust procedures within the present system have been followed by Companies House and the British Chambers of Commerce. Therefore, we do not regard my hon. Friend's Bill as a criticism in any way of Companies House. The Bill will help that organisation to do its job more effectively. For those reasons and the many others that my hon. Friend has outlined, we wish him well. We, for our part, will do all that we can to ensure that the Bill becomes law.

2.14 pm

**Mr. John Butterfill** (Bournemouth, West): I shall be brief because I know that other hon. Members wish to speak. I start by congratulating my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) on introducing the Bill. It is an excellent measure and I think that it will produce a much-needed improvement in the law. I do not think that it is necessary for me to reiterate all the arguments in favour of the Bill which my hon. Friend has adduced.

My constituents are fortunate in that we have two excellent chambers locally: the Bournemouth chamber of trade and commerce and the Dorset chamber of commerce and industry. Both chambers perform an extremely useful local function.

I have one or two detailed concerns about the Bill which I shall flag up in case they may be dealt with in Committee. First, there is nothing in the Bill to provide for deregistration. That seems to be a defect. We have already heard from my hon. Friend that there have been turf wars on occasion in North Yorkshire and in east London. In future, an existing chamber may fall into desuetude and not enjoy the support of the majority of local businesses. If that were the case, an alternative chamber might be proposed by local business men who felt that they could do better than the existing chamber. There ought to be a mechanism by which a chamber can be deregistered. That is not present in the Bill, and I hope that my hon. Friend turns his mind to it.

In clause 2(2), the responsibilities on the Secretary of State to publish guidance are merely permissive—he "may publish guidance". In this day and age, there ought to be a mandatory responsibility for the Secretary of State to publish guidance, and I hope that that can be incorporated in the Bill. Similarly, he may publish guidance

"with respect to factors which may be taken into account in determining whether to approve the registration"

—but when?

The Bill does not refer specifically to chambers of trade—a description commonly used by many chambers. I have checked the relevant statutory instrument, the Company and Business Names Regulations 1981, and I see that the word "trade" is included. It may reassure members of the public—and existing chambers of trade—if the word "trade" is included in the Bill.

I now refer to the Secretary of State's responsibility in terms of the relevant representative bodies in clause 4. The bodies that he must consult are the "British Chambers of Commerce" and the "Scottish Chambers of Commerce". He can add or delete, but in dealing with local disputes, there should be a responsibility for the Secretary of State to gain some local knowledge.

The British Chambers of Commerce may know the national position, but not the local position in every part of the country. Therefore, there ought to be an obligation on the Secretary of State to consult local people where the registration is applied for—whether that should be the local authority, or even local Members of Parliament, I do not know. Having said that, I very much welcome the Bill and wish it well.

2.18 pm

**Mr. Nick St. Aubyn** (Guildford): I am pleased to support the Bill, and I was a supporter of the Bill proposed by my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) in the previous Session. One day, he may be in a position to support one of my Bills—if I am lucky enough to come as high in the ballot as he has.

I support chambers of commerce. My local chamber of commerce in Guildford, and the Surrey chamber, support the Bill. I support chambers of commerce because they stand up for the little guy. As big business reaches out across the world, it is harder for small companies to export. The role of chambers of commerce in helping exports is significant. They organise hundreds of overseas trade missions, securing nearly £1 billion a year of additional business for those who go on them. They also assist smaller companies with export documentation.

In other European Union countries, chambers of commerce are taken more seriously and have more power. As the single market develops, and with it opportunities for foreign companies over here, we must have a strong system of chambers of commerce to help our smaller companies develop their business opportunities across Europe and the rest of the world.

Some hon. Members are concerned about a bureaucratic burden. There is a role for the chambers of commerce in protecting smaller businesses and alerting them to the bureaucratic burden that has been the unfortunate penalty and consequence of the single market, which causes problems for many of our small businesses. We fought the good fight in my constituency to enable a small business in Cranleigh to carry on selling its brandy

*[Mr. Nick St. Aubyn]*

butter. In the past month, we have finally won that battle against the might of the European Commission. I look forward to the day when we have the help of stronger, even more vibrant chambers of commerce in Guildford and throughout the country when fighting such battles.

2.21 pm

**The Minister for Energy and Industry (Mr. John Battle):** I thank the hon. Member for South Cambridgeshire (Mr. Lansley) for bringing forward the Bill. He began by declaring an interest. I hope that he was proud to declare it, because he brings welcome and valuable experience to the Bill. The Government support the Bill. The speeches that have been made suggest that there is a consensus in the House in support of the Bill.

The term "chamber of commerce" and some other related titles are already declared sensitive under the Companies Act 1985. Their use is at the discretion of the Secretary of State. The British Chambers of Commerce is concerned that Companies House has no legal requirement to consult it on new applications for use of the title, although I understand that in practice that happens. The Bill will ensure that the Secretary of State consults the British Chambers of Commerce or the Scottish Chambers of Commerce when determining whether expressions such as "chamber of commerce", "chamber of trade" or "chamber of commerce, training and enterprise" may be used as part of a registered company or business name. The Bill provides for the names to be specified by statutory instrument under existing companies and names legislation. The link will help to advertise more widely to the business community that it needs to seek approval before a relevant name can be used for a company or business.

The term "chamber of commerce" comes from French. I understand that we are not allowed to speak French in the House and I shall not try to imitate a French accent. The term "chambre de commerce" was introduced in 1601. It came into the English language when the first chamber of commerce was founded in Jersey, the nearest territory to France, in 1768. The Glasgow and Belfast chambers were set up in 1789, with another chamber in Edinburgh and one in my city of Leeds—of which I am rather proud—in 1785. I received letters and petitions from the Leeds chamber of commerce inviting me to support the Bill. I am sure that other hon. Members received similar letters from their local chambers. I hope that all hon. Members will get behind their chambers of commerce and the hon. Member for South Cambridgeshire.

The Government support the Bill because it will provide a clear link with existing companies and business names legislation in providing that the Secretary of State will consult before determining whether to agree to the use of the titles, including the phrase "chambers of". The Bill also provides that the Secretary of State may publish guidance setting out the factors that he will take into account in reaching his decision. No existing organisations using the titles will lose the right to call themselves a chamber under the Bill.

The British Chambers of Commerce is working hard to ensure that standards among its members are high through an accreditation scheme, which I believe was introduced three years ago. A programme of quality and performance improvement has led to the creation of a core of 60 effective approved chambers, each of which meets stringent accreditation standards. I understand that only a few small and localised chambers continue outside the BCC. I encourage them to join the accreditation scheme, because it is vital to the competitiveness of the UK that the business community at local and national level can recognise quality services designed to enhance business competitiveness.

The role played by chambers of commerce at the local level cannot be underestimated. There are 120,000 business members in chambers nationally. Some 75 per cent. of them are in the five to 500 employee range and some 40 per cent. of them are exporters. They have the largest representative base of SME businesses in the country.

The Government fully recognise the work of the British Chambers of Commerce and see it as a valuable partner in the work that we are doing in progressing the competitiveness agenda that we set out in the White Paper just before Christmas. The chambers work at local level but, through their local work, they advise the Government, at the national level, on the complex and varied interests and issues that concern business on the ground, and their contribution is vital in Departments across Whitehall. They are a major partner in the business link network, which is a key deliverer of business support services, and are fully involved in the drive to ensure that high-quality, appropriate and effective business support is available to all businesses.

The national campaign for enterprise, led by the BCC, is an exciting and valuable exercise in spreading the enterprise message to produce a rather more entrepreneurial culture, which also gives advice on where to go for the best advice and back-up.

A major part of the BCC's work centres around increasing the export potential of UK companies, and chambers of commerce nationally are involved in over 170 missions to over 100 countries each year, which have resulted in follow-up business of over £745 million. That is a major contribution to the economy. We hope that they will participate fully in the setting up of the regional development agencies—they have work to do there.

The Government are happy to support the British Chambers of Commerce through the Bill, which will provide a clear link with existing legislation on the protection of business and company names. It is encouraging that the Bill is receiving support from all parties and, I hope, all hon. Members. The chambers of commerce are seriously valued as a contributor to the Government's initiatives. They have worked continually and enthusiastically to introduced accreditation systems. The Bill echoes steps that the Government are taking to ensure that businesses receive the representation and assistance needed to ensure increased competitiveness in our economy.

Statutory recognition of the title "chamber" will give a moral boost to the cause of quality support to businesses. We owe thanks to the hon. Member for South Cambridgeshire for his patient efforts in developing the Bill and tackling this small but vital matter.

*Question put and agreed to.*

*Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).*

## Energy Efficiency Bill

*Order for Second Reading read.*

2.28 pm

**Mr. Clive Efford** (Eltham): I beg to move, That the Bill be now read a Second time.

The Bill went through its Committee stage in the last Session of Parliament, and has received support from hon. Members on both sides of the House. It has the support of the Intermediary Mortgage Lenders Association and the Consumers Association, and has widespread support outside the House.

2.29 pm

**Mr. David Maclean** (Penrith and The Border): This is an important measure which, although it was considered in the last Session, needs to be considered again today. Thomas Threadgold, the engineer who was born in 1787 and died in 1829, devoted his spare time, while still an apprentice, to the study of mathematics and architecture. During his career, which included carpentry, he continued to study science and engineering. One legacy of that was his book "Principles of Warming and Ventilating Public Buildings", which contains the following:

"One of the most valuable arts which Divine Goodness has placed within our reach is that of producing and distributing heat. Destitute of this power, the condition of man in the world would not be much superior to that of the lower animals. It is a power that adds to our comfort anywhere, but acquires an additional value in the cold and variable climate of Britain. Hence, the art of applying heat has been studied with attention, and illustrated with talent, while it has been practised by men of no ordinary skill. Yet there still appears to be a field sufficiently open for new and useful researches".

*It being half-past Two o'clock, the debate stood adjourned.*

*Debate to be resumed on Friday 5 March.*

## Remaining Private Members' Bills

### ENERGY CONSERVATION (HOUSING) BILL

*Order for Second Reading read.*

**Hon. Members:** Object.

*Second Reading deferred till Friday 5 March.*

### PROPHYLACTIC MASTECTOMY REGISTRY BILL

*Order for Second Reading read.*

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Not moved.

### COMPUTER MILLENNIUM NON-COMPLIANCE (CONTINGENCY PLANS) BILL

*Order for Second Reading read.*

**Hon. Members:** Object.

*Second Reading deferred till Friday 12 March.*

### ACCESS TO ENVIRONMENTAL INFORMATION BILL

*Order for Second Reading read.*

**Hon. Members:** Object.

*Second Reading deferred till Friday 23 April.*

### FINANCIAL SERVICES AND MARKETS

*Ordered,*

That a Select Committee of eight Members be appointed to join with a committee to be appointed by the Lords, to be the Joint Committee on Financial Services and Markets, to report on the consultative document on the draft Financial Services and Markets Bill presented by Her Majesty's Command on 21st December 1998 and any further draft of the Bill which may be laid upon the Table of both Houses by a Minister of the Crown;

*Ordered,*

That three be the quorum of the Committee;

*Ordered,*

That the Committee shall have power—

(i) to send for persons, papers and records;

(ii) to sit notwithstanding any adjournment of the House;

(iii) to report from time to time;

(iv) to appoint specialist advisers;

(v) to adjourn from place to place within the United Kingdom;

(vi) to communicate to any Select Committee appointed by either House its evidence and any documents of common interest;

*Ordered,*

That the Committee shall report by 30th April 1999;

*Ordered,*

That Mr. Nigel Beard, Mrs. Liz Blackman, Dr. Vincent Cable, Mr. David Heathcoat-Amory, Mr. David Kidney, Mr. Tim Loughton, Mr. James Plaskitt and Mr. Barry Sheerman be members of the Committee.—*[Mr. Dowd.]*

*Message to the Lords to acquaint them therewith.*

# Waste Disposal (Essex)

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Dowd.]*

2.31 pm

**Mr. Alan Hurst** (Braintree): I am pleased to be able to raise this important subject in the House, and I am especially grateful to the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), for appearing so late in the parliamentary week to respond to the debate.

The Essex local waste disposal plan has been a number of years in incubation, but it finally bore fruit in October last year. A period of consultation that was to have ended in January has been extended by a further six months. I wish to draw the House's attention to the plan's primary objective, which is

"to achieve a balance between

a) adequate provision of necessary waste management facilities and

b) safeguarding the environment of Essex and the quality of life of its residents."

I hope to argue that, unfortunately, the county council and the borough of Southend-on-Sea have failed to achieve that balance.

In many ways, waste management and waste disposal have haunted me throughout my public life. Up to April last year, I had the privilege to represent the Orsett and Stifford division on Essex county council. That division is part of the borough of Thurrock, which for many decades has been the main resting place for millions of tonnes of waste and rubbish from all over the country.

That was borne in on me when I was first selected as a candidate for the county council elections. I went to a housing estate and one of the residents said, "This is a wonderful estate, Mr. Hurst. In front of us we have a nature reserve." I looked in front of me and saw a deep depression in the ground, with trees on its banks and a small lake in the basin of the depression. According to the developers, that was a nature reserve.

A few weeks later, the excavators and lorries arrived, because an old gravel extraction consent was still extant. The nature reserve regenerated itself pretty quickly and returned back to gravel, but the intention was to use it for waste disposal. Historically, waste disposal and mineral extraction have always been inextricably linked. That is especially true in the county of Essex, which has large amounts of gravels to extract. It still has some marshes, but its greatest misfortune is to be very close to London.

For centuries, Londoners have disposed of their waste in Essex. That disposal began on the marshes, but it moved further and further down to the River Thames estuary and then spread into the county itself. We must break the link that allows London to export its waste to Essex in complete defiance of the agreed principle of proximity. London exports half its waste to our county. By 2010, we are told, it expects to deal with its own waste, but there are fears in Essex about whether that objective will be achieved. At present, for example, there is a moratorium on incineration in London. Unless London achieves its high recycling targets, there will be only one place for its waste to go—Essex.

The Essex waste plan is particularly attractive to London. It is based on a small number of major sites, which, by their nature, lend themselves to incineration. When I read about these matters, I come across the phrase "hierarchy of waste management". It puts one in mind of the House of Lords, although I shall not tread too far into that matter. If landfill is a life peer, major sites with incinerators must be dukes: they last an awful lot longer, and they cost an awful lot more.

We are to reach optimistic recycling targets. Optimism is a terrific human quality, but we are expected to reach 25 per cent. by 2000, which is 10 months away, and 40 per cent. by 2008. The Essex waste plan assumes that landfill will account for 60 per cent. of waste, with 18 per cent. dealt with by recycling and reduction.

The policy is based on major sites, and I believe it to be flawed. I have been supported in that view by the hon. Members for Colchester (Mr. Russell) and for Maldon and East Chelmsford (Mr. Whittingdale), who send their apologies for not being here today.

**Mrs. Eleanor Laing** (Epping Forest): I, too, support the hon. Gentleman, and I agree with his well-considered and well-argued case.

**Mr. Hurst:** I am most grateful. Opposition to the county waste plan is fairly widespread. Of the 12 district councils in the county, 10 have formed a consortium, including the councils that cover the constituencies of the hon. Member for Epping Forest (Mrs. Laing) and my hon. Friend the Member for Castle Point (Mrs. Butler). The 10 councils have instructed a consultant to devise an alternative scheme to that put forward by the county and by the borough of Southend.

The primary arguments against major sites are that they are a disincentive to recycling, and that they defeat the proximity principle. A large site with an incinerator is an expensive capital investment for a commercial company, and the company will require a continuing supply of waste.

**Mrs. Christine Butler** (Castle Point): I agree with all that my hon. Friend has said. The problem is exacerbated by the fact that London is not realistic about its waste disposal. London may be over-aspirational and under-realistic, but Essex and the surrounding counties are put under greater pressure to deal with London's waste. That is the nub of the problem. Essex has always been rich in landfill sites and, when I visit landfill sites in the south, I see the arrival of load after clearly marked load from London boroughs. I fear, as my hon. Friend fears, that that will continue, and that, once the landfill sites are full, the waste will go to major sites, possibly including incinerators.

**Mr. Hurst:** I am grateful to my hon. Friend, who takes the same view as the hon. Member for Epping Forest, that, by their nature, such sites will attract imports of waste into the county. They defeat the principle of proximity and they are bound to militate against recycling and reduction. They are in every way contrary to what I understand to be the Government's objectives for waste disposal.

A better approach would be to encourage recycling and reduction and to have a number of small sites, so that each locality can deal with its own waste. That argument must

also apply to London, which needs to take account of its own waste disposal questions and to devise a plan which, to use a somewhat over-used word, is sustainable. I understand that to mean a plan that would work for some time to come.

Rivenhall is mentioned in the title of this debate. It is a site in my constituency, but the arguments that I will use for it not to be used for waste disposal must apply to many other sites listed in the Essex waste plan. The Rivenhall site was formerly agricultural land. Strangely, it is designated as a brown-field site, although any one who goes there will see, if not 40 shades of green, a considerable number, because it is primarily still an agricultural area. During the second world war, it was an airfield from which the Air Force flew during the bombing of Germany. After the war, it reverted to agricultural use and that is predominantly what it remains today.

**Mrs. Laing:** I thank the hon. Gentleman for giving way again. I am sure that it is not a coincidence that in my constituency such a site is planned for North Weald airfield, from which bombers also flew during the battle of Britain. It would be far better to preserve it as an airfield than use it as a waste management site. Once again, I agree with the hon. Gentleman.

**Mr. Hurst:** I am grateful to the hon. Lady for pointing that out.

The Rivenhall site is in a completely rural setting, surrounded by the small and historic villages of Bradwell, Kelvedon, Coggeshall and Stisted and, finally, a village that at least Labour Members may know, Silver End, which was founded by the Crittall family as a model village. Indeed, Sir Valentine Crittall was my predecessor in the 1920s. That model village is within half a mile of the proposed site.

The access to the site is by small, narrow, country lanes. It is close to the river Blackwater. Imagine what may occur if a vast incinerator is placed on the site. I had the opportunity of seeing a scale model of an incinerator, with a model of a London bus next to it. The bus looked like a Dinky toy in comparison. I fear that the incinerator will dominate the landscape to such an extent that the whole character of that attractive area will be changed for ever.

I fear that people will argue that the site is not that far from a major road, the A120, which has figured in the Government's road programme. Indeed, consent was given for dualling that road in the programme, for which I was most grateful. However, dualling is to take place between Braintree and Stansted. The location that I am discussing is east of Braintree, on a stretch of the A120 where there are no proposals for improvement and where the road is two-way and already overcapacity. It has been the scene of serious accidents. Recently, the chairman of Braintree district council was involved in a most serious accident, from which he has fortunately recovered, within half a mile of the proposed site.

By its nature, a major incinerator site will increase traffic movements. If the road is already overcapacity, it will create a dangerous and unhealthy situation for local residents. There is no guarantee that lorries will even use the A120. It is open to them to work their way up country lanes to the rear of the site, thus avoiding a journey of several miles.

**Mrs. Laing:** I thank the hon. Gentleman for giving way again. Does he agree that the plan published by Essex county council has almost carelessly failed to consider the effect of some waste sites on small local roads?

**Mr. Hurst:** I am pleased again to agree with the hon. Lady. The position at Rivenhall is in some ways stranger that at other sites. There was a similar proposal for a major landfill site with a rail link in 1995. Local community objections were so strong that there was an exhaustive 17-day public inquiry at the Silver End hotel. The proposal concerned the same location and there was universal opposition. Everything was the same as with the present proposals. The recommendation was refusal.

I can do no better than to quote the inspector's report, which stated:

> "I conclude there are visual, heritage, amenity, traffic and ecological objections to appeal proposals, all found in discord with the development plan".

That was said in 1995 about a similar large-scale waste disposal proposal. Nothing can have changed in the three years since. It is difficult when local residents ask why we had an expensive public inquiry, with all that research and erudition, if a variation of the same scheme was to be proposed within three years.

I know that the Minister will take account of the representations that other Essex Members and I have made today. It is not immediately for her to take a view, but it may ultimately be. I hope that I have shown that there is real concern and distress in Essex about the proposals. Essex is increasingly united against them, and they do not fit with the county's own waste management objectives. In due course, we hope that they will be rejected and that the alternative scheme that is being prepared by the consortium of districts will prove a better solution.

2.48 pm

**The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson):** I congratulate my hon. Friend the Member for Braintree (Mr. Hurst) on securing this debate. Clearly, plans for the management of waste in his area are an issue of great importance. That was underlined by the contributions of my hon. Friend the Member for Castle Point (Mrs. Butler) and the hon. Member for Epping Forest (Mrs. Laing), and the support of the hon. Member for Colchester (Mr. Russell), who is not here.

Early in his contribution, my hon. Friend the Member for Braintree said that Essex had a particular problem because of its proximity to London. He is right in saying that half of all waste currently landfilled in Essex comes from the capital. Serplan—the south-east regional planning conference—guidance recommends that London should be expected to halve its export of waste by 2005 and manage all its own wastes by 2010. It will take time to develop the necessary strategic approach, with challenging targets underpinned by realistic programmes. That is why the creation of the Greater London authority and the new mayor will be so important in tackling this issue. The mayor will be required to produce a municipal

*[Ms Glenda Jackson]*

waste strategy for the capital in consultation with all bodies affected, including Essex and Southend councils. In the meantime, we are anxious that neighbouring waste authorities such as Essex and Southend should recognise that there is a continuing need for some landfill outside the capital for treated waste.

As my hon. Friend the Member for Braintree said, this debate relates to the Rivenhall-Essex waste disposal plan, and I am sure that he is aware that our right hon. Friend the Secretary of State for the Environment, Transport and the Regions has the power to intervene in a plan process at any stage up to the time the plan is adopted. That quasi-judicial role means that it would be improper for me to comment on the merits of the Essex and Southend waste local plan. However, on the extent to which Government policy on waste matters is generally likely to develop, it might be helpful to the House if I were to outline our intentions during 1999.

First, we aim to issue new planning guidance on waste management. Current guidance on that subject and on the drafting and adoption of local waste development plans is contained in the Government's planning policy guidance note 23. That guidance is being revised, and drafts of the new guidance, PPG10, were circulated for consultation in 1997–98. The new guidance will be published as soon as is practically possible and it should come into effect before the end of 1999. It should assist authorities in the preparation of their waste development plans and the determination of planning applications for waste management facilities. It will also provide specific advice on the criteria for siting facilities.

Both PPG23 and the emerging PPG10 encourage taking account of the waste hierarchy—which cannot necessarily be compared to the hierarchy seen at the other end of the Corridor, as my hon. Friend said—when preparing plans. The hierarchy currently comprises, in descending order of merit: reduction, re-use, recovery—recycling, composting and energy recovery—and disposal. The need to revise that sequence will be considered in the Government's new waste strategy, but it is important that the hierarchy is used flexibly.

Secondly, the Government are currently developing guidance for regional planning and technical planning advisory bodies, which has just been published as a consultation draft PPG11. That guidance will have some impact on waste planning issues.

Thirdly, at the beginning of last year, the Government announced their intention to review the previous Administration's waste management strategy for England and Wales. In June, we published a consultation document, "Less Waste: More Value", which included our initial views on issues such as waste reduction and the likely need for a substantial increase in re-use, recycling, composting and incineration with energy recovery in the coming years. The consultation exercise ended last September, since when we have been developing our new waste strategy. A draft of the new strategy will be published later this spring for further consultation and we intend to publish the final version before the end of 1999.

The Government's vision for the new waste strategy has seven key commitments, including substantial increases in recycling and energy recovery; engagement of the public in increased re-use and recycling of household waste; a strong emphasis on waste minimisation; and use of the waste hierarchy as a guide, not as a prescriptive set of rules. The Government are committed to sustainable development in which environmental, economic and social objectives are combined; that involves protection of the environment and prudent use of natural resources. Our main objective in developing the waste strategy will be to ensure that waste management in England and Wales plays a full part in the search for greater sustainability.

Policy is also evolving on the European front. The draft European Union landfill directive reached a common position last year and has now received its Second Reading in the European Parliament. The current text of the directive ensures tight regulation of landfill sites and sets diminishing limits on the landfill of biodegradable municipal waste. It also requires all wastes to be treated before they are landfilled and bans the landfilling of certain wastes altogether. It will require the development of other methods of treating banned wastes—reduction at source, recycling or composting, or incineration with energy recovery.

We are currently considering a number of options for meeting the targets in the directive, such as limits on the amount of biodegradable waste that individual landfill sites can accept, or issuing permits to local authorities for the waste to be sent to landfill. Assuming that the directive is finally adopted this summer, we plan to publish proposals for meeting the targets and implementing the other requirements of the directive later this year.

The European Commission has formally proposed a waste incineration directive and a directive amending the hazardous waste incineration directive 94/67/EC to include waste water discharge standards. As part of discussions of the proposals in the Environment Council working group, the current German presidency of the EU is seeking to combine them with the existing hazardous waste incineration directive. This would produce a single directive setting tough standards to control emissions to air, water and land from virtually all waste incineration processes. The presidency hopes to reach a common position on such a proposal by the end of June this year.

Despite the impending changes in policy waste disposal, authorities are under a legal obligation to draft and review waste development plans, and these must take account of contemporary Government guidance. It would be unfair to require planning authorities to take into account guidance that has not yet been published. Thus we would expect waste disposal authorities, such as Essex and Southend, that are now bringing forward plans to take account of PPG23 the White Paper "Making Waste Work" and the consultation document "Less Waste: More Value".

As stated in "Less Waste: More Value", we are committed to reducing our reliance nationally on landfill, to greater emphasis on waste minimisation and to substantial improvements in recycling and recovery rates according to the best practicable environmental option available for each waste stream in each area. The Government also believe that high levels of energy from waste and recycling are compatible and that each has its place in the hierarchy of waste disposal. Waste management decisions should also take account of the principles of proximity and self-sufficiency.

Final disposal of waste, generally through landfill, makes little practical use of waste, so it is, in principle, the least desirable waste management option. It is important that we consider other ways of disposing of waste. That will require developments in the treatment of waste by reduction at source, recycling, composting or incineration with energy recovery, which—as I have said—are all in the waste hierarchy. We must plan for the introduction of new technologies and new infrastructures that will enable us to make progress in meeting what are likely to be stringent targets under European Union directives.

The Government believe recycling is critical to the task of making our waste management more environmentally acceptable, and are committed to a substantial increase in the role it plays in this country. To this end, we keenly encourage local authorities and businesses to increase recycling and expand public education on recycling issues.

Source segregation is a common feature of the waste systems of countries with higher recycling rates; but those rates have sometimes been achieved at a very high cost, with increased transport use and insufficient development of end markets for the recycled material. However, the Government believe that a concerted effort is needed to overcome those problems and that a system based on source separation of waste and kerbside collection could provide substantial environmental advantages. The Government also consider that there is scope for local authorities to work towards longer-term contracts for recycling, possibly on a consortium basis, to overcome some of the uncertainties about price fluctuation.

Another priority for the Government is setting and enforcing a high environmental protection standard for incineration. We are of the opinion that incineration with energy recovery should not be undertaken without consideration first being given to the possibility of composting and material recycling. However, alongside a move to a higher level of recycling, a move to a higher level of incineration with energy recovery is necessary over the next 15 years in order to develop a more sustainable waste management system.

On the Essex and Southend waste local plan, I note my hon. Friend's concern at the inclusion of Rivenhall airfield among the major waste management sites. I recognise that people would prefer not to live next door to a landfill site or in close proximity to an incinerator. That means that waste strategies centred around such facilities have to be imposed on reluctant neighbourhoods or located far from human settlements, and in both cases there are often environmental problems arising from noise and traffic movement. That was pointed out by my hon. Friend and the hon. Member for Epping Forest. Whatever progress can be made on recycling and local processing of waste, disposal facilities will still be required, at least in the short term.

Sites for major waste management facilities and landfill sites are specifically proposed in a waste plan to provide clear guidance when applications for planning permission are submitted and to encourage provision of perhaps controversial but none the less necessary facilities. There is no intention to prescribe the nature of the process possible on each site.

In relation to a plan's overall strategy, the selection of sites must in the first instance be a matter for consideration and debate at the local level. I am aware that the Rivenhall airfield site was the subject of a major scheme for sand and gravel extraction and landfilling of domestic and commercial waste—a scheme that was rejected on appeal in 1995 following a public inquiry. That does not prevent the waste planning authority from identifying it as a suitable location for a major waste management site in the waste local plan.

However, much more information would be required, including environmental assessment where appropriate, and that can be considered in principle and detail only when proposals are made at the planning application stage. As with any representations on the plan strategy itself, dissenting views on the merits of individual sites identified in the plan should be conveyed to Essex and Southend councils, and objections put before the inspector at the public inquiry.

*Question put and agreed to.*

*Adjourned accordingly at one minute past Three o'clock.*

# House of Commons

*Monday 1 March 1999*

*The House met at half-past Two o'clock*

PRAYERS

[MADAM SPEAKER *in the Chair*]

## REVIEW OF THE REVISIONS TO THE AVERAGE EARNINGS INDEX

*Resolved,*

That an humble Address be presented to Her Majesty, That she will be graciously pleased to give directions that there be laid before this House a Return of the Report on the revision of the average earnings index, conducted by Sir Andrew Turnbull and Mr. Mervyn King.—[*Mr. Dowd.*]

# Oral Answers to Questions

## CULTURE, MEDIA AND SPORT

*The Secretary of State was asked—*

### Public Bodies (Equal Opportunities)

1. **Ms Karen Buck** (Regent's Park and Kensington, North): What progress is being made towards increasing the representation of women and people from ethnic minorities on bodies sponsored by his Department. [72088]

**The Secretary of State for Culture, Media and Sport (Mr. Chris Smith):** Over the 12 months to February, the number of women and people from ethnic minorities appointed to my Department's public bodies has risen in percentage terms from 27 to 30 per cent. and 2.1 to 3.2 per cent. respectively. From September 1998 to date, we have done even better. Fifty-five appointments have been made, of which 23—42 per cent.—were women and four—8 per cent.—were from ethnic minorities.

**Ms Buck:** I congratulate my right hon. Friend on his achievements so far, although there is still some way to go. Does he agree that strong civic leadership is one of the most effective ways in which we can tackle social exclusion? Representation on appointed bodies is one of the most important ways in which we can recognise that civic leadership, so may I urge him to make further progress, particularly on the representation of members of the black and minority ethnic communities? Will he ensure that representatives are drawn from a wide and diverse range of communities, rather than including only people who have already achieved some celebrity and status in their chosen fields?

**Mr. Smith:** My hon. Friend makes a valid point with which I agree entirely. In the light, in particular, of recent events, it is extremely important to ensure that people from ethnic minority communities can take positions of leadership in a variety of bodies sponsored by the Government. That can add to the harmony of good race relations in the United Kingdom, for which all of us wish to strive.

### National Lottery

2. **Mr. Crispin Blunt** (Reigate): If he will make a statement on the regional distribution of projects funded by the national lottery since its initiation. [72089]

**The Minister for Sport (Mr. Tony Banks):** Some regions have benefited more than others from the lottery. We are determined to see lottery funds allocated fairly and equitably in the light of need across all regions of the UK. Measures in the National Lottery Act 1998 and recent changes in policy directions to the distributors will help to achieve that.

**Mr. Blunt:** I am grateful to the Minister. Reigate holds the unenviable position of being 656th in the list of constituencies receiving lottery money. Some constituency must hold that position, of course, but the south-east has received only 60 per cent. of what might be termed fair distribution. Can the Minister assure me that when I write to support lottery applications, it is in order for me to make a point of the standing of Reigate and the south-east in the hope that committees will take them into account in making distribution fairer across the country?

**Mr. Banks:** I well understand the problems that Reigate has to cope with. The hon. Ge[illegible]n is right. I have read the figures, and funding in Reigate is £62 per head while the UK average is £103. Reigate seems to have done particularly badly, receiving only 15 awards so far. [HON. MEMBERS: "Disgraceful."] Hon. Members say that it is disgraceful, but other constituencies may argue that their cases for funds are more persuasive than Reigate's. However, getting behind lottery bids from their constituencies is an important function of Members of Parliament. Although I cannot guarantee that their support will necessarily mean success, giving support is better than doing nothing.

**Mr. Dennis Skinner** (Bolsover): Does my hon. Friend recall that for many years my hon. Friend the Member for North-East Derbyshire (Mr. Barnes), myself and others who represent constituencies in the east midlands region and the county of Derbyshire, often drew attention to the fact that North-East Derbyshire was bottom of the list, Bolsover not much higher and Chesterfield in the same group. It looked as though the Tory Government were deliberately picking on three members of the socialist Campaign group. Is it not a bit rich of that Tory, the hon. Member for Reigate (Mr. Blunt), to be moaning and wittering? The Tory Government handed out £13 million for the Winston Churchill papers, and more for opera companies and all the rest of it. If the boot has been put on the other foot, that is no bad thing.

**Mr. Banks:** If the boot is on the other foot, my hon. Friend certainly knows how to put it in. I can assure him that I, least of all hon. Members, would wish to discriminate against his constituency and against good socialists in Derbyshire—[*Interruption.*] I am going to

Derbyshire soon and very much look forward to it. The coalfields task force report has drawn attention to the lack of resources going into the coalfield sites, and we are determined to do something about that.

### New Opportunities Fund

3. **Dr. Ian Gibson** (Norwich, North): When the new opportunities fund will be able to accept applications in respect of out–of–school-hours activities. [72090]

**The Secretary of State for Culture, Media and Sport (Mr. Chris Smith):** The new opportunities fund was formally launched on 29 January. Applications for the out-of-school-hours child care programme will be invited in early March and the out-of-school-hours learning activities programme will open for applications in early April.

**Dr. Gibson:** Will my right hon. Friend tell us what steps he is taking along with colleagues to engender enthusiasm among the teaching profession for out-of-school initiatives? Will he also encourage the teaching of politics, particularly of the left-wing sort, in the after-school clubs, to prevent for ever in Norwich such phrases as "There's no racism here"?

**Mr. Smith:** There is already enormous enthusiasm in schools throughout the country for the out-of-school initiatives, and many local communities and schools are champing at the bit to get in their applications. As for the second part of my hon. Friend's question, I am afraid that I cannot give him comfort on the teaching of any one political view in the after-school clubs. However, I very much hope that the clubs will include a wide variety of learning activities as well as sport and drama, all of which help greatly to fulfil the development of individual children.

**Mr. Richard Spring** (West Suffolk): Can the right hon. Gentleman confirm that the amount of the "raid"—his word—to bolster the new opportunities fund at the expense of existing good causes, including sport and the caring charities, will be fully £3.7 billion by 2005? Does he understand that that raid simply replaces core Government spending responsibilities?

**Mr. Smith:** No, and no. I do not recognise the £43 billion figure that the hon. Gentleman cites. He will know that it is firmly expected that each of the existing good causes for the arts, sport, charities and heritage will receive £1.85 billion during the present franchise of the lottery. That is what they were promised at the outset—in fact it is better—and that is what they will receive.

**Mr. Alan Keen** (Feltham and Heston): I recall my right hon. Friend in 1998 praising the value of children's play, saying that he would get support not only from his Department but from other Departments. What progress has been made to date?

**Mr. Smith:** We have already ensured that a number of lottery distributors, including the Sports Council, the heritage fund and the National Lottery Charities Board will be able to fund children's play initiatives—indeed, those bodies are already doing so. We have issued a leaflet to organisations involved in children's play to explain how they can gain access to those funds and, as part of the next round of new opportunities fund initiatives, we have proposed a green spaces and sustainable communities initiative, which will specifically include funds earmarked for children's play.

**Mr. David Heath** (Somerton and Frome): Can the Secretary of State ensure that such provision is available for people who live in rural as well as those in urban areas? The difficulties of children in rural areas are, first, that there are fewer people with whom to participate; secondly, unit costs are higher; and, thirdly and most importantly, it is difficult to get to and from the school and home. Will the right hon. Gentleman ensure that his programme tackles those issues?

**Mr. Smith:** Yes. The hon. Gentleman makes an extremely valid point. Like the other lottery distributors, the new opportunities fund has a duty, under the new directions that I have issued, to pay particular attention to the needs of areas of social deprivation, which specifically include such areas in rural as well as urban settings.

### Hospitality and Tourism Industries

4. **Ms Ann Coffey** (Stockport): What his plans are for improving the competitiveness and quality of service of the UK hospitality and tourism industries. [72091]

**The Minister for Tourism, Film and Broadcasting (Janet Anderson):** "Tomorrow's Tourism", the new strategy which we published on 26 February, contains a number of recommendations for action by central and local government, the tourism industry and other key players to improve the competitiveness and quality of the industry, and thus make it a world leader. A copy of the strategy has been sent to every hon. Member.

**Ms Coffey:** I very much welcome the new tourism strategy and, in particular, the proposal to sign up 500 new employers to work towards Investors in People, which will improve the quality of training in the industry. Does my hon. Friend agree that towns such as Stockport, with its many attractions, such as the largest railway viaduct in Europe, are sometimes overlooked in the contribution that they make to the United Kingdom tourist industry?

**Janet Anderson:** I assure my hon. Friend that our strategy document "Tomorrow's Tourism" welcomes the contribution of industrial heritage around the country, particularly in her constituency. I thank her for her welcome for the new drive to sign up 500 employers towards the Investors in People standard to help raise the quality of training in the industry.

**Mr. David Ruffley** (Bury St. Edmunds): Can the Minister tell business men and women in my constituency who work in the tourist industry why they feel that they have become worse off in the past 12 months as a direct result of increased tax and red tape under this Government?

**Janet Anderson:** I refer the hon. Gentleman to the very warm welcome given the strategy by Michael Jolly,

chief executive of Two Swords, a successful attraction company. He said:

"I greatly welcome this new strategy which addresses the needs of tourism businesses of all types and places them exactly where they belong—in the mainstream of British industry."

It appears that Mr. Jolly does not agree with the hon. Gentleman.

**Mr. Derek Wyatt** (Sittingbourne and Sheppey): Will my hon. Friend reconsider how signage is coloured on our motorways? It is coloured a dirty brown which does not help give a valuable sharp new image of Britain.

**Janet Anderson:** As ever, my hon. Friend makes an interesting suggestion. It might be expensive to change the colour, but we will note his comment.

**Mr. Peter Ainsworth** (East Surrey): What does the Minister have to say to the British Incoming Tour Operators Association, which says of the Government's playfully coloured strategy document that Ministers have lost the plot? I do not think that it was referring to the Home Secretary, who is clearly doing his bit for French tourism. Is not the document's main effect to marginalise England within the United Kingdom? Who asked for that? What is the point of a tourism strategy document that fails to address any of the key issues raised by the industry—red tape, bureaucracy, the working time directive, the part-time workers directive, the parental leave directive and the national minimum wage?

**Janet Anderson:** As ever, it is the hon. Gentleman who has lost the plot. It is rich for him to accuse us of marginalising England when it was the Conservative party which reduced funding for English tourism from £25 million to less than £10 million. The strategy has been widely welcomed. It is the first time that the Government have produced a comprehensive strategy of this sort. It was welcomed warmly by the industry in consultation with which, for the first time, it was drawn up.

**Mr. Cynog Dafis** (Ceredigion): Cannot the growth of tourism in some ways be problematic for the natural environment? I am thinking of the growth of traffic and transport. What is the Department doing to make tourism and its development compatible with the principles of sustainability? Is the Green Minister in the Department doing any specific work on this?

**Janet Anderson:** I assure the hon. Gentleman that one of the action points in our 15-point action plan referred specifically to that. It produced a blueprint for the sustainable development of tourism to safeguard our countryside, heritage and culture for future generations. I draw his attention to the support for the strategy of my right hon. Friend the Minister of Transport, who recognised why the transport system is so important and pointed out that some of the things that we are trying to do will make a major contribution to encouraging tourism.

**Dr. George Turner** (North-West Norfolk): Does my hon. Friend agree that, apart from accommodation, what British tourism needs more than anything else is better training for staff? Will she therefore congratulate Searles of Hunstanton on being leaders in introducing a national vocational qualification in running caravan parks? Will she do all that she can to encourage all those involved in tourism to ensure that staff are trained far more thoroughly than in the past?

**Janet Anderson:** I assure my hon. Friend that we recognise the importance of that. One of the strategy's main points is to help tourism change from being an industry that has perhaps been perceived as providing low-wage, temporary employment with no career structure or proper training. That is why one of the 15 action points is a new drive to sign up 500 employers to work towards the Investors in People standard. I congratulate the company that my hon. Friend mentioned on its contribution.

## Professional Sporting Bodies

5. **Mr. Simon Hughes** (Southwark, North and Bermondsey): What steps he proposes to take to ensure the autonomy of the professional sporting bodies; and if he will make a statement. [72093]

**The Minister for Sport (Mr. Tony Banks):** Professional sporting bodies in this country are independent and autonomous, and the Government fully support that principle.

**Mr. Hughes:** I am reassured by that answer and wonder whether, on reflection, the Minister accepts that the comments that he and the Prime Minister made a few weeks ago, which effectively amounted to kicking an English manager when he was down, were entirely inappropriate. The hon. Gentleman is a respected Minister for Sport, and I put it to him seriously that that was a bad mistake. Will he guarantee that in future no Minister will try to decide who will be the captain of England's football team, or of any other team representing any of the countries of the United Kingdom?

**Mr. Banks:** The hon. Gentleman comes rather late to the event, and it did not happen as he describes. Both my right hon. Friend the Prime Minister and I were asked to comment on a matter that was, after all, being discussed up and down the country. It would have been odd if neither my right hon. Friend nor I had had an opinion; if we had had no opinion, we would have been condemned for being out of touch. I might add that dealing with such situations is difficult: it is rather like trying to walk on eggshells while wearing swimming flippers—a difficult task in which one does not always succeed. The incident was an unfortunate one; it was for the Football Association to take the final decision and we support that decision. We wish Kevin Keegan great success for the future and hope that the search for a more permanent England manager is successful.

**Mr. John Maxton** (Glasgow, Cathcart): Although I agree that professional sporting bodies should be autonomous, as often as not they are part of the broader governance of that sport. Does my hon. Friend agree that such bodies cannot be totally autonomous, given that they receive large sums of public money through the lottery,

sports councils and local government education authorities? Therefore, in respect of broadcasting, should not the Government ensure the widest possible viewing of those sports by the widest possible audience, rather than leave it to those governing bodies alone to decide who will broadcast their sport?

**Mr. Banks:** I agree strongly with the first part of my hon. Friend's question. The Government do not want to dominate or instruct sports bodies—that is not our job; however, there is a role for Government in partnership with the governing bodies of sport. My hon. Friend is correct to say that such bodies receive millions of pounds of Exchequer grants channelled through the sports councils, so they have a responsibility to develop their own sport, to ensure that it flourishes, and to make sure that they are accountable and operate efficiently. That is why my Department set up Quest—quality excellence standards team—which will assist sports bodies to become more efficient and accountable. The trouble is that one of the greatest things that we have given the world is most of the modern sports. We did that during the 19th century and quite a few of our governing bodies still have structures that are rooted in the 19th century, which is not appropriate as we enter the 21st century.

As for the televising of events, there is a balance to be struck. Governing bodies want to generate more income for their sport, which they can achieve through televising, but, in certain cases, that might be seen as restricting television access. However, most people would argue that there is now more sport on television than has ever been seen before, and I look forward to seeing even more.

**Mr. Nick Hawkins** (Surrey Heath): I welcome the Minister's announcement that he supports the autonomy of sports bodies, but does he recognise that, in certain cases, the partnership he mentioned requires greater intervention, especially in relation to rugby union? Recently, great concern has been aroused by, for example, one club trying to take over another in a completely different area, which might damage fans' interests. I know that the Minister paints himself as the fans' friend, so will he carefully consider such problems? Concerns have been expressed by hon. Members on both sides of the House and by our constituents about what has recently been going wrong in rugby union.

**Mr. Banks:** I am grateful to the hon. Gentleman for asking that question, which gives me the opportunity to congratulate the England women's rugby team on beating Scotland on Sunday. I was at the game and saw some very enjoyable rugby. I encourage people to go to see women's rugby.

We can give advice and assistance directly to governing bodies in certain areas—and we certainly did that with regard to the RFU and the five nations competition. There are several other areas of concern regarding the takeover of clubs. The Government clearly have a role to play in representing the public interest, but I am sure that the hon. Gentleman recognises that we must balance interference with taking no interest in the issues. We are trying to strike that balance and, with the hon. Gentleman's help, we will succeed.

## After-school Clubs

6. **Mr. Syd Rapson** (Portsmouth, North): What plans he has to offer sporting activities at after-school clubs. [72094]

**The Minister for Sport (Mr. Tony Banks):** I hope that activities offered may include sporting and outdoor learning activities, and structured, learning-oriented play. The amount allocated for these activities will be determined by the new opportunities fund in response to the applications received.

Emerging evidence suggests involvement in sporting activities increases pupils' confidence, self-esteem and sense of achievement. Types of activities currently supported in after-school clubs are netball, swimming, football, adventure activities, gymnastics and aerobics. Current after-schools clubs also involve children in creative activities such as musical instrument tuition, bands, singing classes, painting, pottery, musical dance and dramatic productions—as well as providing opportunities for attending performances and workshops.

**Mr. Rapson:** It is generally agreed that sporting activities are unifying and very healthy for young people's development. Will the Minister use his special qualities to encourage sporting bids from the new opportunities fund and to encourage local authorities to act in partnership so that the maximum number of clubs may benefit and sport may be put in its rightful context?

**Mr. Banks:** I could not agree more with my hon. Friend. He was sufficiently modest not to mention the City of Portsmouth hockey club, which is supporting schools running after-school hockey sessions. The hon. Member for South Staffordshire (Sir P. Cormack) laughs: he does not have the shape for hockey, but I am sure that he supports the sport—he is a little puckish, if I may say so.

Portsmouth is clearly setting a very good example. Schools' after-hours activities can comprise a big sporting element—I keep returning to this point—and that is a good way of allocating additional resources to sport. I hope that local authorities, clubs and other bodies will submit applications so that we may have many sport-oriented activities in after-school clubs.

**Mr. Nigel Evans** (Ribble Valley): Schools and colleges have some excellent facilities that are chained and locked up after hours, particularly in the summer. Would it be possible to use some of the money to open those facilities and provide coaching? It is rather absurd that, while Burger King and McDonald's restaurants are open all hours to attract our youngsters, we chain up those sporting facilities that could make our youngsters healthier.

**Mr. Banks:** The hon. Gentleman is right: this problem has been around for ages. Every time we raise the issue, we are told about difficulties with insurance and so on. School facilities that benefit from lottery funds must encourage community involvement. The principle is clearly already established, but we must do more. I am more than happy to do what I can, in discussion with my colleagues at the Department for Education and Employment, to unlock more educational sporting facilities. It is a great waste if they are under-utilised.

**Ms Claire Ward** (Watford): I am sure that my hon. Friend agrees that football and rugby clubs can play an

important role in after-school clubs. What is he doing to ensure that such activities are promoted among football and rugby clubs? Will he make sure that clubs already undertaking those activities are recognised as leading the way?

**Mr. Banks:** May I say to my hon. Friend how much I enjoyed my visit to Watford last week when I attended the Saracens and Watford luncheon club? It was a very pleasant visit and I thoroughly enjoyed renewing my old acquaintance with Watford, whose electorate cruelly rejected me in 1979. My hon. Friend was seven at the time—too young to vote and too old to kiss.

My hon. Friend is absolutely right to say that we need to encourage far more link-ups between schools and clubs. I shall do whatever I can. The issue demonstrates why there is so much need for regular contact between my Department and the Department for Education and Employment.

## Arts Council

7. **Mrs. Virginia Bottomley** (South-West Surrey): If he will make a statement on his plans for the future of the Arts Council. [72095]

**The Secretary of State for Culture, Media and Sport (Mr. Chris Smith):** My Department is currently preparing a funding agreement with the Arts Council of England which will set out its funding for the next three years and ensure that the council pursues the Government's overall objectives of excellence, access and education in the arts.

**Mrs. Bottomley:** I am sure that the right hon. Gentleman will agree that the chairman of the Arts Council has a greater opportunity than ever before with the massive amounts of lottery money that are available for spending on the arts. Did he note the comments made today by a former chairman of the Arts Council, who complained that the Government had substituted truth and logic with spin and image? The spin is that there has been an increase in funding for the Arts Council; the truth is that the increase is less than one tenth of the amount that the Government have raided from the arts to support their other pet projects.

I would be grateful if, in his reply, the right hon. Gentleman referred to the decisions made in May 1997, not the originally anticipated lottery money of 1994. All agree that the lottery has been more successful than anyone anticipated, and the arts have lost over £350 million as a result of the Government's decisions.

**Mr. Smith:** I am afraid that the right hon. Lady is wrong. She may not have noticed that something else happened in May 1997—there was a general election, during which we said clearly to the electorate that we proposed to establish the new opportunities fund to provide a stream of lottery money for health, education and environment projects, and we subsequently did so.

I have to assume that the right hon. Lady welcomes that decision because she wrote to me last February about a project in her constituency. She said:

"The changes in direction"—

the direction of lottery funding—

"should provide an excellent opportunity for them. I wonder if you could brief me on the likely timetable in which applications will be received for the New Opportunities Fund."

She was clearly in favour of the fund being established.

On funding for the arts, the right hon. Lady may also have failed to notice that she was responsible, in 1995, for a £5 million cut in money for the Arts Council and, in 1996, for a standstill in cash funding for the Arts Council. She may not have noticed that we are responsible for a £43 million increase for the Arts Council next year, a £10 million increase in the year after that and a £15 million increase in the following year.

**Mr. Robert Maclennan** (Caithness, Sutherland and Easter Ross): In view of the role of the Arts Council primarily as a distributor of public funds, and the difficulty that it may create in the way in which the Arts Council acts as an advocacy body, does the Secretary of State welcome the establishment of an alternative arts council, with which Sir Peter Hall and other critics of Government policy have become associated?

**Mr. Smith:** Sir Peter Hall stood on the stage at the Olivier awards at the Royal National theatre and grandly announced the establishment of the so-called shadow arts council. He named a number of people, including Sir Tom Stoppard, Sir Jeremy Isaacs and Sir Richard Eyre, as being members of that council, but they have all subsequently said that they have never heard of it.

**Mr. Peter Ainsworth** (East Surrey): The Secretary of State seems unconcerned by the rising concern in the arts about political interference and funding, and he was wrong in his answer to my right hon. Friend the Member for South-West Surrey (Mrs. Bottomley). Instead of relying on Lord Bragg to be on-message—Melvyn takes his party whip a little too seriously these days—and being rude about Sir Peter Hall, why does not the right hon. Gentleman listen to people in the arts world and their concerns about dumbing down and political interference in the arts?

**Mr. Smith:** I have to say that there is no dumbing down and no political interference. Does the hon. Gentleman mean that it is wrong for the Government to set a broad framework of objectives—eminently sensible objectives for access for the many, not the few; for nurturing excellence in the arts; and for ensuring that arts can make their proper contribution to education? Those are absolutely valid objectives for the Government to be concerned about and to be setting in place as a framework for the arts. That is not political interference, but sensible government.

## MILLENNIUM EXPERIENCE

*The Secretary of State was asked—*

### Millennium Dome (Sponsorship)

26. **Mr. John Bercow** (Buckingham): If he will make a statement on progress in obtaining sponsorship for the millennium dome. [72118]

**The Minister for Tourism, Film and Broadcasting (Janet Anderson):** The New Millennium Experience Company continues to make impressive progress towards achieving its target of £150 million-worth of sponsorship. As already announced, £120 million-worth of sponsorship is confirmed and I understand that the company hopes to make further announcements shortly.

**Mr. Bercow:** I thank the Minister for that reply. Given the Government's professed new spirit of openness, will she publish, zone by zone, the sponsorship so far received for the dome? If her answer is no, does she not understand that the suspicion will fester that some zones are distinctly underfunded?

**Janet Anderson:** If the hon. Gentleman will be patient—I hope he will remain for the rest of this Question Time—I think that his questions will be answered.

**Mr. Tony McNulty** (Harrow, East): Is it not about time that, rather than whingeing on about the dome, Conservative Members congratulated the Government on the £120 million gathered in so far; worked with them, rather than otherwise, to secure the best possible millennium celebrations at Greenwich; and stopped wittering on like silly little schoolchildren?

**Janet Anderson:** As ever, my hon. Friend has hit the nail on the head. In just such a spirit of co-operation, we invited Opposition Front Benchers to join us in celebrating this national event of international significance and I hope that they will do so.

**Mr. Peter Ainsworth** (East Surrey): The Minister knows that we support the project. Is she concerned about the effect on the sponsors of the unseemly dispute with Church leaders over the opening ceremony? Given that the millennium marks the 2,000th anniversary of the birth of Christ, is one and a half minutes of quiet meditation too much to ask in the context of 2,000 years in times past—or, indeed, eternity to come?

**Janet Anderson:** The hon. Gentleman says that he wants to support the project, but then attempts to find divisions where there are none. I wish that he would get behind the project wholeheartedly.

The Churches have let it be known that they want religion to play a broader part in the opening event at the dome. There is no division between us on that and discussions are continuing between the Churches, the Department and the New Millennium Experience Company. When the programme for the opening night's celebration at the dome is fully developed, plans will be presented to the Government and others. I say to the hon. Gentleman, in the spirit of openness which he has requested and with which we have complied, that we will give him full details as soon as we are able to do so.

27. **Mr. Desmond Swayne** (New Forest, West): How many zones within the millennium dome are now sponsored; and for which zones the sponsorship agreements have been signed. [72119]

**The Minister for Tourism, Film and Broadcasting (Janet Anderson):** First, may I apologise to the House for the length of the answer that I am about to give? In the spirit of openness which we have promised to pursue, I want to give the House as much information as possible.

The New Millennium Experience Company has previously announced that the zones that are sponsored are: the body, sponsored by Boots, with Roche and L'Oréal; communicate, sponsored by BT; global, sponsored by British Airways and the British Airports Authority; learn, sponsored by Tesco; work, sponsored by Manpower; mind, sponsored by GEC and British Aerospace; national identity, sponsored by Marks and Spencer; and transaction, sponsored by the Corporation of London. In addition, baby dome is being sponsored by BSkyB and our town story is being sponsored by McDonald's.

Sponsorships have been agreed at board level and the necessary contractual negotiations, which are extremely detailed and often complex, continue. For the remaining zones—mobility, spirit, living island, local, rest and play—the New Millennium Experience Company is in discussions with a number of potential sponsors. Those discussions are at various stages, some of which will be concluded imminently.

I hope that that also answers the earlier question from the hon. Member for Buckingham (Mr. Bercow).

**Mr. Swayne:** I thank the hon. Lady for that answer. Does she accept, however, that that welcome transparency has come rather late in the day and that public enthusiasm for the project has been undermined by the fact that, until now, it has been characterised by leak, rumour and stupidity?

**Janet Anderson:** On the contrary. I do not know where the hon. Gentleman has been, but our impression is that public enthusiasm for the project has grown. He will know, as we do, that the millennium dome at Greenwich is fast becoming an international symbol of the millennium. Moreover, there is no point in our trying to give information when it is not available. As soon as it is available, we shall bring it to the House and keep hon. Members in touch with what is happening. I hope that, in return, Opposition Members will just for once stop carping and get behind this rational project.

**Mr. John Maxton** (Glasgow, Cathcart): As the content of the spirit zone is supposed to be designed by the so-called Lambeth group, which, incidentally, does not include the British Humanist Association, can my hon. Friend tell us exactly how much sponsorship money has been contributed to that zone by any religious organisation in this country?

**Janet Anderson:** I am afraid that I cannot give my hon. Friend the answer that he wants at the moment, but I can tell him that the New Millennium Experience Company is in discussions with a number of potential supporters and is confident that it will secure the support needed to deliver an inspirational and contemplative spirit zone.

### Millennium Site (Future)

28. **Mr. Simon Hughes** (Southwark, North and Bermondsey): If he will make a statement on his plans for the millennium site after 2000. [72120]

**The Secretary of State for Culture, Media and Sport (Mr. Chris Smith):** The Government are concerned to ensure that the nation enjoys a long-term and enduring legacy from the millennium celebrations as a whole, and that includes the dome. That was one of the conditions set by my right hon. Friend the Prime Minister in June 1997 when the Government gave the go-ahead for the millennium experience at Greenwich. In June 1998, my right hon. Friend the Deputy Prime Minister established a working group to make recommendations about the process of achieving a sustainable long-term use for the dome. We plan to make announcements very shortly about the outcome of that work.

**Mr. Hughes:** It was 15 months ago today that the previous Secretary fo State for Trade and Industry invited proposals for the future of the dome site after 2001, and we have heard regularly since last December that announcements were to be made shortly. What is holding up the Government in putting out proposals for people to consult on? Does the Secretary of State accept that the best way to proceed would be to secure maximum participation in the decision about what happens to the site afterwards? Does he agree that, the sooner we can get on with that, the more relieved many people will be?

**Mr. Smith:** The hon. Gentleman's desire for maximum participation will very soon be fulfilled because, within the next few days, we shall make announcements about an invitation for companies, organisations and individuals around the country to come forward with expressions of interest in the future use of the dome after the millennium year.

**Mrs. Gwyneth Dunwoody** (Crewe and Nantwich): Is my right hon. Friend aware that there are enormous opportunities for the use of that great public space? I hope that he will consult carefully with youth organisations and local people in the Greenwich area, because the dome could not only attract young people from all over the United Kingdom but could be a great facility for everyone in the public sector. Does he agree that, although the great exhibition of Prince Albert was execrated by everybody before it was put in place, when it was finished it left us with three fine museums, which have been of tremendous benefit—at least until people were forced to pay to enter them?

**Mr. Smith:** My hon. Friend gives me a useful opportunity to remind her that, from 1 April, all children in the country will be able to enter those three fine museums for free.

The people of Greenwich and Greenwich borough council will be carefully involved, as they have been throughout the development of the dome, in any decisions about its future use. We need to balance the need to achieve a good return for the public investment that has gone into construction of the dome; the best possible regeneration for the Greenwich peninsula; and future use of the building as a real cultural asset for the whole nation. The competition will be all about getting that balance right.

## PRESIDENT OF THE COUNCIL

*The President of the Council was asked—*

### Iraq

33. **Mr. Tam Dalyell** (Linlithgow): If she will establish an ad hoc Select Committee on the effects of sanctions against Iraq. [72128]

**The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping):** There are no plans to do so.

**Mr. Dalyell:** As the mind of the Foreign Affairs Committee is elsewhere, and as apparently more ordnance has been rained down on Iraq since Desert Fox than during Desert Fox, which in turn involved more ordnance and bombs than the Gulf war, are we not in a state of undeclared war? Should not an ad hoc Select Committee at least look at that?

In relation to the oil-for-food programme, should not a Select Committee examine Dennis Halliday and Michael Stone, the people who run the programme, who argue that it was in no way corrupt[illegible]nd take into account the rupturing of the oil line with [illegible]key? Finally, could such a Committee look at the *Tri[illegible]e* of a fortnight ago—and those horrifying pictures on the front of the paper that I sent to my right hon. Friend the President of the Council? Should it not be considered whether it is really the job of a Labour Government in effect to do that to those babies?

**Mr. Tipping:** My hon. Friend has pursued those issues with vigour on a number of occasions. I am sure that he will continue to do so. His original question was to do with the processes by which the House deals with those matters, rather than with their substance. I have heard his concerns, and he can be sure that I will pass them on to the relevant colleagues. I also know that he will continue to pursue the matter, as he has this afternoon, with his usual vigour and intellect.

### Regional Affairs Committee

34. **Ms Rosie Winterton** (Doncaster, Central): What proposals she plans to put forward for reviving the Standing Committee on Regional Affairs. [72129]

**The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett):** The Government have invited the Modernisation Committee to consider reviving and adapting the Standing Committee on Regional Affairs. The aim is to provide a forum in which the affairs of particular regions can be debated. I hope that the Modernisation Committee will come up with specific proposals soon, although, clearly, they will not command universal support.

**Ms Winterton:** I thank my right hon. Friend for that reply. Will inquiries by the Committee be considered by the whole House, particularly inquiries into issues such as the distribution of European structural funds, which would affect not only areas such as South Yorkshire in the English region of Yorkshire and Humberside, but Scotland, Wales and Northern Ireland?

**Mrs. Beckett:** I see no reason why European structural funds could not be debated by a regional Standing

Committee, but, as my hon. Friend will appreciate, if the wish is to look more widely at how those funds are handled throughout the United Kingdom, that might not be the proper remit of such a Committee. It could, however, form one of the ways in which some of those matters can be reviewed.

**Mrs. Virginia Bottomley** (South-West Surrey): Does the right hon. Lady think that, if such a Standing Committee were formed, it would consider transport matters, and strategic transport matters in particular? Further to that, does she think that the Committee would consider the absolute refusal of Ministers with responsibility for transport to visit the most difficult transport problem in the south-east—the A3 at Hindhead?

**Mrs. Beckett:** I suspect that many areas would compete for that description, but I have suggested to the Modernisation Committee that a Committee of that type should determine for itself what are the issues on which it should focus and to which it should give the highest priority. No doubt, the right hon. Lady's case is one which it would take into account.

**Mr. Paul Tyler** (North Cornwall): I assure the President of the Council that we welcome the re-examination of the validity and value of the Standing Committee, but do the Government intend to examine the advantages of devolution to our business in other respects? Do they intend to put a proposition to the Modernisation Committee, or the Procedure Committee, or do they intend to propose other ways in which the House can take advantage of the so-called devolution benefit?

**Mrs. Beckett:** As the hon. Gentleman may know, the Procedure Committee is now considering the impact and aftermath of devolution, on which I shall give evidence to it tomorrow. That, however, is only one context in which the House is considering the variety of ways and forums in which we can raise the many issues that are of concern to Members throughout the House. What we are trying to do is find time to expand our capacity for debate.

**Mrs. Gwyneth Dunwoody** (Crewe and Nantwich): As my right hon. Friend will know, many of us in the regions will welcome the provision of extra parliamentary time to examine the problems. Is she also aware—I am sure that she is—that the Select Committee responsible not only for transport and the environment but for regional affairs makes it its business to examine transport problems in considerable detail? That Committee would probably have a little to say if there were any question of changing existing responsibilities.

**Mrs. Beckett:** I am grateful to my hon. Friend for her courtesy, and for her reminder to the House. I do not think that any of us wishes to encroach on the work of existing Select Committees; we wish merely to provide space in which matters can be aired that cannot easily be aired at present.

**Miss Anne McIntosh** (Vale of York): Agenda 2000 will give the Government more responsibility in the administration of European Union structural funds. Can the right hon. Lady assure us that those of us in regions that might lose out dramatically under Agenda 2000 will be given a chance to review the position, and that a specific mechanism and procedures will be established if there is not to be a Standing Committee on Regional Affairs?

**Mrs. Beckett:** I cannot undertake to provide a specific mechanism and procedures relating to Agenda 2000, but such matters can be raised in a variety of ways in the House—for instance, in the Select Committee on the Environment, Transport and Regional Affairs, chaired by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody)—and I am sure that will continue.

## Law Commission Bills

35. **Mr. Andrew Dismore** (Hendon): What representations she has received on the procedure for passing non–contentious Law Commission Bills through Parliament. [72131]

**The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping):** My right hon. Friend the President of the Council recently met the chairman of the Law Commission, and has also answered a number of parliamentary questions from my hon. Friend. The House will know that the Standing Orders already provide for an expedited procedure for Law Commission Bills.

**Mr. Dismore:** Is my hon. Friend aware that more than half the 21 Bills considered by the House over the past five years spent a minute or less on the Floor of the House? Moreover, a substantial backlog accumulated under the last Government, with the result that 45 reports require legislation. Could not the Modernisation Committee consider whether the expedited procedure could be improved, enabling us to clear some of the backlog and justify the substantial amount that the Government and the country give the Law Commission to make non-controversial proposals to make the law more effective and understandable to people in general?

**Mr. Tipping:** As my hon. Friend will recognise, over the past two years there has been some improvement in the number of Bills that have been presented. Obviously, we want to make progress as quickly as we can. My hon. Friend mentioned uncontentious Bills. Part of the art of the House lies in spotting an uncontentious Bill and hoping that it remains uncontentious. It is not always the case that all Bills are dealt with in a minute; as my hon. Friend knows, some have taken considerably longer.

My hon. Friend advocates a look at the procedures. If the House were minded to experiment with the notion of a Main Committee, or a Principal Committee, there might be scope for that.

**Mr. John Bercow** (Buckingham): What are the precise criteria for categorising Law Commission Bills as non-contentious?

**Mr. Tipping:** All Bills are referred to the relevant Department, which judges whether a Bill should be presented as part of the legislative programme. Ministers and officials make judgments, in discussions with the Law Commission and others, on how parliamentary time can

be used most effectively. Ultimately, there is limited parliamentary time, and priorities have to be set, and judgments made, about the best use of it.

### Parliamentary Calendar

36. **Sir Sydney Chapman** (Chipping Barnet): What further plans she has to change the parliamentary calendar. [72132]

**The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett):** I have none currently, although I expect that the Modernisation Committee will want to review the success of the current experiment on Thursdays and of the recent short Adjournment.

**Sir Sydney Chapman:** I appreciate that the exact length of a parliamentary Session has to be flexible, and that it depends on the progress—or lack of progress—of Government Bills, but will the right hon. Lady give an undertaking to the House that, if we are to continue to proceed with half-term holidays or half-term constituency weeks, the dates of those will-as they could quite reasonably-be announced months, if not years, ahead? Will she consider that point, as I think that implementing it would be very helpful to right hon. and hon. Members on both sides of the House?

**Mrs. Beckett:** I am always very conscious both of greater efficiency in handling the business of the House, so that we are able to give more notice of dates, and of greater convenience to hon. Members. We seek to give as much notice as we can. I am particularly mindful of the important Committee chaired by the hon. Gentleman and of all the work that it has to fit in. Although we endeavour to give as much notice as possible, it is not possible to give as much notice as we should like to give when—as happened on the most recent occasion—a decision is taken only a few weeks ahead to conduct an experiment.

**Mr. David Winnick** (Walsall, North): As we are all in modernising mood—[HON. MEMBERS: "Are we?"]—with the exception of a few Opposition Members, may I ask my right hon. Friend whether she is satisfied with the current arrangements for the summer recess? I realise, of course, that it is not a holiday: I do not know many times I, like my colleagues, have told constituents, "We're not really on holiday. I am conducting my surgery and other work." However, is it really necessary to have a three-month break? Can we not rearrange matters, including party conferences? Why cannot we—like other Parliaments in western Europe—at least come back in the middle of September?

**Mrs. Beckett:** I understand that concern, which is often aired. All hon. Members have their own experience. Speaking for myself, I cannot say that I have ever had a three-month break in the summer—most years, I have been lucky to have three weeks. People occasionally reconsider arrangements for party conferences and other matters, but—as I am sure my hon. Friend is aware—many such arrangements are booked up many years in advance. It not a simple matter to change them.

**Mr. Eric Forth** (Bromley and Chiselhurst): Given the President of the Council's role as representative of the House of Commons within government, will she give an absolute guarantee that, whatever changes are proposed for consideration of the House under the rather dubious rubric of modernisation, the one thing that will not happen is a reduction of the time available to the House to scrutinise and hold to account the Government?

**Mrs. Beckett:** I cannot say that I have so far presided over a reduction in the sitting hours of the House. For most of the years during which I have been a Member, the House has sat for very long hours, but not always to the greatest efficiency. When changes have been made, they have been made at the will of the House, to promote greater efficiency.

**Sir George Young** (North-West Hampshire): If the right hon. Lady does plan any changes to the parliamentary calendar, will she observe the convention that was observed in earlier Parliaments, of making changes only by consent? Will the Government also not use their parliamentary majority to force through changes that may have impacts on the rights of the Opposition? Does she agree with hon. Members on both sides of the House that what is wanted by many hon. Members is not so much change as certainty? How can any hon. Member make long-standing personal engagements if they do not know the dates of the Easter, Whitsun or summer recess until a few days before they happen?

**Mrs. Beckett:** All I can say to the right hon. Gentleman is that there is infinitely more notice of all those matters now than there was—not only when I was first elected to the House but when Labour was in opposition and he and the Conservative party were the Government. When changes are proposed, I am always anxious to take along all hon. Members to the greatest degree possible. That is, and always will be, the Government's wish. The right hon. Gentleman will know that what sometimes appears to be consent suddenly evaporates.

### Welsh Devolution

37. **Mr. Gareth Thomas** (Clwyd, West): If she will make a statement on the procedural consequences for the House of Welsh devolution. [72133]

**The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett):** I shall be giving oral evidence tomorrow to the Procedure Committee on the memorandum already submitted by the Government on the procedural consequences of devolution.

**Mr. Thomas:** My right hon. Friend may be aware that it is reputed that St. David drank nothing stronger than water. Will she take it from me that, this year, many people in Wales will be raising a glass to our patron saint with particular enthusiasm, given the imminent arrival of the National Assembly for Wales? However, does she agree that it is essential, even in a devolved era, for Wales to have a strong voice in Westminster, particularly through the Welsh Affairs Committee, given that primary legislative powers will remain in this place?

**Mrs. Beckett:** I am aware of the tremendous reputation of St. David, although I was not aware that it was based on his drinking water. I assure my hon. Friend that I have the greatest respect, as do all hon. Members, for the fine record of the existing Committees. He will know that the matters that he has raised are under consideration by the Procedure Committee. I await its recommendations with interest.

# Elderly People (Long-term Care)

3.31 pm

**The Secretary of State for Health (Mr. Frank Dobson):** At the general election in May 1997, we promised to set up a royal commission on the long-term care of the elderly. In December 1997, I announced to the House the establishment of that royal commission, to be chaired by Professor Sir Stewart Sutherland, principal and vice-chancellor of Edinburgh university.

Since then, the commission has met formally on 15 occasions, taken oral evidence from 67 individuals, conducted seven public hearings in different parts of the country and received evidence from 400 organisations and a total of 2,040 written submissions. Between them, the commissioners met over 1,000 individuals, made more than 100 visits and held 140 meetings. They were assisted by a reference group representing the leading organisations concerned with the care of the elderly.

The commission presented its report to me on Friday 26 February, after it had been submitted to the Queen. It is being published today. I am grateful to Sir Stewart Sutherland and all the members of the commission for their diligence and the swift delivery of their report. All 12 commissioners signed the report. Two of them have submitted a note of dissent on three particular aspects—and even they were not unanimous.

The task of the commission was to look into how best to provide sustainable long-term funding for good-quality care of the elderly and how the costs should be shared between taxpayers and the individual. The report rightly makes it clear that

"there is no obvious answer"

and calls for an "informed debate" on the recommendations. I support that call. The Government's response must await the outcome of that debate, which I hope and expect will begin with the publication of the report today. *[Interruption.]* I shall not divert my remarks to respond to the ridiculous noises from the Conservatives.

I hope that it will be useful to the House for me to highlight the royal commission's major conclusions and recommendations. First, it concludes that there is not a demographic time bomb that our economy and society cannot cope with. Secondly, it concludes that the possible need for long-term care is a risk that cannot be met adequately from individual income or savings, so some pooling of risk is necessary. Thirdly, it concludes that private insurance will not deliver the necessary cover at an acceptable cost. Fourthly, it concludes that the costs will have to be met by contributions from the taxpayer and individuals. Fifthly, it concludes that the costs of long-term care can and should be separated into living costs, housing costs and personal care costs. Sixthly, it recommends that people receiving care should be expected to contribute to their living costs and to their housing costs, but the costs of their personal care should be met by the taxpayer.

The note of dissent rejects that separation and the proposal that individuals should not contribute to the cost of the care element. It gives greater priority to the quality of care.

The commission estimates that to adopt its proposals would cost the taxpayer between £800 million and £1.2 billion a year at 1995 prices. It estimates additional costs to the taxpayer of lesser options such as a short-term disregard of house value at £90 million a year; changing the limits of the present means test at between £150 million to £200 million a year; and making nursing care in nursing homes free at £220 million a year. As the report states:

"This is a complex issue"

and none of the options is easy. We have to get this right.

In considering the commission's proposals, we will all need to bear in mind, first, that taxpayers' money used to relieve the costs to individuals cannot be used also to improve the quality of care or to extend it, although that might be a higher priority for some older people. Secondly, the proposals, like all aspects of taxation and benefits, would shift money from one income group to another—in this case, to some better-off people from some who are worse off. The report recommends that the best way to help carers is to improve the services provided for the people for whom they care. The note of dissent argues that priority should be given instead to respite care.

The report emphasises the need to improve cultural awareness in services offered to ethnic minority elders. It also recommends that the Government should consider applying to the personal care needs of younger disabled people the same principles that they recommend for the care of the elderly.

While the commission has been sitting, the Government have been getting on with making improvements to the treatment and care available to elderly people. We have already made a start on a number of aspects covered by the report. These include: extending direct payments to over-65s; breaking down barriers between the health and social services; improving local standards through the long-term care charter—a clear manifesto commitment; changing the law to allow local NHS and local councils to pool budgets; providing £750 million over three years for initiatives to promote rehabilitation and prevention; providing for more consistent standards of care in health and social services; preparing for independent inspection of nursing homes, old peoples' homes and social care through regional care commissions; starting work on a national service framework for older people to lay down how the NHS and local councils should provide them with high-quality services in every part of the country; encouraging care providers to promote independence rather than dependency; and launching a new strategy for carers, financed with £140 million over the next three years.

We accept—as does the royal commission—that there is a strong case in principle for phasing out the payment of the £600 million of residential allowances and transferring those resources, via a special grant, to local authorities. However, we will need carefully to work through the implications of the change on both the benefit system and the independent care sector before we take any final decisions.

The royal commission's major recommendation—that a national care commission should be established to monitor trends, set standards and represent consumers—will need to be considered in the light of the changes that are already taking place or are in the pipeline.

The Government have been taking other action to help elderly people. Those measures include: restoring free eye tests for pensioners; commissioning a report from the health advisory service on the treatment of elderly people

*[Mr. Frank Dobson]*

in acute hospitals; instructing all hospitals to take immediate action to improve the supply of bed linen, food and drink to elderly people; making a start on providing greater financial security by reform of the pension system; improving the Government's overall approach through the better government for older people initiative; and establishing an inter-ministerial group to take the initiative forward across Government.

Along with the rest of the country, the Government will study the report of the royal commission with great care. During our consideration, we will apply the principles set out in our welfare reform Green Paper—in particular: expecting people to insure against foreseeable risks and to make provision for their retirement; making sure that those most in need can enjoy a dignified and fulfilling life; providing public services of high quality to the whole community; and making sure that the system is flexible, efficient and easy to use.

At the general election, we committed ourselves to setting up the royal commission because we recognised that, although only one in five old people need long-term personal care, as people approach old age, many become anxious about how well they will be looked after, who will look after them, how much it will cost and who will pay.

I hope that the royal commission's report and the debate that it will stimulate will help us to find a way of ensuring that people have access to high-quality long-term care that is fair to both individuals and the taxpayer. I hope that it will be founded on a consensus that will stand the test of time: a dependable contract across the generations. That is of great importance because, second only to good health, elderly people seek financial certainty and security, and that is what the Government are determined to deliver.

**Mr. Philip Hammond** (Runnymede and Weybridge): I thank the Secretary of State for his statement and for allowing me to have a copy of the report half an hour before he began to speak. I offer the apologies of my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe). Many hon. Members will know that she has recently suffered a family bereavement.

We, too, will need time to study the weighty report, but we recognise the unfairness in the present system of financing long-term care, and the perverse signals that it delivers, penalising those who are thrifty and responsible and rewarding those who are not. The previous Government significantly raised the threshold for the asset test to bring some immediate relief. The problem requires an immediate response from this Government.

If the Government, having established a royal commission and delayed acting for two years, do not intend to accept the commission's recommendations, they must urgently propose alternatives. We have offered an alternative: a system of insurance as part of a partnership between the state and the individual that would protect people's homes and savings, bring security and peace of mind to those who have worked hard to accumulate assets, and go a considerable way towards removing the sense of unfairness in the present system.

Labour has rejected that eminently sensible approach. As several Labour Members observed over the weekend, Labour in opposition implied that a Labour Government would act swiftly and radically to tackle the whole problem; but, as with so many pre-election pledges, the Government have ducked the issue and, 22 months after the general election, 40,000 people a year are still forced to sell their homes to pay for long-term care.

The establishment of a royal commission gave the Government an alibi for inaction. That alibi is now gone, and the Government must tell the people of Britain what their policy is. The longer that they dither, the more people will lose their homes. What is the time scale for some definite proposals? Is not the truth that the Government would rather drive the issue into the long grass until after the next general election—another example of a cynical promise made to buy votes from the elderly and vulnerable at the previous one?

Media interest has focused on the recommendations on payment for the nursing element of care, and the main report has defined that very widely. Even so, at least half the total cost of residential care would not be met by the state even if the commission's proposals were implemented in full. The proposals on nursing care will not stop people being forced to sell their houses and consume their savings but they will impose a considerable burden on public spending.

The Secretary of State cited a figure for the immediate cost of the commission's recommendations. What is the estimated cost of those proposals projected forward to 2051, as calculated by the commission? A proper solution must address the whole problem, as it affects today's pensioners and those soon to retire, and as it affects future generations of pensioners: those who are in a position, if the Government send the right signals, to take a broader view of provision for care in old age.

The solution must be sustainable, not based on half-costed promises and blank cheques that future generations of taxpayers and politicians may decline to sign. Above all, it must be a fair solution that does not penalise those who have worked hard and saved, bought their own homes, and taken responsibility for themselves.

Does the Secretary of State acknowledge the problem, identified in the note of dissent, of under-resourcing by social services departments for independent sector placements, and the resulting pressure that that is placing on the independent care sector? What does he intend to do about that? Does he agree that it is scandalous that, while many people assessed as needing residential care are being forced to wait on a waiting list for it, some local authorities persist in wasting money on direct provision of care, which is often 40, 50 or 60 per cent. more expensive to provide than comparable or better care provided by the independent sector?

The Secretary of State said in his statement that he would consider this report in the light of the principles set out in the welfare reform Green Paper. One of those principles to which he referred is expecting people to be

"insured against foreseeable risks and make provision for their retirement."

Does he regard long-term care as a foreseeable risk and, if so, does he intend to propose an insurance-based solution?

**Mr. Dobson:** I made no reference in my statement—because I would like to establish a consensus about the future of long-term care and its funding—to the fact that the present shambles is one that we inherited from the previous Government, who did virtually nothing about it

over 19 years. The hon. Gentleman recommends to the House some measures that the previous Government were contemplating but did not get round to introducing in those 19 years. I refer him to paragraph 5.13 of chapter 5 of the report, which says of the scheme he talked about:

"The scheme as presented by the previous Government was rather complex, and it was difficult to see where the benefits lay, and to whom."

That is generous royal commission-speak for, "It was a load of rubbish."

At the election, we made no easy promises. We promised that we would establish a royal commission. We set one up and it reported in the second-shortest period of any royal commission in the past 40 years. I am very pleased that it has done so and the time that it took is greatly to its credit. We will consider what to do in response to its detailed and thoughtful points and, in the case of the note of dissent, conflicting points that it has put to us and the whole country after its 14 months of deliberations.

I have spelled out the 10 steps that the Government are already taking, which are referred to in the report. Many of those steps are welcomed in the report. Far from postponing progress, we got on with things even before the royal commission started sitting. We are not interested in making half-costed promises. That is what the country got sick of under the previous Government. We want to consider the report carefully and listen to all the representations that are made by all the various interest groups in the light of the royal commission's proposals and the detailed background to them. Then we will come to some decisions.

**Mr. Alan Duncan** (Rutland and Melton): Oh!

**Mr. Dobson:** The hon. Gentleman who purports to sit on the Front Bench groans at that, but he did not groan during the 19 years in which his Government did nothing, nor when they made short-term and ridiculous decisions.

The hon. Member for Runnymede and Weybridge (Mr. Hammond) asked the estimated costs of the proposals in 2051. The estimated costs are more than £6 billion and, if they turn out to be true, I shall come back to haunt the House of Commons. No estimates over such a period of time have ever turned out to be true, and I am sure that these will not.

What we have in the report is a series of thoughtful points. The royal commission has gone into the matter in great depth and, in due course, we shall give our response to the new points that it has raised—just as we got on with 10 of the report's recommendations even before it was published.

**Mr. Malcolm Wicks** (Croydon, North): I welcome the publication of the royal commission report. This morning, I met the elderly relative of a lady aged 91 who is in a nursing home. The relative had just had the sorry task of selling the lady's terraced house—worth £26,000—to meet nursing home costs. Does my right hon. Friend agree that it cannot be right for people in the final months of their lives to suffer from distress and uncertainty instead of enjoying dignity and comfort?

We need to consider the royal commission recommendations carefully, as the expenditure implications are significant. However, in an earlier era, people said that we could never afford a national health service, yet the country proved more optimistic. This is a big problem, and I urge my right hon. Friend and the Government to come up with a big solution.

**Mr. Dobson:** All I can say is that I have never said that we cannot afford the propositions advanced either by those commissioners who presented the note of dissent, or by the majority on the commission. The national health service was first established by a Labour Government, as a result of boldness and real commitment, and the welfare state was also established by a Labour Government. Both projects were implemented on a basis of consensus which even the Tory party of the day had to accept and which prevailed for 25 to 30 years.

That is what I want to achieve with the proposals for long-term care. We shall do no service to old people unless we can establish a system that, broadly speaking, commands the support of all the parties in the country, and of the people of this country. That is the only way in which we can provide the certainty and security that people want, and it may take us quite a time to wrangle out and agree what we should do. I hope that the odd Conservative Member might even see some merit in that.

**Mr. Paul Burstow** (Sutton and Cheam): First, I thank the Secretary of State for his courtesy in allowing me to see the report shortly before his statement. We welcome the opportunity for constructive dialogue. What older people want more than anything in later life is certainty: if we can give them certainty by building a consensus about the long-term care system, we shall play our part.

Does not the royal commission report offer a practical means of ending the heartache and anger felt by many older people and their families when they are forced to sell their homes to pay for care? Does the Secretary of State understand how disappointed many people will be to learn that he has no plans to end the perverse financial incentive that means that elderly people go into nursing homes instead of being cared for at home?

Is the Secretary of State aware that the sum of £750 million to fund rehabilitation and prevention over the next three years, which he announced in his statement, adds up to little more than 71p per person per day? Will he say more about the timetable of the debate that he is launching? We need to know when the debate will be concluded, as do the people facing the prospect of selling their homes to pay for care.

When will the House see the Secretary of State's proposals to safeguard long-term care for the elderly? The Secretary of State was right to say that the royal commission, which considered more than 2,000 submissions over 14 months, was one of the quickest in recent years. There were numerous leaks from various quarters, and much raising of expectations. Does the Secretary of State agree that, although his statement contains many warm and encouraging words, it rests on cold economics? We need a debate, but when will the Secretary of State come back with his proposals?

**Mr. Dobson:** It is not me but the royal commission that is calling for an informed debate throughout the country, and I assume that the commission expects the Government to await that debate's outcome before

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in acute hospitals; instructing all hospitals to take immediate action to improve the supply of bed linen, food and drink to elderly people; making a start on providing greater financial security by reform of the pension system; improving the Government's overall approach through the better government for older people initiative; and establishing an inter-ministerial group to take the initiative forward across Government.

Along with the rest of the country, the Government will study the report of the royal commission with great care. During our consideration, we will apply the principles set out in our welfare reform Green Paper—in particular: expecting people to insure against foreseeable risks and to make provision for their retirement; making sure that those most in need can enjoy a dignified and fulfilling life; providing public services of high quality to the whole community; and making sure that the system is flexible, efficient and easy to use.

At the general election, we committed ourselves to setting up the royal commission because we recognised that, although only one in five old people need long-term personal care, as people approach old age, many become anxious about how well they will be looked after, who will look after them, how much it will cost and who will pay.

I hope that the royal commission's report and the debate that it will stimulate will help us to find a way of ensuring that people have access to high-quality long-term care that is fair to both individuals and the taxpayer. I hope that it will be founded on a consensus that will stand the test of time: a dependable contract across the generations. That is of great importance because, second only to good health, elderly people seek financial certainty and security, and that is what the Government are determined to deliver.

**Mr. Philip Hammond** (Runnymede and Weybridge): I thank the Secretary of State for his statement and for allowing me to have a copy of the report half an hour before he began to speak. I offer the apologies of my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe). Many hon. Members will know that she has recently suffered a family bereavement.

We, too, will need time to study the weighty report, but we recognise the unfairness in the present system of financing long-term care, and the perverse signals that it delivers, penalising those who are thrifty and responsible and rewarding those who are not. The previous Government significantly raised the threshold for the asset test to bring some immediate relief. The problem requires an immediate response from this Government.

If the Government, having established a royal commission and delayed acting for two years, do not intend to accept the commission's recommendations, they must urgently propose alternatives. We have offered an alternative: a system of insurance as part of a partnership between the state and the individual that would protect people's homes and savings, bring security and peace of mind to those who have worked hard to accumulate assets, and go a considerable way towards removing the sense of unfairness in the present system.

Labour has rejected that eminently sensible approach. As several Labour Members observed over the weekend, Labour in opposition implied that a Labour Government would act swiftly and radically to tackle the whole problem; but, as with so many pre-election pledges, the Government have ducked the issue and, 22 months after the general election, 40,000 people a year are still forced to sell their homes to pay for long-term care.

The establishment of a royal commission gave the Government an alibi for inaction. That alibi is now gone, and the Government must tell the people of Britain what their policy is. The longer that they dither, the more people will lose their homes. What is the time scale for some definite proposals? Is not the truth that the Government would rather drive the issue into the long grass until after the next general election—another example of a cynical promise made to buy votes from the elderly and vulnerable at the previous one?

Media interest has focused on the recommendations on payment for the nursing element of care, and the main report has defined that very widely. Even so, at least half the total cost of residential care would not be met by the state even if the commission's proposals were implemented in full. The proposals on nursing care will not stop people being forced to sell their houses and consume their savings but they will impose a considerable burden on public spending.

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**Mr. Dobson:** It is not me but the royal commission that is calling for an informed debate throughout the country, and I assume that the commission expects the Government to await that debate's outcome before

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reaching any major decisions. The hon. Gentleman suggested that I should immediately adopt as Government policy the proposal that people should—

**Mr. Simon Hughes** (Southwark, North and Bermondsey): That is not what he said.

**Mr. Dobson:** Either I am deaf or the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) is stupid.

**Madam Speaker:** Order. I do not think that that was necessary. In addition, the Select Committee on Modernisation recommended that I have statements completed in 45 minutes. Many hon. Members are standing and, unless questions and answers are brisk, a lot of them will be disappointed.

**Mr. Dobson:** I was trying to answer the six or seven questions put by the hon. Member for Sutton and Cheam (Mr. Burstow), Madam Speaker.

The hon. Gentleman said that, if we agree that the state should pay for personal care, all the problems about people not being able to afford long-term care would be resolved. At least, that is what I understood him to say. However, it is not so. It is quite possible that, if people must pay their living and housing costs, some of them will have to make a contribution that they cannot afford. The problems will not be resolved by adopting in full the proposals of the royal commission.

The hon. Gentleman talked also about getting rid of the perverse arrangement that encourages people who are being looked after properly in their own homes to move out of them and into residential care. Unless my memory fails me, I thought that I had referred to our consideration of shifting the residential allowance so that it would be paid not to care homes, but to local authorities, as the royal commission has suggested.

Policy is moving in the right direction. In deference to Madam Speaker's reasonable wish that I should sit down quickly, let me add only that the royal commission has asked for an informed debate. Today starts that debate, and we shall respond at the end of it.

**Mr. Frank Field** (Birkenhead): Does the Secretary of State accept that his distinction between the costs that all of us will have to meet in retirement—that is, for a pension—and the risk of long-term care costs that some of us will have to meet is most important in the debate for which he and the royal commission have called? On the pensions side, it is appropriate that we all save, but most of us will not need long-term care and there is a need for insurance cover. If such cover is made universal, the costs for each of us will be cheaper.

One further point arises from the distinction made by the royal commission on the covering of nursing home costs and hotel costs. Does the commission give any idea of the percentage of pensioners who currently cover those costs from their pension and other income? If it does not, could my right hon. Friend's Department provide that information so that the debate may commence? May I emphasise how right my right hon. Friend was to say that, if we are to have a lasting solution, we need to approach the problem on the basis of consensus, even if the Opposition are slightly reluctant to join us?

**Mr. Dobson:** I thank my right hon. Friend for what he has said. We certainly need a consensus. To the best of my recollection, having read the report fairly carefully—

**Mr. Field:** And the appendices?

**Mr. Dobson:** No, I have not read them. I did not even bring them to the Chamber in case I suffered a double hernia carrying them in. If I had, I might need care rather more prematurely than I would wish it.

The risk of needing long-term care and the scale of the cost is such that people cannot be expected to afford it, as the report says, without some form of pooling of risk. The report considers various options. On the details of distribution and separation of costs, and the ability to pay them, the distinction is not—to the best of my recollection—in the body of the report. My memory may be failing me, but I think that that is the case. The distinction may appear in the vast appendices, but the information asked for by my right hon. Friend is vital to the debate, and it is related to the points that I made in response to the hon. Member for Sutton and Cheam.

**Mr. John MacGregor** (South Norfolk): I welcome the speed with which the royal commission has completed its report. I must press the Secretary of State on one question, which he has so far refused to answer—the increasing concern among the elderly, and their relatives, who have saved for retirement or bought a home, not least a council home, on fairly modest incomes about what they see as the unfairness and social injustice of what they have to pay for retirement in residential nursing care when others have it paid for them. I understand that the royal commission has put forward a recommendation that does not seem very expensive. Also, it is not merely a case of the injustice because, now that the issue has been so highlighted, unless the right hon. Gentleman deals with it, it will become more difficult to persuade people to provide for their retirement. Will he deal with that issue quickly and, if he does not accept the royal commission's recommendation, find some other solution to the problem?

**Mr. Dobson:** The right hon. Gentleman, in making that fairly reasonable contribution, should bear in mind that the basic position of the royal commission is that personal care should be paid for by the taxpayer, but that it has a number of intermediate stages, which are considerably cheaper and would bring about some changes and a amelioration of the situation about which people are rightly concerned. We have to consider all of those. Under the royal commission's proposal, there would be a transfer of taxpayer's money. Some money would come from people who are worse off than those receiving the benefit of it.

**Ms Joan Walley** (Stoke-on-Trent, North): I thank the royal commission for the herculean task that it has performed and I thank my right hon. Friend the Secretary of State for the 10 steps that he has already taken. It is crucial now to engage in informed public debate throughout the country. He is well aware of concerns in

north Staffordshire about the closure of national health service continuing care beds. Will he assure the House that he will continue to take a keen interest in what is happening in north Staffordshire so that, together, we can build consensus around what is needed for genuine long-term care for the elderly?

**Mr. Dobson:** As my hon. and well-informed Friend knows, the range of arrangements that can be made for people who need long-term care is great. Clearly, we must try to encourage as many people as can be properly cared for in their own homes to be so cared for, and a range of assistance is available. Certainly, the review of the number, nature and location of NHS beds, which I set in train in September, has to be related to the royal commission's proposals, because they are clearly related.

**Mrs. Margaret Ewing** (Moray): We would all give the publication of the report a general welcome. However, is not a responsibility placed on elected representatives to participate in the ensuing debate and a particular responsibility placed on the Government to lead it? In light of the right hon. Gentleman's most recent answer, what emphasis will he place on respite care, which often seems to be left out of our debates, although those working in such care contribute so much in looking after the elderly, and, in many cases, people with disabilities? Does he agree that progressive taxation might mean a redistribution of wealth, which might resolve some of the problems?

**Mr. Dobson:** The hon. Lady raised two points. First, if I stated the Government's position now, no one would believe for a minute that we were going to take a blind bit of notice of any of the public debate. Everyone knows that and so it would be silly of me to give our view, which will no doubt be modified as a result of the discussions and representations. Secondly, let me illustrate the dilemma on carers and respite care. The bulk of the members of the royal commission do not think that particular help should be given to carers, other than by improving the services that are provided for the people whom the carers care for. The minority note of dissent is that greater priority should be given to carers. The Government are finding £140 million extra for them in the next three years and so, in that matter, tend to be going along with the note of dissent before people have dissented.

**Mr. Dale Campbell-Savours** (Workington): Will my right hon. Friend clarify the position for the record? Are not those people who advocate a system of private insurance in effect advocating higher taxation? Private contributions to a private insurance scheme are a substitute for taxation. From that, can we not adduce that the Tories want to put people's taxes up to pay for it?

**Mr. Dobson:** There is a great deal of truth in what my hon. Friend says. The only trouble is that, if people continue to advocate that, they do so in the face of all the evidence that the private insurance market could not cope, even if people did pay in.

**Mr. Eric Forth** (Bromley and Chislehurst): Is it not obvious that the Government led the elderly up the garden path before the general election? Not only that, but the Secretary of State is shocked at the speed with which the royal commission reported and desperate to find ways of putting off making any decisions. How long will the national debate continue? How long does he expect to be able to continue to put off making a decision? When will the people who are so desperately anxious about all this learn their fate?

**Mr. Dobson:** I think that the concept of "ignorance is strength" was introduced in the book "Nineteen Eighty-Four", but it certainly survives in 1999. In our general election manifesto, we promised to set up a royal commission on the long-term care of elderly, so no one was misled by that. The right hon. Gentleman suggests that I have been astonished and disappointed that the royal commission reported in 14 months. As, in its terms of reference, I asked it to report in 12 months, I think that his charge falls.

**Mr. Dennis Canavan** (Falkirk, West): Will my right hon. Friend reverse the Tory Government's policy of massive cuts in the number of national health service beds for frail elderly people with the aim of shunting more and more elderly people into the private sector? Will he give an absolute guarantee that every frail elderly person who requires a national health service bed will be offered one? It would be a gross betrayal of the generation that built the NHS if those people were denied an NHS bed in their time of need.

**Mr. Dobson:** We must ensure that every frail old person who needs care gets it the most appropriate setting. For many, being in their own home but properly looked after by people who come in is infinitely preferable to going into any other set up. One of the merits of being at home is that people do not catch things from other people. Large institutions with many frail old people are very susceptible to cross-infection and people suffer as a result. One of the reasons why I decided to establish a review of the number and nature of beds in the health service was because we must ensure that everyone who needs an NHS bed of whatever nature gets one when they need it, whatever part of the country they are in.

**Mrs. Virginia Bottomley** (South-West Surrey): The royal commission sounds very much in line with the findings of the Commission on Social Justice some years ago for the Labour party. However, there is a greater spirit of disillusion now. Pension funds have been raided so that those who thought that they were preparing for their futures are worse off. Those who were providing for their health care have lost their tax relief. The Government have shown little courage on pensions. As the right hon. Gentleman well knows, the home counties are having their social services and health budgets squeezed so that they are unable to deliver even the objectives set by the Government. The words on carers are fine, but tell that to Surrey county council, which lost £6 million from its social services budget. Will he consider the challenge in *The Times* today, where the Prime Minister is accused of propaganda imagery rather than political debate? We need decisions, not propaganda, because many worried older people want to know what they can rely on. They want the reality, not the rhetoric.

**Mr. Dobson:** All the old people who are worried are worried about the system that the country inherited from

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the Government of whom the right hon. Lady was such a distinguished member. She complains about pension funds being raided, but it was the Conservative Government who specially made them susceptible to raiding, and their friends who mis-sold pensions and so robbed people—those are the main sources of robbery of pensioners. As I said before, we are trying, and I continue to try, to get everyone to look carefully at the royal commission's report and the note of dissent, to listen to what other people say and take notice of that, and to see whether we can establish something approaching a consensus. In my opening statement, I made no reference to the Conservative party or its record; it is only since Conservative Members have risen that politics has entered into this matter.

**Mr. Peter L. Pike** (Burnley): The issue is one that causes many older people great anxiety, and no one knows what will happen to them in the final years of their life. As part of trying to achieve consensus, is it not important to ensure that there is universal interpretation of the rules and regulations throughout the whole country, and that everyone has the same opportunity to receive the care that they need, wherever they happen to live? Is it not also important that, when the sale of old people's houses is considered, we recognise that, sometimes, other people live in the property, and address that problem?

**Mr. Dobson:** As my hon. Friend probably recollects, we make it clear in the social services White Paper that we expect social services and other authorities to pursue a national policy both on provision of care and on anything connected with the sale of assets belonging to those who are helped. We must aim for a universal approach. My hon. Friend touches on the most upsetting aspect of all, which arises when an old person finally goes into care: a member of the family who might have devoted two decades to looking after that old person can, under the current system, which we did not introduce, be thrown out on to the street. That is probably the biggest injustice of the lot.

**Sir Geoffrey Johnson Smith** (Wealden): I welcome the report. I have to say, with all respect to the right hon. Gentleman, that I have never regarded him as a particularly consensual person. Will he give an undertaking that he will make a decision, whether or not he believes that there is a consensus, before the next election, so that we can get on with dealing with an urgent problem? While we are on the subject, when will the Secretary of State and his Department respond to the Centre for Policy on Ageing report on national required standards for residential care and nursing homes? We know that those institutions face serious problems—in my county, they have been underfunded to the tune of £4 million from social services—and they face high compliance costs unless the matter is properly worked out.

**Mr. Dobson:** My answer to the right hon. Gentleman's first question is, yes. As for his second question, we are producing a consultation document on that very matter, and it should go out shortly.

**Mr. Bill O'Brien** (Normanton): I congratulate my right hon. Friend on having established the commission and published the report so quickly; it will be beneficial to millions of people. May I draw his attention to representations that I have received from people who suffer from Alzheimer's disease? They have to go into private homes for respite care, because organisations such as the Wakefield and Pontefract Community Health NHS trust are closing hospital beds and driving people into the private sector. Will he take action to ensure that no more hospital beds that cater for care of the elderly and for long-term care will be closed and that people who require respite care in an NHS hospital will be given that facility?

**Mr. Dobson:** I shall certainly do my best to ensure that people who need respite care get that care. However, as my hon. Friend knows, I cannot stand at the Dispatch Box not knowing the details of a specific case and give a blank undertaking that such-and-such a place will never close. After all, in some cases, places are closed because they are of such a standard that we would not want our relatives to go there, so we have to be careful about the undertakings that we give. It must be our mission to ensure that every old person in need of long-term care gets the appropriate care in the appropriate bed. I am sure that, for many old people, the most appropriate bed is their own, where they can be looked after properly.

**Mr. Anthony Steen** (Totnes): I do not think that this is a party political issue, and the right hon. Member for Birkenhead (Mr. Field) is wrong to say that we are being slow and reserved. It will be a non-party political matter until the Government produce their recommendations.

Is the Secretary of State satisfied with what the Liberals are up to with regard to residential and nursing homes in Torbay? They are increasing council tax expenditure by building new residential and nursing homes and commandeering existing buildings for homes that they will run, while the private sector—which comprises small local residential homes that do a splendid job—are half empty. Is the Secretary of State happy to see the council tax payer paying more when such splendid residential homes stand empty?

**Mr. Dobson:** I generally assume, almost on principle, that the Liberals are up to no good. However, I should not comment about their particular activities in the Torbay area as there may be another side to the story.

**Dr. Howard Stoate** (Dartford): During my years as a GP, I came across many cases involving people who stayed in totally inappropriate surroundings for far too long—causing great distress to not only themselves but their carers and families—because they were worried literally sick about whether they could afford long-term care. Will my right hon. Friend reassure my constituents—both present and future pensioners—that they will be treated with respect and dignity?

**Mr. Dobson:** The crucial point that we must bear in mind at all times is that everybody in our society has the right to be treated with dignity. All generations owe it to previous generations to ensure that they receive such treatment. Of all generations throughout the history of this country, the present working generation owes a tremendous debt of gratitude to retired people, who defeated Hitler, founded the welfare state and the national health service and then paid for it.

## Points of Order

4.17 pm

**Mr. Tam Dalyell** (Linlithgow): On a point of order, Madam Speaker. You will have heard the polite, courteous and emollient answer given to question No. 33, which was addressed to the Parliamentary Secretary, Privy Council Office, about a Select Committee on Iraq. However, that response did not refer to the issue of the strike against the pipeline linking Iraq and Turkey, and all the consequences that that will have for the oil-for-food programme. Madam Speaker, have you received any request from the Foreign Office to comment on, or make a statement about, this rather urgent matter?

**Madam Speaker:** I heard the hon. Gentleman's supplementary question. However, I have not been informed that the Foreign Office is seeking to make a statement on that issue.

**Mr. John Smith** (Vale of Glamorgan): On a point of order, Madam Speaker. Is it in order for the hon. Member for Woodspring (Dr. Fox)—whom I have notified about my intention to raise this point of order—to speak at the Dispatch Box on behalf of the Opposition during the Welsh affairs debate in this place and proceed to talk down Welsh manufacturing industry? That is what he did—

**Madam Speaker:** Order. No, I am sorry. Let me help the hon. Gentleman. I can take only points of order, which must refer to issues that I can do something about. The hon. Gentleman has so far raised a matter of politics and debate across the Floor of the House. He must raise a point that I can deal with.

**Mr. Smith:** I hope that I shall continue along those lines, Madam Speaker. The hon. Member for Woodspring represents a constituency in a region that stands to benefit directly—it is in direct competition for jobs and investment—

**Madam Speaker:** Order. The hon. Gentleman should first work out the point of order to me and then raise it so that I might be able to respond to it. It is no concern of mine what constituency the hon. Member for Woodspring (Dr. Fox) represents or what he says at the Dispatch Box on behalf of the Opposition. This is a free Parliament and the hon. Member for Woodspring can say exactly what he wants, provided that it is within parliamentary terms and that he uses good language.

# Orders of the Day

## Sexual Offences (Amendment) Bill

*As amended (in the Standing Committee), considered.*

### New Clause 4

DEFENCES AVAILABLE TO PERSONS WHO ARE UNDER AGE

'.—(1) In section 12 of the Sexual Offences Act 1956—

(a) in subsection (1), after the words "subsection (1A)" there shall be inserted the words "or (1AA)";

(b) in subsection (1A), after the word "circumstances" there shall be inserted the word "first"; and

(c) after that subsection there shall be inserted the following subsection—

"(1AA) The other circumstances so referred to are that the person is under the age of sixteen and the other person has attained that age."

(2) In section 13 of that Act (indecency between men)—

(a) after the words "another man", in the first place where they occur, there shall be inserted the words "otherwise than in the circumstances described below"; and

(b) at the end there shall be inserted the following paragraph—

"The circumstances referred to above are that the man is under the age of sixteen and the other man has attained that age."

(3) In subsection (1) of section 1 of the Sexual Offences Act 1967—

(a) the words from "a homosexual act" to the end shall become paragraph (a); and

(b) after that paragraph there shall be inserted the words "and

(b) a homosexual act by any person shall not be an offence if he is under the age of sixteen years and the other party has attained that age."

(4) In section 13 of the Criminal Law (Consolidation) (Scotland) Act 1995, after subsection (8) there shall be inserted the following subsection—

"(8A) A person under the age of sixteen years does not commit an offence under subsection (5)(a) or (c) above if he commits or is party to the commission of a homosexual act with a person who has attained that age."

(5) In paragraph (1) of Article 3 of the Homosexual Offences (Northern Ireland) Order 1982—

(a) the words from "a homosexual act" to the end shall become sub-paragraph (a); and

(b) after that sub-paragraph there shall be inserted the words "and

(b) a homosexual act by any person shall not be an offence if he is under the age of seventeen years and the other party has attained that age.".'—*[Mr. Boateng.]*

*Brought up, and read the First time.*

4.20 pm

**The Minister of State, Home Office (Mr. Paul Boateng):** I beg to move, That the clause be read a Second time.

**Madam Speaker:** With this, it will be convenient to discuss the following: new clause 2—*Defence against charges under Sexual Offences Act 1956*—

'( ) Where a person ("A") is charged with an offence under section 12 or 13 of the Sexual Offences Act 1956 with another person ("B"), it shall be a defence for A to prove that, at the time of the activity, he did not know, and could not reasonably have been expected to know, that B was under 16.'.

New clause 3—*Defence against charges of homosexual activity (Northern Ireland)*—

'( ) In Article 3 of the Homosexual Offences (Northern Ireland) Order 1982 (homosexual acts in private), at the end there shall be inserted—

"( ) A man (A) is not guilty of an offence of doing a homosexual act with another man (B) where B is under the age of 17, if A is under the age of 25 and has not previously been charged with a like offence, and he believes B to be of the age of 17 or over and has reasonable cause for the belief.".'.

Government amendment No. 9.

**Mr. Boateng:** The new clause will have the effect that, in England and Wales, it will not be an offence for a person under 16 to engage in buggery or for a male under 16 to commit an act of gross indecency with a male aged 16 or over or be a party to, or procure the commission of, an act of gross indecency with a male aged 16 or over.

The new clause does not affect the liability of a person over the age of 16 who engages in such activities with a person under 16. Our whole purpose is to ensure that such people are liable in the criminal law.

Both parties will also continue to remain liable in the criminal law if they are both under the age of 16. To do otherwise would be to negate the age of consent entirely, and that clearly would not be acceptable. Furthermore, it might allow a 15-year-old to escape any liability for engaging in predatory activity with a younger child, which would clearly be an undesirable consequence.

Similar changes are also made to the law in Scotland and Northern Ireland to decriminalise a male under the age of consent—that is 16 in Scotland and 17 in Northern Ireland—who engages in homosexual activities with someone over that age.

An amendment to provide for the decriminalisation of the younger partner was moved in Committee of the whole House by the hon. Member for Oxford, West and Abingdon (Dr. Harris), supported by a number of hon. Members, and received widespread support. We undertook to consider the principle behind that amendment, with which we had great sympathy, and to table an acceptable and technically competent amendment that met the will of the Committee if we were satisfied that the change could properly be made in the Bill. That is what we have done through the new clause.

That has also entailed a minor change to the long title of the Bill to cover the circumstances in which behaviour is not criminal, not merely the age.

We were unable to accept the amendment moved by the hon. Member for Oxford, West and Abingdon because it referred to no proceedings being taken against a person under the age of consent who engages in buggery or homosexual acts with a person over the age of consent. Our new clause makes it clear that no offence is committed in the first place because the problem does not relate only to instituting criminal proceedings, as I know the hon. Gentleman now recognises. The measure is necessary in the interests of protecting children. That issue united both sides of the Standing Committee, and I am grateful to the hon. Member for Hertsmere (Mr. Clappison), who speaks for the Opposition, for the constructive approach that he adopted to the amendment.

We undertook to consult those who are engaged, day to day, in the protection and support of children. They include the National Society for the Prevention of Cruelty to Children, the Children's Society and NCH Action for Children, all of which have made it clear that they support the measure. That will be of concern to hon. Members on all sides of the House.

At present, in the case of buggery and male homosexual acts where the older partner is above the age of consent, the law criminalises the younger partner—both boys and girls. Not only does that mean that, in most cases, young homosexual males are treated in a way that young heterosexuals are not, but, most importantly, it does nothing to protect children. It allows adults to threaten what may be naive young boys and girls with the prospect of being brought into the criminal justice system if they complain to another adult about the activities in which they have been involved. That may serve to encourage and facilitate predatory conduct by older men. The Standing Committee was concerned to discourage such conduct and there was universal agreement on the matter.

**Mr. John Bercow** (Buckingham): I recognise the rationale behind the new clause, but, so that we can take a view on its likely practical significance, will the Minister tell us how many boys under the age of 16 were prosecuted for buggery in 1998?

**Mr. Boateng:** I shall write to the hon. Gentleman in due course about the number of young men under the age of 16 prosecuted for buggery in 1998. If he remains in his place for the duration of the debate, although he has not always graced the Opposition Benches on previous occasions, I will—

**Mr. Bercow:** I am always in the Chamber.

**Mr. Boateng:** I know that the hon. Gentleman is an assiduous attender of the House, but he has not always been present during previous debates on the Bill. If he remains in his place for some time longer, I promise him that, before the end of today's proceedings, I will let him have the figure.

I suspect that the number of prosecutions, if any, is small, but our concern is to make sure that the measure does not tell against the interest of young people, who might be dissuaded from bringing action against older predatory males for fear of prosecution. As we know, in these matters, fear of prosecution, as much as any actual prosecution, tells on the minds of the young people involved. That concerned the hon. Member for Hertsmere, me and other members of the Committee.

The new clause would stop the continued use of the criminal law as a means of coercion to be used against those whom we in this House wish to protect the most—young children. That is something that we all take very seriously indeed. We have made it clear, however, that other attempts to deal with the undoubted anomalies and inconsistencies in sexual offences legislation, including

the way that the criminal law treats heterosexual and homosexual activity, must wait for the review of sexual offences and penalties.

I understand the thinking of the hon. Members for Oxford, West and Abingdon and for Sheffield, Hallam (Mr. Allan), and the hard work that they have put in, but I fear that their amendments are likely to fall foul of our concern that the review that we have instituted should be in a position to take an overview and to tackle the undoubted anomalies and inconsistencies in the course of its work.

Making further ad hoc changes to the law on sexual offences and penalties through the Bill would only add to the inconsistencies in the law. However, we believe that the case for decriminalising the younger partner is so overwhelming that there are no good reasons against doing so now. The other issues raised during the consideration of the Bill about the inconsistencies in the law on sexual offences require a view to be taken of the law as a whole, if we are ever to achieve a rational basis for our law in this area. The new clause does not require that, and it can be adopted without creating any new inconsistencies.

It might be helpful at this stage to deal with the Government's response to new clauses 2 and 3, which stand in the name of the hon. Member for Oxford, West and Abingdon, among others. He will take the House through the effect of his new clauses but, for us, they raise important questions of principle. They concern the defence of reasonable belief on the part of the person committing an offence against a person under the age of consent and go far beyond the changes that we propose in the Bill. The issues raised affect heterosexual offences and homosexual offences.

Our approach to the age of consent has been for Parliament to decide on the simple, straightforward issue of the equalisation of the age of consent. With one exception—the decriminalisation of the younger partner—we have made it clear that other attempts to deal with the undoubted anomalies and inconsistencies in the sexual offences legislation, including the way that the criminal law treats heterosexual and homosexual activity, must wait for the review of sexual offences and penalties. That will disappoint the hon. Member for Oxford, West and Abingdon, but I hope that he understands that we are at least disappointing him consistently.

Making further ad hoc changes to the law on sexual offences and penalties through the Bill would only add to the inconsistencies in the law. We therefore do not intend to go down that road. The main focus of the sexual offences review will to be ensure that the law provides the best possible protection for children and more effective punishment of abusers. It is however necessary to consider the issue that the hon. Gentleman raises as part of that process, and the review will do so.

4.30 pm

We have also made it clear that the review must ensure that the law is fair and non-discriminatory, in accordance with the European convention on human rights and the Human Rights Act 1998. The Northern Ireland Office is working alongside the Home Office on the review of sexual offences and will respond to its recommendations in due course. As the hon. Member for Oxford, West and Abingdon will appreciate, the new clause raises a number of technical issues. I do not intend to go into them at this stage but, if he would like me to deal with them later, I should be only too happy to do so.

We cannot accept the new clauses, which are properly matters to be considered by the review and go far beyond the purposes of the Bill. The policy on such offences needs careful examination in the light of the need to protect children. We have serious concerns that, as they stand, either of those defences might make prosecuting sexual offences substantially more difficult—and we are not having that.

A similar defence to that contained in new clause 3 for Northern Ireland was proposed by hon. Members in Committee. It would have provided a defence for those under 25 in relation to a first charge for such an offence. We consulted a number of children's charities about that, and they believe that even such a limited measure would have serious implications for child protection. We are simply not prepared to accept that. That argument applies even more to a broad defence along the lines of new clause 2, which makes the proposition even more unacceptable to us. The matter will, however, be examined in the course of the review.

I hope that, in the light of that assurance, the hon. Gentleman will not press his two new clauses. On that basis, I commend Government new clause 4 and amendment No. 9.

**Mr. James Clappison** (Hertsmere): I wish to make two matters clear. First and most importantly, these issues will be the subject of a free vote, if there is a vote, and any views that I express are personal—my colleagues may take a different view. Secondly, if it is convenient, I should like to deal with the amendments and new clauses in this group together.

I welcome Government new clause 4. I listened carefully to the Minister's speech. He adopted many of the points that we made when the matter first came before the House. There is merit in the approach taken in the new clause, as that will serve to protect the younger party, which should be the law's main priority in this area. Thus, there will be a defence for the under-age person where the other party is over age. That is clearly in the interests of bringing the older party to justice. Removing the disincentive to the younger party to report the offence should help to bring older people who enter into inappropriate sexual relationships to justice.

I agree with the form in which the new clause is tabled. When the original amendment was before us, we observed that it would merely have prevented proceedings from being brought, whereas the new clause clarifies that no offence will be committed. That brings the law into line with the existing law on under-age sex with a heterosexual girl. I therefore welcome the new clause, which reflects the arguments that we made earlier in our proceedings.

New clause 2 is important and requires careful consideration. Indeed, it was considered carefully in Committee. It will make available a defence in cases where an older person is charged with an offence under section 12 or 13 of the Sexual Offences Act 1956. It is sometimes referred to as a statutory defence or a defence of mistake of age.

It is important to note that a defence of mistake of age is available in the case of unlawful sexual intercourse with a girl under 16. That is, in some ways, the equivalent heterosexual offence. That defence is sometimes called the young man's defence.

*[Mr. James Clappison]*

If a charge is made relating to under-age sex with a girl under the age of consent, it is a defence for a person under 24 who has not previously been charged with a similar offence if he believed the girl to be 16 or over and had reasonable cause for the belief. That has long been available as a defence in England and Wales for offences of unlawful sexual intercourse with a girl—it goes back many years.

It is worth noting that a similar defence is available in Scotland in the case of both heterosexual and homosexual acts. I listened with interest to the Minister's comments about new clause 3, which would create a defence in the case of offences in Northern Ireland. He referred to consultations that had taken place and said that, in the interests of protecting children, we should not accept the new clause, but it would create an almost identical—if not identical—defence to the one that currently applies in Scotland.

That is an interesting point. I think that the only difference would be that the age of consent would be slightly higher in Northern Ireland—the age of consent being 17, whereas in Scotland it is 16; otherwise, the defence would be the same in Northern Ireland as in Scotland.

In Scotland, in the case of both under-age heterosexual sex and under-age homosexual sex, there is a defence if the defendant has not previously been charged with such an offence, is under 24 and had reasonable cause to believe that the other party was over the age of consent. After thinking carefully about it and reflecting on the debates in Committee, I find it hard to see why the same defence should not be available for people aged under 24 in respect of homosexual acts in England and Wales as is available already in Scotland and, in the case of heterosexual sex, in England and Wales.

Age is important. Different considerations apply where people are older. Someone who is in his late 20s, 30s or 40s should not be able to avail himself of such a defence—as he cannot now do in the case of heterosexual sex—but, where young people are in the same general age bracket, we have to think of the interests of justice and ask: do we want to bring within the ambit of the criminal law a young person who had homosexual relations with an under-age person when he genuinely believed that the under-aged person was over the age of consent and had reasonable grounds for such a belief? Do we really want such a young person to be guilty of a criminal offence, as the law now stands, and to face a possible maximum sentence of life imprisonment?

It is important and salient that the availability of that defence be strictly limited.

**Mr. Edward Leigh** (Gainsborough): Is my hon. Friend erecting a new maxim—that the law for heterosexual offences should generally be the same as that for homosexual offences?

**Mr. Clappison:** No, I am not erecting a new maxim and was carefully trying not to do so. I was trying to act in the interests of justice and fairness all round, but without necessarily erecting such a principle.

**Mr. Desmond Swayne** (New Forest, West): On the question of justice and fairness, given the enthusiasm that my hon. Friend has expressed for new clause 4, would it not be proper that an offender under new clause 4 should be reasonably—

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Order. *[Interruption.]* My apologies. I thought that the hon. Gentleman was outwith the scope of the new clause. He may carry on.

**Mr. Swayne:** If one of the partners to an act under the terms of new clause 4 claimed as a defence that he thought the other was over 17, would not that defence be perfectly reasonable?

**Mr. Clappison:** The defendant would have to establish the ingredients of the defence.

Others may disagree with my view, but this is not a legal novelty. As I have said, in heterosexual cases, it has been available as a defence since 1922, and I believe a form of it was introduced in 1885—so it may be a case of returning to Victorian values. As I have said on other occasions when we have debated the Bill, I am now speaking on the basis of my personal view, nor do I seek to equalise the law in every respect. I shall not be presenting a checklist of ways in which the law should be made identical; I am trying to establish a way of acting fairly and in the interests of justice in individual cases.

It should be borne in mind that the availability of the defence is strictly limited by age, and that the onus is on the defendant to establish that he believed that the other party was over the age of consent and had reasonable grounds for that belief. If defendants are still to be given the chance of trial by jury—I hope that they will, in these and in other cases—it will be for an English court and an English jury to use their good sense in deciding the matter.

A defendant will not escape liability by saying that he thought the other party was over the age of consent; he will also have to establish that he had reasonable grounds for that belief, and establish it to the satisfaction of the court.

I believe that the defence that is available in heterosexual cases in England and Wales, and in both heterosexual and homosexual cases in Scotland, should be available in cases such as this in England and Wales. That would be in the interests of justice and fairness all round. I have already commented on new clause 3; new clause 2, however, goes wider than the existing defence for heterosexual sex in a number of important respects.

I note that the new clause refers to knowledge of someone's age, rather than belief, as the basis for a defence. The availability of such a defence is not restricted to those who have previously been charged with similar offences, as in the case of heterosexual sex; and, more important, it is not restricted to those under 24. That is a big difference, in my view: I regard age as an important consideration.

**Dr. Evan Harris** (Oxford, West and Abingdon): The hon. Gentleman may be about to deal with this. He is aware from discussions that we have had outside the Chamber that it is extremely unlikely that new clause 2 would have been selected if it had been tabled in exactly the same form as the form in which it was tabled in Committee—which was right, because we do not want to

repeat those arguments now. The principle is the same, however, and the new clause is phrased in exactly the same way as the statutory defence available in the case of an abuse of trust which can be found in clause 2. Perhaps the hon. Gentleman was about to make that point, but I should have liked him to do so at the outset. I should like to see an amendment providing for a statutory defence directly comparable with the defence that exists for heterosexuals.

**Mr. Clappison:** I shall, in fact, deal with that point now. By reason of the distinctions that I am making, I am not minded to support new clause 2, which the hon. Gentleman tabled. I do not consider it satisfactory. Much of the blame for that, however, arises from the attempt to use the defence supplied by the Government, about which I shall say more shortly. As the hon. Gentleman has said, the defence in new clause 2 bears a striking similarity to the breach-of-trust defence involving 16 and 17-year-olds in clause 2(2)(a). It may well be—as the hon. Gentleman has perhaps conceded—that those who tabled new clause 2 were trying to avoid inconsistency between the defence provided in their amendments and that provided in the Bill. The defence provided in the Bill is surprising, to say the least. It is also not the only example in the Bill of bad drafting and bad judgment.

4.45 pm

The defence provided in clause 2(2)(a) deals with people in a position of trust. Those who are in a position of trust include those who look after, and are regularly involved in caring for, a younger person. However, unlike those whose sexual activities arise out of other social contexts, surely those who are in a position of trust and are regularly involved in caring for a younger person could reasonably be expected to have some knowledge of the other party's age, and to know whether the other party was under 18.

In breaches of trust involving 16 and 17-year-olds, the Government's proposed defence of mistake of age is not limited by age. A man of 42 and a young man of 18 could therefore rely equally on the defence. The Government's proposed defence is therefore very strange.

**Mrs. Teresa Gorman** (Billericay): Does my hon. Friend have a view on the activity of television producers who, in their programmes, advocate sexual intercourse with people under 15? A week or so go, a programme was broadcast in which that act was not only physically demonstrated, but advocated and then glorified. Does he think that the programme's producer should be subject to such provisions on prosecution?

**Mr. Clappison:** My hon. Friend makes a very important point. Those who produce and broadcast programmes should be aware of their wider responsibilities. The general scenario that she described was thoroughly unattractive. One would think that responsible broadcasters would seek to avoid such scenarios, and not to give in to the temptation of sensationalism.

It really will not do for the Minister to say, in reply to new clauses 2 and 3, "We can't possibly consider the amendments. We don't want to go beyond changing the law on consent and taking the younger party out of liability, as we are doing in new clause 4. We want to confine ourselves to those issues, and leave everything else to the review." Ministers cannot say that when they themselves are creating a new form of defence in the Bill.

The defence that the Government are proposing in the Bill is vastly inferior to the long-established defence of mistaken belief, which is available already in the Sexual Offences Act. The Government have made a grave mistake in offering their form of defence, which will widen considerably the current one. The Bill will certainly make the defence of mistaken belief available to much older men—in their 30s, 40s or 50s—whereas the current one is already, rightly, limited to young men under 24, who are therefore in the same general age bracket as the younger person concerned.

The Government are making a mistake in proposing their defence. Moreover, those who tabled new clause 2 may have been attempting to use the Government's proposed defence in their new clause—the passage of which would be a mistake and should be avoided.

In my personal view, in the interests of justice and fairness—bearing in mind the state of the law in England and in Scotland, and in cases involving heterosexual and homosexual sex—a similar form of the defence available in cases involving heterosexual sex should be made available in those involving homosexual sex. However, it should be made available only without watering-down the very strict requirements that must be established—specifically of age and of the person concerned not having been charged previously with the same offence—and with the strict necessity of establishing reasonable belief. I believe that that form of defence is satisfactory and is in the interests of justice, unlike the form of defence proposed by the Government for cases of abuse of trust involving 16 and 17-year-olds.

**Mr. David Borrow** (South Ribble): I referred on Second Reading to the criminalisation of young gay men under the age of consent. The hon. Member for Oxford, West and Abingdon (Dr. Harris) and I tabled an amendment on that in Committee. I am grateful to my hon. Friend the Minister for having thought about the issue and introduced a new clause on it.

I welcome the new clause, but, as my hon. Friend has said, it still leaves many anomalies. I recognise that they cannot all be dealt with in the Bill, but I should like some clarification on the speed with which the review will take place and how quickly some of the issues can be dealt with. Some relevant issues are raised in other amendments that we shall come to. The speed with which they are dealt with by the review will have a bearing on how I vote this afternoon.

**Dr. Harris:** I share the pleasure of the hon. Member for South Ribble (Mr. Borrow) that the Government have accepted the principle of the amendment that we tabled in Committee and brought it forward in legally watertight terms that they can support with all their might on a free vote.

My hon. Friend the Member for Sheffield, Hallam (Mr. Allan) has urged me to be gracious in victory. It is against my nature in my early career in this place to be gracious and it appears to be against the nature of the Liberal Democrats in Parliament to be victorious. This is not a party political issue, but I pay tribute to the Minister for his willingness to take it on.

*[Dr. Harris]*

The Minister emphasised the need to protect younger people. I hope that the new clause is also motivated by the desire to end discrimination against gay people—in this case those under 16. From the late 19th century, there has been no equivalent offence of unlawful sexual intercourse for girls under 16 and they cannot even be charged through the Tyrell case law with aiding and abetting. The Minister did not mention the fact that the new clause gets rid of discrimination against homosexuals in criminal law, but I hope that that was part of the reason why the Government brought it forward. The hon. Member for Hertsmere (Mr. Clappison) referred obliquely to that, while claiming credit—which is in some part due—for supporting the proposal that the hon. Member for South Ribble and I made in Committee.

The new clause has other significant implications that have not yet been mentioned. Today was the first time that I have understood—let alone seen the point of—an intervention by the hon. Member for New Forest, West (Mr. Swayne), who pointed out with the perspicacity that only he can muster that, if there were a statutory defence, two 16-year-olds could argue that each thought that the other was over 16, resulting in both of them getting off the charge, because the new clause decriminalises the younger party involved in an act with an older party. For reasons that the Minister made clear in Committee—probably in response to another point by the hon. Member for New Forest, West—it does not decriminalise behaviour between two people under 16, because that would effectively lower the age of consent for homosexual acts below 16. We can be clear that new clause 4 does not lower the age of consent in those cases. As there is no such statutory defence in reverse, the hon. Member for New Forest, West can be reassured, in his terms, that that defence does not exist and that, in certain circumstances, there will be the continued prosecution of consensual offences where, because of the Government's attitude to new clause 2, a genuine mistake has been made as to age in a matter involving an older man and a male under 16.

Although the proposal makes progress, the law in this area is still not the same for heterosexuals and homosexuals. I believe that the law should be made identical, as far as anatomy allows, because we are considering the equality of people's interests. I know that views have been expressed by independent bodies that there should be equal consideration before the law, and I will refer to that in a moment.

New clause 4 has another significant implication, to which the Minister drew attention—there will no longer be a deterrent for males under 16 to report age of consent offences. Members on both sides of the House will recognise how important it is that, where clearly exploitative offences have taken place, there should be no deterrent for the victim, such as that, person's criminalisation, to prevent him—as it does not prevent her, in cases involving women—from bringing those offences to the attention of the authorities.

If there is not the same defence in law for young male heterosexuals and homosexuals—as proposed by new clause 2, and by its predecessor amendment—significant dangers will be created by the Government's correct action in new clause 4. It is important to recognise that the Government, in proposing new clause 4, have gone beyond merely bringing forward the decision on the age of consent on a free vote, to which they were committed by the settlement made following the Sutherland case at the European Court of Human Rights.

The Minister will be aware that the Commission, in its early judgment, made it clear that the criminalisation of under-16-year-olds could mean that the Government find themselves outside the European convention on human rights because the offence that criminalises the person under 16 is also that which makes him a victim.

The Government are going no further than they are forced to do by the European convention on human rights, by the Sutherland judgment. In their terminology—they say that the measure is designed for the protection of the young, but not that it equalises what is currently discriminatory—the Government are being less than fulsome in their commitment to ending discrimination wherever it exists. The Government's attitude to new clause 2 shows that they have drawn a line—the Minister has consistently disappointed me in this regard—and said that they will go no further than they are forced to by the European convention on human rights.

When the hon. Member for Hertsmere can argue as he just has—from the Conservative Front Bench, although not for the Conservatives because the issue will be decided on a free vote—one must ask what is stopping the Government making the change now, subject to the review. As the hon. Gentleman made clear—and as I made clear earlier—the Government have made provision for a statutory defence in clauses 2 to 4, dealing with the abuse of trust and the creation of that new offence.

In Committee, we understood that sentencing provisions and other provisions relating to the new offence concerning abuse of trust would be considered in the review, along with everything else. Merely stating that such a review is to be conducted does not mean that the Government could not propose legislation on matters touched on by new clause 2. In terms of new clause 2, I wish to thank its supporters from all parties—particularly the hon. Member for Birmingham, Selly Oak (Dr. Jones), who, at short notice, had the matter drawn to her attention and signed early-day motion 319, along with many other hon. Members who support the principle contained in it.

The original new clause in all its glory, which we discussed in Committee, had the age limit and the "two strikes and you're out" provision, making it applicable only to people not previously charged with a like offence, and was almost entirely identical to the current provisions for heterosexuals. Although we had a free vote, that new clause was defeated in Committee by a phalanx of Government Back Benchers voting against a move to end discrimination. I do not believe that there was good reason for that, and that is why I was keen to table more new clauses that could, in principle, be voted on.

5 pm

I wonder whether Labour Members believe that there should be a vote, even though we may lose it, as the hon. Member for Hertsmere has said that, because the new clause is not the original one that we discussed in Committee, he may not support it. The Bill will be considered by the other place, and the Lords will have an opportunity to say that there should be equality in the statutory defence.

The Government's undertaking to take the matter to a review is insufficient to make me drop the campaign for equality. New clause 4 creates dangers of blackmail and of differential prosecution, conviction and imprisonment for young gay men as against heterosexuals. There is a danger of blackmail for homosexuals, whether for consensual sex above the age of consent or for sex below that age—it will now be 16—which is, rightly, in itself a criminal offence unless there is a defence that is acceptable to the court.

We know from the history of homosexuality and its interaction with the criminal law in this country that there has been much discrimination and blackmail and that lives have been ruined but, at present, a protection exists for young gay men against mischievous or malicious reporting of consensual sex, entrapment and blackmail, because mischievous or malicious persons, who may be young persons acting at the behest of older persons, are constrained from going to the law when they have misled an older person about their age and engaged in sexual activity because they would be committing an offence and be liable to prosecution. Such activity need not be buggery, as gross indecency covers a range of activities that in heterosexual settings are often not thought to be especially sexual but that the police have brought prosecutions on because a policeman considered them grossly indecent between two men.

The Government are right to remove that offence, but the field is being left open for pimps to use the young people whom they exploit to entrap older people, not necessarily to the point of prosecution, but to the point of blackmail. People may swear that they are above 16 or 18. Indeed, by entering certain clubs or bars they imply that they are over 18 or 21, so they have already misled the proprietors and staff. The proprietor is liable, and therefore must deem anyone in the premises to be above the legal drinking age. There is no defence for the older person in that circumstance of being misled or entrapped, and there is no defence against blackmail.

**Dr. Julian Lewis** (New Forest, East): The hon. Gentleman makes some thoughtful points about the dangers of blackmail. I put it to him that a countervailing aspect of new clause 2 is that, by decriminalising the offence for the younger party, the hon. Gentleman removes the ability of the younger man to say to the older man, who is urging him into a homosexual relationship, "I mustn't do that, because it is against the law." Is the hon. Gentleman concerned about that aspect?

**Dr. Harris:** That is a separate point from the one that I wished to make, and the hon. Gentleman might care to ask the Minister to comment. I reiterate that I support new clause 2, because I tabled an amendment along similar lines in Committee. It is of paramount importance to protect the young from any question of committing an offence. Criminalising the victim as a way of preventing him from being victimised is a unique concept, if not in the hon. Gentleman's mind then certainly in British law. The European Commission of Human Rights pointed out that the criminalisation of the young person is inappropriate, whether it is in order to try to deter a criminal from victimising that younger person or because the act in question is viewed as an abomination, which is the origin of the law.

Without new clause 2, homosexuals would not have a defence that they were misled about the age of the younger person, but heterosexuals would. Young females do not generally blackmail their older partners in cases in which they have reasonable cause to believe that the older person is above the age of consent and can prove that to a jury. The hon. Member for Hertsmere believes that the age of consent will soon be equal—although he does not support equalisation himself—and he called for more prosecutions. He drew attention to what he believed was a fall in the number of prosecutions for age of consent offences and said that he believed that that was related to the lowering of the age of consent for homosexuals in 1994. There is no evidence to support that conclusion but, fortunately, there have been few prosecutions for consenting sex with a person aged under 16 if it does not involve explicit abuse or exploitation. The Minister said that he was sympathetic to the argument that there had been too few prosecutions. If we are to have more prosecutions, but no statutory defence is available to the hundreds of young gay men who might be brought before the courts after a clampdown and more raids on gay venues—where people pretend to be above the age of 16, and 18—the Bill will mean that many more gay men are prosecuted than heterosexual men. By definition, there will also be more convictions because, once the facts about the ages and the act are established, homosexuals will have no defence, except in Scotland. Therefore, new clause 2 should be welcomed, because it will protect young people and end discrimination. If it is not included in the Bill, we will see increased and discriminatory prosecution, conviction and imprisonment of young gay men compared to young heterosexual men.

If it is acceptable for heterosexuals to have that defence, and acceptable for homosexuals in Scotland—the Government seem to think it acceptable to allow a broader defence in cases of abuse of trust, in circumstances in which it could be argued that the defence should be narrower—why cannot the Minister accept new clause 2? It is not too late, because the Bill could be amended in the other place to give protection, until the review reports, to homosexuals, as exists for heterosexuals, who have been misled about the age of their partners. That would offer protection against blackmail. The onus is on the Government to show why they will not accept such a change to the Bill. Whenever the Government are pressed on a matter that they feel may have some validity but about which they consider that it would not be politically expedient to pronounce, they set up a review without a commitment to legislation. They say that any suggestions for legislation should go into that review. The problem with the review is that the outcome is out of the Government's control; if legislation is introduced, it may be under a different Government with a different view. The general case is that putting a matter to review is not an excuse not to legislate, especially when the discrimination involved has existed for more than 100 years.

The review is welcome. It was announced during consideration of the Crime and Disorder Bill, in response to my suggestions and those from hon. Members of all parties, when an amendment was tabled to tackle the discriminatory privacy provision. At the Dispatch Box, the Minister's predecessor, now the Secretary of State for Wales, said that a review would be needed to deal with all the issues.

However, there is no timetable for when the review must report to the Government, nor for when the Government will introduce legislation. We have heard

*[Dr. Harris]*

that the review will take a year, and that it will involve the widest possible consultation, which is envisaged to last at least a year. Even if the Government last the maximum five years, we will then be running up to the next general election.

Therefore, I think that the Minister will concede that he envisages no chance of legislation before the next election. I do not doubt the review's ability to come up with non-discriminatory measures, but I have set out why I believe that the Government will not introduce legislation where there is a clear danger that it will worsen the problem of blackmail.

My second concern about the review is that the Minister does not accept that there is gross discrimination in the existing law. I have listened attentively to his contributions, both on the Floor and in Committee. He has said that there are undoubted anomalies and inconsistencies in the law, and that they relate to the area between heterosexuals and homosexuals. However, he has not said that there is discrimination in the law, other than in one small area. Yet that discrimination exists, in sentencing, statutory defence, and other matters.

Will the review be independent? The review of the abuse of trust provisions contained an interesting paragraph. As I recall, it stated that the review group was minded not to include a particular group in the provisions, but that, after discussions with Ministers, it was recommending that group's inclusion. To me, that seems to mean that Ministers told the Home Office review group that they must recommend that inclusion in the provisions, which I believe had to do with educational institutions.

If this current review group is similar, what is to prevent Ministers from saying that it is not independent in terms of what it can produce? The Government will not want it to make recommendations that they do not find politically expedient. There are no votes in the reform of sexual offences law, and certainly not in measures to eradicate discrimination. That is in part why the words of the hon. Member for Hertsmere were so welcome.

My final concern about the review, as an excuse for not legislating on this matter, is that there is nothing to stop the Minister putting any of the provisions in the Bill forward for consideration. He has said already that sentencing provisions—discussed in Committee and to be discussed again today—and other matters will be subject to the review, even though there has already been a wide review of sexual offences and measures covering registers of sexual offenders for legislation that has been introduced to date.

There is nothing to stop the Minister accepting an amendment such as new clause 2—or the similar but better-worded amendment that I tabled in Committee, with such changes as the Minister considers appropriate—and then putting in into the review. When he responds to the debate, he cannot rely on the review to excuse him from the need to act against the discrimination that exists in the law, or against the danger of blackmail, which is present already and which would be made worse by the provisions of new clause 4. If a suitable case can be found, the European Court of Human Rights will find—yet again—against a United Kingdom Government. I should like the Government to be proactive on homosexual rights and in seeking an end to discrimination, without waiting for the European Court of Human Rights to force action.

5.15 pm

It is vital that the Government should accept that the current law is discriminatory. They made a manifesto commitment to tackle unjustified discrimination wherever it existed. It clearly exists in the criminal law relating to homosexuals. The Government must accept that the law is already discriminatory, and must allow the review fully to end discrimination through its recommendations, without any interference from Ministers. I hope that the Minister will give me that assurance today.

The Minister wants a climate in which there is less tolerance of age-of-consent offences—a wish that is widely shared in the House. However, until there is equality in terms of statutory defences, then a tightening of the law and an increase in prosecutions will mean differential prosecution, conviction and imprisonment of homosexuals. We would be back to where we were before 1967. I commend new clause 2 to the House, and I urge the Minister to respond positively to my points, and to give a commitment that we will not go down the path towards blackmail and discrimination.

**Mr. Swayne:** I acknowledge that the Minister believes that there are overwhelming reasons why we should accept new clause 4. However, I suspect, as I have suspected for some time, that I live on a different planet from the Minister. I believe that there are overwhelming reasons why new clause 4 should be rejected.

First, it provides every incentive for the active homosexual under the age of 16 to ensure that he avoids any difficulty over the age of consent by selecting as his partner someone who is over 16. It is a monstrous absurdity that someone under 16 should not commit an offence by having consenting sexual relations with another homosexual who is over 16, while someone who selects as his partner someone more equal in age should indeed commit that offence. That offends against any concept of justice.

I am not reassured, as the hon. Member for Oxford, West and Abingdon (Dr. Harris) suggested that I should be, about the age of consent. The age of consent is being abolished by the Bill. There is no age of consent for the young man under 16 so long as he acquires partners who are over 16.

**Mr. Richard Allan** (Sheffield, Hallam): Has the hon. Gentleman had any experience of young girls of 15 who go out to seek older partners? They are in exactly the same situation under the current law regarding unlawful sexual intercourse.

**Mr. Swayne:** I shall answer that point. It is my estimate that it is in the nature of women to seek older men. It has always been the case in sexual relationships that younger women tend to marry and to seek older men. The answer I should make to both the hon. Members for Sheffield, Hallam (Mr. Allan) and for Oxford, West and Abingdon is that the two matters are not at all the same thing. There should be no equality between a normal sexual relationship and an unnatural sexual relationship.

The argument that we should accept new clauses 4, 2 and 3 because they provide an equality between the law applying to heterosexual and homosexual relationships is,

as far as I am concerned, an argument for rejecting the new clauses. It is important to maintain within the law a proper discrimination between the two.

**Dr. Harris:** Clearly, the hon. Gentleman is in difficulties. His pronouncement on the sexual preferences of young girls is interesting and I give way to his, perhaps, superior knowledge—he may have researched it. If he thinks that the distinction is one based on unnatural acts, would he criminalise 15-year-old girls if, as part of unlawful sexual intercourse, they engaged in buggery? Perhaps he would. Therefore, he would not restrict the provision to boys—*[Interruption]* I think that the Minister says that I am encouraging him—but wants to expand it. He is in a weak position.

**Mr. Swayne:** I will not go down that road because it strikes me as being out of order. I have not researched such matters. My comment was merely an observation of life. That issue is not relevant to the debate, but equality before the law is. The two situations should not be treated equally.

On the blackmailer's charter, I have here a copy of *The Pink Paper* dated 19 February, which quotes the hon. Member for Oxford, West and Abingdon. It states:

"He told Pink Paper: 'A young man who wanted to get the better of, say, a teacher or social worker could engage in a sexual act in the knowledge that he is immune from prosecution . . . Then there would be nothing to stop him reporting it to the police.'"

I do not know what sort of circles the hon. Gentleman mixes in, but it is absurd to think that teachers and social workers would be game for such a device. We have not descended to that level yet, thankfully. The principle of the point is sound. New clause 4 would provide every incentive for opportunities for blackmail. Consequently, the simple remedy is to reject it.

The Chairman of Ways and Means was wise in his selection of amendments and, in particular, in grouping new clause 4 with new clauses 2 and 3. Those clauses taken together show the absurdity and enormity of the Bill. In new clause 4, we are expected to accept that a young man under the age of 16 having consensual homosexual relations with someone over the age of 16 has the defence that he was under age. The person over that age would have no defence on the ground that he did not know his partner's age. It would give rise to the equally absurd situation that a young man who stands to be prosecuted under the age of 16—namely, the consenting partner of another young man under 16—has no defence on the ground that he did not know that his partner was under 16. He cannot say that he suspected that his partner was over 16 and therefore he would not have committed an offence.

If a defence should be provided—as under new clauses 2 and 3—to the unfortunate who finds that, although he suspected his partner to be over 16, he is not, equally, such a defence should be provided to the under 16-year-old who thought that he was in bed with another under 16-year-old. The mere relation of those facts underlines the absurdity and the unnatural nature of the new clauses. Consequently, I urge the House to reject them.

**Mr. Allan:** Again, there will be a free vote on this issue on the Liberal Democrat Benches, although the majority of Liberal Democrats support the general thrust of the Bill, which will increase protection for young people in some circumstances by decriminalising them.

As I told the Minister, I have an interest in the review of sexual offences, both in respect of the issues that we are discussing and others. Perhaps he could answer some specific questions. First, has he an idea of the timetable that the Government have in mind for introducing legislation? I understand that there are no commitments, but an idea might be helpful. Secondly, will he categorically confirm that statutory defences in age-of-consent offences will be considered in the review? Thirdly, is the Government's approach, if not on the philosophical ground of equality at least on the rational ground of justice, to seek to equalise statute offences? Can he see any reason why the statutory defences should not be the same across the range of offences, irrespective of sexuality? Some response to those points would help me and my colleagues.

**Dr. Julian Lewis:** I am disappointed that, in the course of his lengthy remarks, the hon. Member for Oxford, West and Abingdon (Dr. Harris) did not find time to address the point that I put to him. I shall take his advice to heart because I am an open-minded chap and can occasionally even learn something from a Liberal Democrat. I urge the Minister to address that point. Does he accept that these provisions would take away from a young man under the age of 16 who wished to protect himself from the approaches of a persuasive older homosexual male the ability to say, "No, I must not do this because it is illegal"? Would that not diminish the protection of boys under 16?

**Dr. Harris:** To wind up, I want to respond to the hon. Member for New Forest, East (Dr. Lewis). His logic calls for the criminalisation of 14 and 15-year-old girls because criminalising them would make them more able to resist advances. A civilised criminal justice system should not work that way. We should not criminalise victims to add to their protection.

**Mr. Deputy Speaker:** Order: I thought that the hon. Gentleman was intervening on the hon. Member for New Forest, East (Dr. Lewis). He cannot wind up on a new clause that is not before the House.

**Mr. Douglas Hogg** (Sleaford and North Hykeham): My hon. Friend the Member for New Forest, East (Dr. Lewis) made an important point, but one that must be seen in the balance. He argues that a young person under the age of 16 will be deprived of a means of resisting a predatory male if that young person cannot say that he will be subject to the criminal law. However, there is a powerful argument that, if the young person is subject to the criminal law, he will not go to the authorities. A balance has to be struck, and, while I understand my hon. Friend, I am not in favour of exposing the young person to the full rigour of the criminal law for the reason that I gave. On the broader question, I am against the Bill. That said, we have it in front of us and are in the business of trying to make it as good as possible. I hope that he will pardon me if I disagree with him on that point.

5.30 pm

**Mr. Boateng:** We have had a good debate in which the issues have been given the airing that one would expect bearing in mind the way in which these proceedings have been conducted both on the Floor and upstairs.

In response to the hon. Member for New Forest, East (Dr. Lewis), let me say that I have been through the same sort of exercise as the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). A balance must be struck. We believe that children and young people are better protected if they are freed from the fear of prosecution if they come forward, having been the victim of a predatory male. It is for the House to determine on a free vote its attitude to the new clause.

I listened at considerable length—as did the whole House, perforce—to the hon. Member for Oxford, West and Abingdon (Dr. Harris). I fear he misunderstands the basis on which new clause 4 has been tabled and the distinction between the nature of new clause 4 and that of new clauses 2 and 3. New clause 4 has been tabled as a Government measure designed better to further and protect the interests of children; it is not designed to promote equality before the law. I hope that I have made it abundantly clear to the hon. Gentleman and to the House that the issue of equality before the law is limited in respect of the Bill. We introduced the Bill to achieve equality before the law in relation to the age of consent, and the age of consent alone.

There are a range of other matters on which right hon. and hon. Members on both sides of the House have a view. That view will be rooted in their consciences, and their approach to the personal and delicate issues relating to sexual relations. People arrive at different views, depending on their approach, and we are not prescriptive as to what that view should be. The hon. Member for Oxford, West and Abingdon has a clear view that he has expressed throughout proceedings on the Bill, and every amendment and new clause that he has tabled, whether in Committee or on the Floor of the House, is designed to promote that view.

We as a Government are absolutely committed both to the equalisation of the age of consent and to giving the House an opportunity to determine that matter. I have made my personal view well known, as has my right hon. Friend the Home Secretary: we support the equalisation of the age of consent and do so on the basis of equality before the law, a principle to which I adhere. However, we do not approach the Bill on any basis other than the commitment to the achievement of two separate objectives: the vote on the equalisation of the age of consent, and the measure that we introduce for consideration by the House dealing with the entirely separate issue of abuse of trust.

In respect of the latter measure, I have to tell the hon. Member for Hertsmere (Mr. Clappison) that there is a crucial difference between the defence for abuse of trust and the defence for homosexual acts and buggery. In relation to abuse of trust, the older individual is expected to know the age of the person who lies in his trust. In exceptional circumstances, he might not know the age of that individual—for example, if he were a teacher in a further education college which taught students of a broad age range, and he had had no contact with the student hitherto, it is conceivable that he might not know the age of that student.

**Mr. Clappison** *rose—*

**Mr. Boateng:** Let me finish the point. It is our view that, in those circumstances and whatever the age of the older party—older age does not necessarily bring with it a knowledge of the age of the younger party—it would be wrong for him not to have that defence available. He has to make use of that defence and to bring himself within it, but we think it right that the defence should be available to such individuals, regardless of their age, that, in certain circumstances, the older individual would not be expected to know the age of the younger. That is the distinction, so I do not accept that we have got ourselves into the sort of difficulty that the hon. Gentleman describes—

**Mr. Clappison:** Will the Minister give way?

**Mr. Boateng:** No, the hon. Gentleman has made his point and I intend to wind up the debate.

**Dr. Julian Lewis:** I am enjoying it.

**Mr. Boateng:** I am glad. I have not finished yet, so the hon. Gentleman may enjoy it some more.

In those circumstances, I do not believe that we have misdirected ourselves in relation to that defence. As to new clauses 2 and 3—which the hon. Member for Oxford, West and Abingdon urged us to accept—there is no limit to those under 25 for the first charge in England and Wales. It is a general defence, and the provisions are very wide and would make prosecution substantially more difficult. That is why we are unable to accept it. The hon. Member for Hertsmere found new clause 3 acceptable in the context of Northern Ireland. That is a matter for him, and hon. Members will make up their own minds. The reasons that we have given for opposing new clauses 2 and 3 stand.

The hon. Member for Oxford, West and Abingdon urged upon us the point about equality. The review will take account of several factors, including that issue. We have deliberately constructed a review process that is about expertise and a range of experiences and views—some of which are disparate. We have done that because we do not wish to circumscribe the basis upon which the review body approaches its task. It will perform its task within the year and produce proposals. It is right that those proposals should be subject to wide debate and discussion—we make absolutely no apology for that.

The hon. Member for Oxford, West and Abingdon has latched on to the notion that this is somehow an attempt by the Government to kick the issue into the long grass. That could not be further from the truth. Does he seriously expect us to conduct a rational debate about sexual offences issues—involving deeply personal and sensitive topics, including matters of conscience—without allowing proper, open consultation? That would be quite wrong, and we do not intend to go down that path. I am unable to give the hon. Gentleman, or the hon. Member for Sheffield, Hallam (Mr. Allan), any assurances about the outcome, save to say that we have made it clear that the

review must take into account the need to comply with the European convention on human rights and our treaty obligations thereunder. That will inform the outcome of the review's deliberations, the wider debate and, in due course, the House.

**Dr. Harris** *rose—*

**Mr. Boateng:** I will not give way: the hon. Gentleman has had more than enough time to explore his points. [HON. MEMBERS: "Far too much."] The hon. Gentleman has added enormously to the gaiety of nations, but I do not intend to allow him any more time to speak on this issue.

As for the hon. Member for New Forest, West (Mr. Swayne), there must be something in the water. I struggled with his contribution, but I was not persuaded by it. There will be a free vote in the House on this matter, and I hope that hon. Members will agree to new clause 4 and oppose new clauses 2 and 3. In light of my remarks, I hope that the hon. Member for Oxford, West and Abingdon will not push the matter to a vote.

**Dr. Harris** *rose—*

**Mr. Deputy Speaker:** Order. Is the Minister giving way?

**Mr. Boateng:** I have finished.

*Question put,* That the clause be read a Second time:—

*The House divided:* Ayes 274, Noes 64.

**Division No. 78]** **[5.39 pm**

AYES

Allan, Richard
Allen, Graham
Armstrong, Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Boateng, Paul
Borrow, David
Bradley, Keith (*Withington*)
Brake, Tom
Brinton, Mrs Helen
Buck, Ms Karen
Burstow, Paul
Butler, Mrs Christine
Cabom, Richard
Campbell, Menzies (*NE Fife*)
Campbell–Savours, Dale
Canavan, Dennis
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chisholm, Malcolm
Clappison, James
Clark, Rt Hon Dr David (*S Shields*)
Clark, Paul (*Gillingham*)
Clarke, Charles (*Norwich S*)
Clarke, Rt Hon Tom (*Coatbridge*)
Clarke, Tony (*Northampton S*)
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann (*Keighley*)
Cryer, John (*Hornchurch*)
Cunningham, Jim (*Cov'try S*)
Cunningham, Ms Roseanna (*Perth*)
Curry, Rt Hon David
Dafis, Cynog
Dalyell, Tam
Darvill, Keith
Davey, Valerie (*Bristol W*)
Davies, Rt Hon Denzil (*Llanelli*)
Davies, Geraint (*Croydon C*)
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela (*Wallasey*)
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Rt Hon Derek
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Follett, Barbara
Foster, Michael J (*Worcester*)
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce (*Walsall S*)
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane (*Reading E*)
Griffiths, Win (*Bridgend*)
Grogan, John
Hall, Mike (*Weaver Vale*)
Hall, Patrick (*Bedford*)
Hanson, David
Harris, Dr Evan
Heal, Mrs Sylvia
Heath, David (*Somerton & Frome*)
Henderson, Ivan (*Harwich*)
Hepburn, Stephen
Heppell, John
Hill, Keith
Hodge, Ms Margaret
Hogg, Rt Hon Douglas
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan (*Newport E*)
Howells, Dr Kim
Hughes, Ms Beverley (*Stretford*)
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda (*Hampstead*)
Jackson, Helen (*Hillsborough*)
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie (*Welwyn Hatfield*)
Jones, Helen (*Warrington N*)
Jones, Ms Jenny (*Wolverh'ton SW*)
Jones, Dr Lynne (*Selly Oak*)
Jones, Martyn (*Clwyd S*)
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan (*Feltham & Heston*)
Keen, Ann (*Brentford & Isleworth*)
Kelly, Ms Ruth
Kidney, David
Kilfoyle, Peter
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laing, Mrs Eleanor
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Linton, Martin
Livingstone, Ken
Lloyd, Rt Hon Sir Peter (*Fareham*)
Lloyd, Tony (*Manchester C*)
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian (*Makerfield*)
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, Rt Hon Peter
Marsden, Gordon (*Blackpool S*)
Marshall–Andrews, Robert
Maxton, John
Meale, Alan
Michie, Bill (*Sheff'ld Heeley*)
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie (*Cardiff N*)
Morris, Ms Estelle (*B'ham Yardley*)
Mountford, Kali
Mullin, Chris
Murphy, Denis (*Wansbeck*)
Oaten, Mark
O'Brien, Mike (*N Warks*)
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget (*Lewisham E*)
Prentice, Gordon (*Pendle*)
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John (*Hamilton N*)
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie (*Dundee W*)
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine (*Chester*)
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian

Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Ayes:**
**Mr. Kevin Hughes and**
**Mr. Robert Ainsworth.**

NOES

Anderson, Donald *(Swansea E)*
Bell, Martin *(Tatton)*
Bercow, John
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Bruce, Ian *(S Dorset)*
Butterfill, John
Cann, Jamie
Chapman, Sir Sydney *(Chipping Barnet)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Cormack, Sir Patrick
Cran, James
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Evans, Nigel
Faber, David
Flight, Howard
Forth, Rt Hon Eric
Fraser, Christopher
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Howard, Rt Hon Michael
Jack, Rt Hon Michael
Lansley, Andrew
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
MacGregor, Rt Hon John
Maclean, Rt Hon David
McLoughlin, Patrick
Mawhinney, Rt Hon Sir Brian
Moss, Malcolm
O'Brien, Bill *(Normanton)*
Page, Richard
Pollard, Kerry
Powell, Sir Raymond
Randall, John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rogers, Allan
Shephard, Rt Hon Mrs Gillian
Smyth, Rev Martin *(Belfast S)*
Spicer, Sir Michael
Stanley, Rt Hon Sir John
Syms, Robert
Taylor, John M *(Solihull)*
Tredinnick, David
Trend, Michael
Viggers, Peter
Waterson, Nigel
Whitney, Sir Raymond
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

**Tellers for the Noes:**
**Mr. Desmond Swayne and**
**Dr. Julian Lewis.**

*Question accordingly agreed to.*

*Clause read a Second time, and added to the Bill.*

**Mrs. Ann Winterton** (Congleton): On a point of order, Mr. Deputy Speaker. I seek your advice about access to the Palace of Westminster, given the new arrangements with the Bridge street underpass. When the Division was called, I was in my office in Norman Shaw North, as were many other hon. Members. We sought to get here in plenty of time for the Division. We tried to cross the road by the traffic lights, which is the quickest route. I understand that, traditionally, we are supposed to be allowed to access the Palace "without let or hindrance", but we had to wait a considerable time for the lights to change. Had we accessed the Palace elsewhere, that old-fashioned courtesy would have been extended to us. I should be grateful, Mr. Deputy Speaker, if you would look into the matter not only on my behalf, but on behalf of other hon. Members whose offices are far afield.

**Mr. Deputy Speaker:** I shall instruct the authorities of the House to look into the matter, before another Division is called.

**Mr. Allan Rogers** (Rhondda): Further to that point of order, Mr. Deputy Speaker. It really is difficult to cross Bridge street if one does not catch the lights. It is all right for certain hon. Members to say that there is no problem, but it is purely a matter of coincidence and the hon. Member for Congleton (Mrs. Winterton) is quite right.

**Mr. Deputy Speaker:** Hon. Members should have access from other parts of the parliamentary estate to get to Divisions unimpeded. The matter will be looked into. It may be worth noting that I used my discretion and allowed an extra minute before the Doors were closed because it was the first Division of the evening.

## Clause 2

ABUSE OF POSITION OF TRUST

**Mr. Boateng:** I beg to move amendment No. 1, in page 2, line 31, leave out 'two' and insert 'five'.

The amendment would raise the maximum penalty for the new offence of abuse of trust from two to five years. It has been tabled by my right hon. Friend the Secretary of State, the shadow Secretary of State, the Opposition spokesman, the hon. Member for Hertsmere (Mr. Clappison), and the hon. Member who deputises for the Opposition on these matters, the hon. Member for Ryedale (Mr. Greenway), so it enjoys the support of right hon. and hon. Members on both sides of the House. The amendment follows a detailed discussion in Committee on a similar amendment. We undertook to consider the position further in the light of the cogent arguments made then.

Hon. Members will recall that, on Second Reading, my hon. Friend the Member for St. Helens, South (Mr. Bermingham) made two persuasive interventions to raise the issue of penalties. It is right that his name should be mentioned in relation to this amendment.

We have looked at the amendment tabled in Committee and agree with the views that hon. Members expressed then that the amendment should be made. It may be helpful to explain briefly why we feel that that is so. First, we agree that analogy with the penalty for unlawful sexual intercourse with a girl between the ages of 13 and 15 is flawed. My view, for what it is worth, is that the penalty for unlawful sexual intercourse is too low. I know that a number of hon. Members on both sides of the House share that view. The Opposition spokesman on these matters certainly does.

As we said in Committee, we expect the penalty for unlawful sexual intercourse to be sorted out as part of the sexual offences review. However, as we believe that it is too low, we accept that it should not determine the level of penalty for the new offence. Given that we are considering a new offence, it is right to take this opportunity to set that penalty at an appropriate level. We must not be unduly influenced by the inappropriate level of penalty that applies in relation to unlawful sexual intercourse. Thus, we are considering the matter on its merits rather than on the basis of an analogy with what we regard to be a flawed penalty.

There is merit in a maximum penalty of five years for the new offence of abuse of trust. We believe that there could be cases, even of 16 or 17-year-olds with ostensibly consensual sexual relations, where a penalty of five years could be properly justified. For example, if someone in a position of trust in a detention setting had sex with a 16-year-old detainee, that would be a very serious offence, which would merit a maximum penalty of five years.

It is important for hon. Members to remember that we are discussing a maximum penalty, which would be used only rarely. Nevertheless, it is right that the courts should have it at their disposal to deal with the most serious cases of abuse. I hope that that argument will commend itself to right hon. and hon. Members on both sides of the House.

6 pm

It is important to view the circumstances where abuses of trust might stretch across a spectrum. At one end, there are circumstances—to which I have referred—where someone is held in detention and the maximum penalty might be appropriate. At the other, it is difficult to agree that, for example, teachers would merit such a penalty for consensual relations with a 16 or 17-year-old student where the teacher was, say, 23. In that instance, the lower end of the spectrum might be the most appropriate.

**Mr. Hogg:** The hon. Gentleman talks about the spectrum in which abuse of trust can take place. I wonder whether he could tell the House—I do not know the answer; he may have given it in the past—why the Government have decided not to extend the penalties and obligations that flow from the clause to those who are in loco parentis within the context of the domestic home?

**Mr. Boateng:** We have discussed that issue on the Floor of the House and Upstairs. I shared then with the House, and am happy to share now, the principles on which we arrived at our decisions in relation to abuse of trust. The most relevant one in terms of the situation that the right hon. and learned Gentleman describes is the availability of countervailing adult influences. Even though an au pair, for example, might be in a position where she could exercise undue influence due to a position of trust within the household, other adult influences would be brought to bear on the life of the young person that would countervail against the influence of the au pair who found herself in loco parentis.

**Mr. Clappison** *rose—*

**Mr. Boateng:** That would be the principle there.

Where the line had to be drawn, and it is a matter of judgment in that domestic setting—a private home—it was properly drawn in such a way as to exclude the person acting as a nanny or an au pair, but the maximum penalty needs to reflect the requirement for sentences to express society's condemnation of the most serious cases within that broad spectrum. It needs to be seen as a maximum, not as the norm. For those reasons, we share the view of members on both sides of the Committee who put forward, and supported, the proposition that we should seek a higher maximum penalty.

For that reason, we hope that the House will accept without Division the proposed increase in the maximum penalty from two to five years.

**Mr. Clappison:** It would be churlish of me not to welcome the Minister's contribution. One of our amendments in Committee first proposed the increase in the maximum sentence for breach of trust from two years to five years. We thought then that we supported it with a strong and persuasive argument. We followed that up by tabling the amendment for Report.

We are pleased that the Home Secretary has added his name to our amendment because we think that it does much to improve the Bill. Certainly, it is a Bill that could be much improved, and in other respects besides the maximum penalty.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) made an acute point in his intervention on the Minister about the extent of the coverage of the concept of the position of trust. We are far from convinced by the doctrine that the Minister has put forward this evening and the others that he has put forward, which are slightly different, in trying to justify the Government's view of the position of trust.

The Minister referred to the availability of countervailing adult influences as the reason why the Government fixed the line for the position of trust where they did, but, if they really believed in that doctrine, they would have taken many teachers out of the ambit of the clause because, when a child is at school, there are many countervailing influences besides the teachers: other teachers, parents, other adults whom the children will know—

**Mr. Boateng** *rose—*

**Mr. Clappison:** I shall give way to the Minister—although he did not do me the courtesy of giving way to me earlier—because I know that the Government's proposal has no justification at all.

**Mr. Boateng:** The hon. Gentleman is most kind, but he knows that there are four principles, to which we have returned again and again: the individual is particularly vulnerable; the location makes the individual particularly vulnerable; the lack of access to other adults and the absence of countervailing influence—that was the one to which I referred the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg)—and the special influence of an adult where the relationship is in loco parentis.

What is so significant about a teacher's role—one does not want to labour the point—is that a teacher is specifically in loco parentis. That stands at the heart of the relationship between a teacher and a pupil. In due course, we shall come to the issue of part-time teachers,

*[Mr. Boateng]*

but there the other prevailing principle comes into play: the existence of a countervailing influence because of the part-time nature of the teacher 's employment.

**Mr. Clappison:** The longer the Minister's intervention went on—it went on for a little while—the more confused he became. He has clearly shifted his ground from the original point that he made to my right hon. and learned Friend the Member for Sleaford and North Hykeham, when he referred to the absence of countervailing influences. My right hon. and learned Friend raised the question of in loco parentis. The Minister then said that the key principle is the absence of countervailing adult influences, but when I put the point to the Minister that, in the case of teachers, there were other influences, he returned to in loco parentis, so the Minister uses a bit of a circular argument.

**Mrs. Ann Winterton** *rose—*

**Mr. Clappison:** Before I give way to my hon. Friend, so that the House understands the argument that we are advancing, let me say that we feel strongly that protection should be given where it is needed. The concept of a position of trust should run much wider than the Government have allowed it to run in the Bill.

**Mrs. Winterton:** While supporting what my hon. Friend has said, may I refer to the intervention by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and the explanation of not using in loco parentis? May I give the example that is frequently heard about: the uncle, cousin or member of the family who abuses a child? The child does not tell because that person is a member of the family, yet such an offence would not be caught by the Bill. That is an important point. There are known cases—we all know about them. It is disturbing.

**Mr. Clappison:** My hon. Friend makes an absolutely correct point. Some people in a higher position of trust may be outside the scope of the Bill, compared with some people who are inside it. Detailed examination of the Bill has revealed example after example of potential loopholes and inconsistencies not just as between people who fulfil one of the four conditions in the Bill and people in entirely different sectors, but people within the conditions in some ways. We heard from the Minister in Committee that, for some purposes, in some circumstances, supply teachers would not be caught by the Bill.

**Mr. Boateng** *indicated dissent.*

**Mr. Clappison:** The Minister shakes his head, but he is on record in the *Hansard* of the Committee proceedings as saying that, in some circumstances, supply teachers would not be caught by the Bill. However, in the amendment, which originally came from Conservative Members, we are dealing with an increase in the maximum sentence. On that, we agree with what the Minister says.

We made those arguments first. I welcome the Minister's acceptance of the argument that we advanced in Committee that the maximum sentence for such an offence should be judged on its merits, not by reference to other sentences that were perhaps not entirely applicable, particularly the one on unlawful sexual intercourse, which I note the Minister now accepts is too low a maximum sentence, in his personal view. *[Interruption.]* Well, the Minister expressed his personal view earlier that the maximum sentence for unlawful sexual intercourse was too low. I think that he expressed something similar in Committee and in correspondence. We have been making our case on that for some considerable time, not least in view of the fact that the maximum sentence for indecent assault is now 10 years.

We advanced the same argument during the passage of the Bill that became the Crime and Disorder Act 1998. It is a shame that the Government did not accept the amendment that we tabled then, which proposed the increasing of the maximum sentence for unlawful sexual intercourse. If they had accepted it, we should not be in our present anomalous position. In any event, we feel that five years is more appropriate than the two-year maximum that the Government envisaged before hearing our arguments.

I agree with the Minister that the fact that we have asked for a higher maximum—and the Government now accept that there should be one—does not mean that such a sentence should be imposed in every case of a breach of trust, in which an older person in a position of trust engages in sexual activity with a 16 or 17-year-old. We are talking about a maximum. That maximum, however, must cater for every type of case, including the very worst type.

The Minister cited circumstances in which a maximum sentence of five years, or approaching that length, would be appropriate, but there may well be many others. There may be many cases involving older men, perhaps in their 30s or 40s, who are in a position of substantial authority over younger people. Such a man might lead a youngster into sexual experiences—sexual experimentation—for his own gratification, with no regard for the welfare of the youngster, and possibly with permanent consequences for that youngster. There will be such cases, in which people are convicted of such offences in such circumstances, and, when those circumstances apply and when there is a gross breach of trust with permanent consequences for the youngster involved, a much longer sentence than two years is called for. That was manifestly too low a starting point.

We think that the proposed sentence represents a victory for common sense, and hope that it will continue to be regarded as the maximum, even when the review of sexual offences in general takes place. A five-year maximum will give stronger protection to vulnerable 16 and 17-year-olds, and, as I said at the outset, it would be churlish of us not to welcome the fact that the Government have now accepted our arguments.

**Mr. Allan:** We will not oppose the change. The Minister gave welcome assurances in describing the broad spectrum of possible sentences, and, in a letter to my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith), the Home Secretary wrote:

"I must stress that this would be a maximum penalty for use in the most extreme cases but we accept there could be rare circumstances where it could be justified."

We can envisage those circumstances. The Minister referred to detention centres, but we are also thinking of residential institutions, especially institutions for those with disabilities, in which such a maximum sentence could be justified.

I was pleased to hear the Minister revert to Latin in describing "in loco parentis" as an important concept. In Committee, when I expressed concern about the definition of in loco parentis in regard to the offences that we are discussing, I was told off for being old fashioned: the Government were trying to move forward and establish clear definitions, suggesting, for instance, the definition of a person

"regularly involved in caring for, training, supervising or being in sole charge of such persons"

as a pithy replacement for "in loco parentis".

Our main wish is to establish that there is a difference between consensual and non-consensual offences. I hope that, when he sums up the debate, the Minister will mention indecent assault, and will tell us that the review of sexual offences will examine the way in which the prosecuting authorities deal with non-consensual offences such as indecent assault, as opposed to the offences introduced by the Bill. We feel that, in some of the circumstances that we are discussing, the coercive element in a relationship could be used as a ground to argue that consent had been overridden. In such circumstances, rather than prosecuting on the basis of an offence involving a consensual act—as provided for in the Bill—the authorities could override the consent, demonstrate that to the court and thereby act on the basis of the more serious offence of indecent assault, or similar sexual offences, on the ground that no consent had been given. We hope that the introduction of additional measures will not make us lose the will to demonstrate the lack of consent, and fall back on an offence that may be easier to prove.

6.15 pm

I am pleased that the Minister has said that the matter will be for the discretion of the court. As he will know, we are opposed to mandatory sentences in general, but, in regard to sexual offences, especially the offence that we are discussing, we believe that, when issues of consent are involved and a wide range of possible circumstances exists, it is important to leave the determination of the appropriate sentences to skilled judges, advised by equally skilful lawyers.

We hope that the review will bear fruit in respect of the critical issue of non-consensual indecent assault, as opposed to consensual offences, in due course, but believe that this may be the most appropriate sentence for the extreme and rare circumstances described by the Home Secretary when, in the near future, the Bill comes into force.

**Mr. Hogg:** I want to make two points. The first relates to my intervention on the Minister's speech; I am grateful to my hon. Friend the Member for Congleton (Mrs. Winterton) for what she said in my support.

I feel that there are circumstances involving abuse of trust that the Bill simply does not address. I am talking about the concept of in loco parentis. The father, the uncle and the person who employs the au pair are just three examples. I well understand why many would think that such people should be subject to the penalties prescribed in clause 2 just as much as those who exercise some other function in the prescribed institutions. The Minister may be right, but I hope that he will think again. The Bill will go to the other place, and, in any event, there is to be a review of sexual law. We should ask whether those exercising the function in loco parentis should be subject to the law that we are now applying to the groups specified in clause 2.

Let me raise a different point, which comes from the opposite direction. Many abuses of trust are clearly very grave. It is serious, and a real abuse, when an older man takes advantage of either a man or a woman in a school, prison or other prescribed institution. Quite different circumstances can arise when there is a close similarity in age between the person who is under 18 and the person who is over 18. I have in mind, for instance, a young teacher who might form a relationship with a pupil of, say, 17. That teacher could be found guilty of a serious criminal offence attracting a sentence of up to five years. It is true that we would not expect the courts to subject that person to such a penalty, but I am nevertheless uneasy about the position that we are creating.

Let me make a suggestion to the Minister. He may care to reflect on it before the Bill goes to the other place, where it can be amended further. My hon. Friend the Member for Hertsmere (Mr. Clappison) referred to the statutory defence applying to those under 24. The Minister might well wish to consider whether, when there is an age similarity—let us take up to 24 as an example—the consent of, say, the Attorney-General should be obtained before there can be a prosecution. There is a risk of injustice, and I am reluctant to leave the matter to the good sense of the prosecuting authorities. I hope that the Minister will contemplate a specific approach to deal with cases that will otherwise fall within the prescribed categories, involving people whose ages are close. I would be greatly reassured if he would do so, bearing in mind the possibility of making the consent of the Attorney-General a condition of prosecution.

**Mr. Boateng:** I am obliged to hon. Members on both sides of the House for their contributions to a short but important debate. Let me deal first with what was said by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg).

I accept that we should address relationships that are caught under the umbrella of abuse of trust—relationships that might develop between a 24-year-old teacher and a pupil of 17. Under the Bill as drafted, such a relationship would constitute a criminal offence. Although it is a matter of judgment, I believe that such relationships should be caught by the Bill and subject to the criminal law.

On balance, as a matter of public policy, such relationships should be discouraged. Hon. Members will have a view on relationships between teachers and pupils, and may have experience of the impact on school discipline and the lives of young people if such a relationship develops. Such relationships can be highly disruptive, both of young lives and to school discipline. It is therefore right that such relationships should fall within the ambit of the criminal law.

Such relationships are, however, at one end of the spectrum that we have debated today. Progress on the matter may entail determining how codes of practice,

*[Mr. Boateng]*

which are envisaged as part of the mechanism created by the Bill, and guidelines to the Crown Prosecution Service might provide means of ensuring that only cases that should properly be prosecuted are prosecuted. There should therefore be a combination of a code of practice—to modify and regulate conduct in the circumstances that we have discussed—and guidelines for those who bring prosecutions to clarify the basis on which prosecutions should be brought.

**Mr. Hogg:** I am grateful to the Minister for giving a relatively sympathetic reply to my suggestion. Although he may not be going the whole way, he will doubtless think further about the suggestion. However, if we are going to go down the road of codes of practice—which is a course that Governments adopt in dealing with the type of circumstances we are debating—does he accept that it is desirable that the code of practice should take the form of a statutory instrument, so that the House can debate the code and express our views on it?

**Mr. Boateng:** The Government have already, in Committee, tabled a draft code of practice for consideration. Undoubtedly, in our deliberations in the House, we shall return to that draft—which will be available also to the other place, so that it might inform debates there.

I am reluctant to go down the path suggested by the right hon. and learned Member for Sleaford and North Hykeham in creating a requirement to obtain the Attorney-General's consent to a prosecution. However, I accept the thrust of the argument underpinning the suggestion—that one should apply the criminal law only in circumstances in which doing so is clearly justified. We have made it clear that there would have to be consultation and discussion with teachers' associations and unions in developing a code of practice, to ensure that we get it right.

The hon. Member for Congleton (Mrs. Winterton) and the right hon. and learned Member for Sleaford and North Hykeham raised the wider issue of uncles, aunts and "dads"—who are intermittently involved in domestic life but are not the natural father and are perhaps one of a succession of man friends. Hon. Members will know that some of the most serious cases of child abuse occur in that type of family context—which, as it involves "consensual relations" and is not subject to the law of incest, currently falls outside the criminal law. There is therefore a very strong feeling—which was expressed on both sides of the Committee—that we have to re-examine the law of incest.

Incest is a very complex matter, and we shall have to take advice on dealing with it. The law of incest has developed to protect the gene pool rather than to protect children. Although the Government believe that the time has come to re-examine the law of incest, we do not think of the Bill as a vehicle for changing it. However, we shall certainly expect the sexual offences review to consider the matter, to take evidence on it and to make suggestions on how Parliament might properly address that very real issue.

**Mr. Hogg:** Will the hon. Gentleman also address the issue—not necessarily now, but in the review—of how to deal with cases involving the natural father? Although it is true that the law of incest may apply in the circumstances that he mentioned, sexual activity falling short of normal sexual intercourse and involving the father is not covered by clause 2. It is difficult to say why it should not be so covered.

**Mr. Boateng:** Sexual activity between the natural father and his son also does not constitute incest—precisely because it is not linked to the possibility of procreation and consequent pollution of the gene pool. It is clearly a mischief that should properly be remedied. We shall expect the sexual offences review to do so.

**Mrs. Gorman:** Surely society's attitude towards incest long predates any concept of gene pools? Is not that attitude part of the structure, and taboos, on which our society is built? Is that not why it is viewed with such horror in our society?

**Mr. Boateng:** I was not suggesting for one moment that it should not be viewed with horror. I was merely pointing out what I thought was the generally accepted view, that the taboo developed because it was thought to be genetically undesirable to make connection with one's own relative.

**Mr. Bercow:** What about moral concerns?

**Mr. Boateng:** The hon. Gentleman makes an interesting point. However, the moral concerns arise from concerns to preserve, so far as possible, the health of the gene pool. Although this is not the time to deal with that interesting byway, the sexual offences review will undoubtedly wish to deal with it. Our modern concern is with child abuse, and there is no doubt that child abuse has flourished in the circumstances described by the hon. Member for Congleton.

The hon. Member for Sheffield, Hallam (Mr. Allan) made, as ever, some interesting and important points. He did so with great succinctness and brevity, in stark contrast to some of his fellow Liberal Democrat Members, who are sadly and inexplicably absent from the Chamber. The Government will ensure that the code of practice and the review take on board the specific circumstances and instances that he outlined in his speech. Those matters will have to fall within the ambit of the review's deliberations.

I should tell the hon. Member for Hertsmere (Mr. Clappison) that, although I am only too pleased to see that it is possible to arrive at some bipartisan—or tripartisan—unanimity on the issue, I am sure that he will wish to pay tribute to my hon. Friend the Member for St. Helens, South (Mr. Bermingham), who, sadly, is not able to participate in today's debate. In the debate on Second Reading, my hon. Friend intervened in my speech no fewer than twice, precisely to gain from me the assurance that I gave that we would return to the issue of increasing the maximum sentence both in Committee and on Report. Therefore, although I am happy to see the extent to which it is possible to make common cause on the matter, I should say that the issue was raised first by my hon. Friend. He deserves credit for that, even in his absence.

On that basis, I hope that it will be possible for the House to approve the amendment without a Division.

*Amendment agreed to.*

## Clause 3

MEANING OF "POSITION OF TRUST"

6.30 pm

**Mr. Clappison:** I beg to move amendment No. 4, in page 3, line 22, after 'full time', insert 'or part time'.

**Mr. Deputy Speaker:** With this, it will be convenient to discuss Government amendments Nos. 6 to 8.

**Mr. Clappison:** This important issue arose in Committee. As the House will have gathered, we are concerned that the Bill does not give sufficient protection to 16 and 17-year-olds and is not drawn wide enough in respect of adults who should be in a position of trust. We should have liked additional protection for children under 16, but that has not proved possible.

**Mr. Hogg:** I am a little anxious about the amendment, which seems to extend to evening classes, or even Sunday schools. It is not clear to me why a relationship in an evening class between an instructor and a student should give rise to a criminal offence.

**Mr. Clappison:** My right hon. and learned Friend makes a fair point.

The amendment would remedy a problem in the Bill. After listening to our arguments, the Government have accepted that there is a problem. As I said in the previous debate, we have concerns about which teachers are covered by the provisions. The Minister has admitted that, in some circumstances, supply teachers are not covered. The amendment is designed to deal with what many would regard as another loophole, which we raised in Committee, affecting students who are registered as being in full-time education at one establishment, but who attend a second establishment as part of their course.

We have asked whether such a student would be protected against an abuse of trust by a teacher or lecturer who worked at the second establishment and was involved in teaching, and caring for, them. To be fair, the Minister agreed to consider the issue after he heard our arguments in Committee. I understand that he accepts the force of those arguments and has tabled Government amendments Nos. 6 to 8 to cater for the situation.

We welcome the fact that the Government have seen sense on this important point. It is common for many 16 and 17-year-olds to attend a second establishment as part of their course. Before the amendments, it was hard to see how the Bill would cover a teacher at a second establishment.

A substantial number of A-level students in my constituency attend the local secondary school for two of their A-levels, but go to a local college of further education for another one. I was surprised to learn that there was uncertainty as to whether they would be covered by the Bill at the second establishment. If they formed a relationship with a teacher at the first establishment, the teacher would be in breach of trust because he would be in a position of trust, but the Bill would not cover a teacher or lecturer at the college of further education who formed a relationship with them. That had to be explored. I am pleased that the Government are seeking to put the situation right and are closing one of the loopholes in the Bill. I regret that many other loopholes, anomalies and inconsistencies remain and cannot be put right—but at least this one can.

**Mr. Allan:** In Committee, I was also testing the extent to which those involved in education would be covered by the Bill, but I came at the issue from an angle different from that of the hon. Member for Hertsmere (Mr. Clappison), because I felt that the provisions were drawn too widely. We tested whether issues such as residence or direct tuition should be requirements. We considered the difficult in loco parentis argument. There seems to be no strict definition of in loco parentis. I notice that, in becoming more modern, the Home Secretary has skipped a few centuries and gone to mediaeval French, with autrefois acquit as his latest legal jargon. In loco parentis is an important concept that requires further testing.

There are still problems with the amendments. We do not support the extension proposed by the hon. Member for Hertsmere into part-time education, but we believe that there are problems with the Government's definition of full-time education, in particular the number of hours required in the definition of full-time study. A test based on the number of hours that a pupil spends at school may mean that the right people are not always caught, in terms of natural justice. For example, a pupil who spent 20 hours a week in an institution, being taught for all that time by the same teacher, would not be covered because they would not be a full-time pupil; but one who spent 30 hours a week at the institution would be covered even if they had no direct contact in school with the teacher concerned. If one of the tests is the amount of influence that the person in a position of trust is deemed to have, judging the issue on the number of hours that the pupil spends in the institution gives rise to inconsistencies.

The Government amendments are sensible in that they are at least logically consistent. The Committee debates worked well on the issue. It was instructive for Opposition Members to see the Minister doing his best to argue manfully around the issue of people being part time at an FE college. The ground beneath him turned to quicksand as it became apparent that a pupil who spent Monday to Thursday at a school and spent Friday at an FE college was not covered. That is common in my constituency. The Government amendments are consistent and sensible in that respect.

I hope that the Conservatives will not press their amendment to a vote, because it would extend the provisions wider than we would like. We accept that the Government are sensibly trying to be consistent, but we hope that there will be further tests in another place of what sort of relationship between a teacher and pupil would be regarded as a sufficiently serious breach of trust for an otherwise consensual sexual relationship to be criminalised.

**Mr. Boateng:** The debate is a classic example of the justification of considering matters in Committee and giving them the care and attention that the Committee gave to the clause. The probing and discussion in Committee was of enormous assistance in teasing out the necessary amendments that the Government have tabled on Report. I owe a debt of gratitude to all who contributed.

Even in that spirit of generosity, I am afraid that we are not able to accept amendment No. 4, moved by the hon. Member for Hertsmere (Mr. Clappison). We cannot do so

*[Mr. Boateng]*

because we take the view—illustrated by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg)—that that would capture within the ambit of the Bill the evening classes which, in our view, simply do not give rise to a relationship the nature of which ought to occasion the degree of trust which, if breached, should lead to a criminal sanction.

I return to the four broad criteria that we have applied in the Bill: particular vulnerability; location; the special influence of the adult, the relationship being in loco parentis; and the lack of access to other adults and the absence of countervailing influence. In those circumstances, part-time education does not fall within those principles in a way that justifies the amendment.

The Government amendments would correct the anomaly in the Bill that was teased out in Committee. They bring into the scope of the offence those educational institutions providing education to full-time pupils or students who are registered or enrolled at a different institution, but receive part of their education at a second establishment. It is important that that be made clear. Education must be covered by the offence because the relationships of trust are particularly strong. That arises from the parent entrusting a child to the care of the school or college.

There may be additional factors that have the effect of making trust a significant factor whose breach ought properly to be penalised by the criminal law. However, it is right to recognise that that ought not to extend to part-time education. For that reason, we are unable to accept the Opposition amendment. The Government amendments perfect the clause in a way that I hope will cause them to find favour, without a division, in the House. On that basis, I commend them to the House.

**Mr. Hogg:** I am glad that we have avoided the danger of making evening classes subject to the regime in the Bill. However, I am a little troubled by the definition of "full-time education" and I suspect that the Minister may wish to reflect further on it, with a view to making changes in the other place.

The reason for my concern follows the observations of the hon. Member for Sheffield, Hallam (Mr. Allan). There are a number of courses in colleges of further education where the education provided is for 16, 17 or 18 hours a week. In one sense, that is not full time. In another sense, it creates the kind of relationship to which we wish to attach the obligations and criminal penalties in the Bill. I would be concerned whether higher education courses for 16, 17 or 18 hours a week meet the statutory definition in the Bill of full-time education. I rather doubt that they would, but that is a matter for reflection. If the Minister agrees, he may care to consider tabling amendments in another place.

**Mr. Boateng:** We can and will reflect on that, and I will write to the right hon. and learned Gentleman as our reflection develops apace, both here and in another place. We want to get it right, and we all agree that a category and class of young people needs protection. We want to make sure that legislation is as successful in achieving that objective as possible. Young people in receipt of education fall into an area of vulnerability that does, in my view, require protection.

We have to determine how best to define and identify that education, and that class or grouping of young people. We will reflect on how best to do that. At present, we have arrived at a definition and a balance that suits our purpose, and that will receive widespread support, not only from the general public—and parents in particular, who have concerns in this area—but from the teaching profession. Teachers will recognise that this measure must be embraced and welcomed—not least when it is underpinned by the codes of practice and guidance that we intend to issue to the Crown Prosecution Service—and should not cause apprehension.

6.45 pm

**Mr. Clappison:** This has been a worthwhile debate, as was the earlier debate in Committee. We wanted to explore the issue that was identified in Committee; we thought that there ought to be additional coverage in terms of the position of trust. It would be churlish not to welcome the fact that the Government have conceded the force of our argument, and have accepted the need for clarification. The position of trust has been extended to other people to whom many members of the public would feel it ought to be extended. In the light of the debate, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

*Amendments made:* No. 6, in page 3, line 22, leave out 'in an' and insert 'at an educational'.

No. 7, in page 3, line 23, leave out 'in' and insert 'at'.

No. 8, in page 3, line 29, at end insert—

'( ) For the purposes of this section a person receives full-time education at an educational institution if—

(a) he is registered or otherwise enrolled as a full-time pupil or student at the institution; or

(b) he receives education at the institution under arrangements with another educational institution at which he is so registered or otherwise enrolled.'—*[Mr. Boateng.]*

**Title**

SEXUAL OFFENCES (AMENDMENT) BILL

*Amendment made:* No. 9, in line 1, after 'which' insert

', and to make provision with respect to the circumstances in which,'.—*[Mr. Boateng.]*

*Order for Third Reading read.*

*Motion made, and Question proposed,* That the Bill be now read the Third time.—*[Mr. Boateng.]*

6.46 pm

**Mrs. Gorman:** I have sat through many of the debates on this subject from 1994 through to today. I have not spoken at all on the Bill because I have been keen to understand the reasoning behind it. The Government have made a great issue of equality before the law, and they have said persistently that this is not a matter of moral judgment, but of making the law as it applies to 16-year-old girls apply to boys—the implication being that the sexual activity in those two sexes is similar. Of course, we all know that it is not, and that there are different consequences from that activity.

What we are debating tonight is a removal of protection from some of our citizens. By changing the law, we are bringing younger people into a position of risk from

which the law has previously protected them. No one would pretend that any law passed in this House will prevent people from doing things that they are determined to do, but the laws that we create give a strong signal as to the way in which we hope people might behave—or, at least, they reflect the behaviour that is commonly held to be appropriate within society.

There is no doubt that the great majority of people in this country, if polled, would not take the Government's position or that of the majority in the Lobby tonight. They believe that the current legislation gives some protection—and they are right.

Even when homosexual activity between males aged 16 to 18 was illegal, in 1994, there were 300 cases of such young men with AIDS. Perhaps some of them have died. If we relax the law, it is reasonable to suppose that the number will increase. I cannot think of a law that we would change in almost any other context that would lead to an increase in a dangerous disease or practice. The new Labour party, which is so sanctimonious about smoking and diseases that are caused by people's behaviour, which it seeks to correct, would never approve of that.

The Government must have some other motivation. The Government are usually fairly canny in identifying issues that are popular with the public and exploiting them. All political parties do that to some extent. Knowing, as they must, that the great majority of people outside the Metropolitan area would not approve of the proposed alteration in the law, it is interesting to speculate as to why the Government have made such an issue of this matter.

Clearly, there is a great deal of support for the change among what might be called the chattering classes, and certainly in the media. Nobody denies that there is a disproportionate number of homosexuals in those communities. In the run-up to the general election—not only the immediate run-up, but the period since 1994—there would have been every good reason for the Labour party to want to come to terms with those people. It certainly would have received a lot of pressure from them. I believe that the Government have to some extent played up to that powerful and influential group in our society.

What is the role of the House? Surely we are here to reflect, by and large, the views of the people whom we represent; to try to express their concerns, especially when there are proposals to change the law in a way that is likely to affect them and their families; and, if possible, to remedy their grievances rather than adding to them. I put it to the House that the Bill does exactly the opposite, and that we are seeking to impose a minority view on the great mass of people with families or with concern for the care of 16-year-old young men—or boys, as I prefer to call them—and going against the will of the people. For that reason alone, I want to vote against the Bill.

We are continually told that homosexuality is a normal activity and way of life but, having looked through the debates since 1994, I have found not a single instance of an hon. Member declaring openly that that is the position that he or she is coming from. I have heard hon. Members saying that they are Christians or that they are family people with sons but that they support the change—I even heard a Labour Member saying that he was a Christian, a Catholic and a father of sons but still supported the change—but no one has opened his mouth to say that he is a homosexual and can tell us the truth about the subject.

There has been covert support for the Bill in some quarters that does less than justice either to the Government's claim that homosexuality is a natural and normal part of life for certain sections of the community, or to the electorate. It is significant that the Government and their supporters have not come clean with the electorate. There is an element of deceit in the way in which the legislation has been presented to the House.

**Mr. Gerald Bermingham** (St. Helens, South): Has the hon. Lady been asleep for the past two years? The European Court of Human Rights has ordered us to change our law. We have to do it.

**Mr. Nicholas Winterton** (Macclesfield): Rubbish.

**Mr. Bermingham:** The hon. Gentleman says that it is rubbish, but unfortunately life is life. We have to change the law and we are doing it. There is no hidden agenda.

**Mr. Winterton:** Of course there is.

**Mr. Bermingham:** Rubbish, Winterton, you really are a silly man.

**Mrs. Gorman:** I am as aware as the hon. Gentleman that there has been a debate on the issue from that perspective, and to some extent he has made a contribution to that; but that does not alter the fact that we are debating what will be domestic legislation, and we have not been entirely open and clear with the public about the motivation behind it.

**Mrs. Ann Winterton:** Does my hon. Friend agree that, although the European Court of Human Rights might require us to change the law, that does not mean that the change is a good one? The change could be completely wrong, so it is a shame that people of principle do not stand up and say so. Frankly, I am sick to death of hearing about the European Court.

**Mrs. Gorman:** My hon. Friend knows my views on that, and I entirely agree with everything that she says.

On the "Today" programme on 22 February, a certain gentleman named Derek Bodell, who apparently runs something called the National AIDS Trust, complained that the budget for AIDS, at £52 million, was not enough to deal with the problem; that it cost £15,000 a year to treat an AIDS patient; that 1,500 homosexual men develop AIDS every year; and that we are too complacent about the issue. He and I might not share the same form or degree of complacency. He ended his remarks by saying that there is a worrying increase in AIDS among younger men. The behaviour of homosexual men must surely affect those figures.

**Mr. Borrow:** Several times, Conservative Members have adduced AIDS as a reason for not reducing the age of consent. All the bodies concerned with the sexual health of young gay men are unanimous in the view that the age of consent at 18 rather than 16 is a factor in increasing the number of HIV cases among young gay men and that a reduction to 16 will assist in giving proper sexual health education to 16 to 18-year-olds.

**Mr. Nicholas Winterton:** That cannot be right.

**Mr. Borrow:** Conservative Members may not like the facts, but their comments, made in complete ignorance of them, show that they have no arguments.

**Mrs. Gorman:** The hon. Gentleman is saying that more people will come forward if their activity is

*[Mrs. Gorman]*

legalised, but in 1994—the latest year for which I happen to have figures—300 16 to 18-year-olds with AIDS came forward. If one is that ill, one will automatically go to the doctor's surgery and get treatment for the problem. One would not simply stay at home and die in bed. That is an absurd suggestion.

**Mr. Winterton:** To assist my hon. Friend and to counter the intervention from the hon. Member for South Ribble (Mr. Borrow), I can tell her that, when I served as a member of the Social Services Select Committee and we undertook an inquiry into AIDS, it was abundantly clear from the evidence that we received from many sources that the main causes of it were intravenous drug abuse and active homosexual sex. The case that my hon. Friend makes is genuine and right, and the Bill will be damaging and encourage an increase in the incidence of AIDS.

**Mrs. Gorman:** I agree with my hon. Friend. The issue is one of health. What adults do in the privacy of their homes is their business, but the Bill will affect very young people. The Government have sought to mollify people who have expressed concern by amending their original proposals, prompted by the hon. Member for Bassetlaw (Mr. Ashton), to protect people from certain types of predation. We hope that those people are protected, but the fact that we have to add such provisions to the Bill tells us that it is flawed.

The change in the law is not needed. There were almost no prosecutions of young people between the ages of 16 and 18 and, therefore, we do not need legislation that will send a signal that certain activities are acceptable and, in the view of the hon. Member for South Ribble (Mr. Borrow), safe. They are not.

The Government's purpose is not the high and mighty one of creating equality for young people. I do not believe that for a moment. They are giving a signal to a very small, but very powerful element in our society—the media—that the Government are open-minded about those activities, which are widespread in the media. The Government want to say that they condone those activities to the extent that young people aged 16 should be able to engage in such activities, unless they happen to need special protection. I have been a teacher and I know that young people of that age are immature emotionally and vulnerable. I shall not support the Bill.

I hope that the electorate, in so far as they follow what goes on in the House, will have noted from which quarter the pressure for the Bill has come. It is their 16-year-old sons who will be put in situations as depicted on certain television programmes, which have already been mentioned, on Channel 4 recently. There is active predation on young people by people who are not in a position of care and, in such cases, the young people will not be protected by the Bill.

**Dr. Harris:** It is the same for girls.

**Mrs. Gorman:** The hon. Gentleman has made that point time and again. It is not the same for girls. We are talking about activities that can be physically dangerous, as the hon. Gentleman, who is a medical doctor, well knows, and have led to the development of AIDS. That disease was almost unknown before the liberalisation of the laws on homosexuality. I hope that the public will remember that it was the Labour party which removed the protection from their young sons. When it comes to deciding which party is suitable to protect youngsters, I hope that people will remember this debate and which party forced the Bill through the House.

7.4 pm

**Mr. A. J. Beith** (Berwick-upon-Tweed): It is unfortunate that the hon. Member for Billericay (Mrs. Gorman) should try to turn the issue into a party political one. When the Division records have been examined, her claim will be found to be absurd, because Members from all parties are found on both sides of the argument. Members from her party, my party and the Labour party will be found in each Lobby. To start attributing absurd motives to those who support the Bill is equally foolish. I would not do so to her. People support the Bill for a variety of motives, which they have declared openly and I shall give my views in a moment. I have never found it fruitful in politics to discuss legislation on the basis of the motives of those supporting it or opposing it: it is better to consider what its effects will be. That is what the House has sought to do in this case.

The Government have rightly brought back to the House a matter on which the House made a decision in the last Session. The House of Lords required us to think again and it is proper for the Government to bring it back to us so that we can have a free vote. It was also right that the Government brought back to us something else on which the House expressed strong views—although not majority views as it turned out—which was the need to build into the legislation provisions dealing with abuses of trust. The legislation is much better for containing those provisions. I supported the original amendments tabled by the hon. Member for Bassetlaw (Mr. Ashton) and it is good that we have managed to incorporate those principles into the Bill.

Anomalies and difficulties remain, but the first part of the Bill will remove an indefensible anomaly—that conduct involving people in the age group from 16 to 18 could be the subject of criminal proceedings for male homosexuals but not for heterosexuals or female homosexuals. My view of that point has nothing to do with my opinions as to the merits of such conduct. I am not entitled to write my views into law, unless there is an overriding principle of public protection involved. That has not been demonstrated. Indeed, the evidence is that it is better, if one believes that serious health dangers are at stake, that young people in that age group should feel no discouragement from taking medical advice at the time when they first might be drawn into such conduct. On public safety grounds, there is a strong case for the provisions in the first part of the Bill.

Several anomalies were explored in Committee; both my hon. Friends the Members for Sheffield, Hallam (Mr. Allan) and for Oxford, West and Abingdon (Dr. Harris) have done a lot of work on the Bill. The remaining anomalies will have to be considered carefully in the review that the Government will undertake, including the abuse of trust issue, where teachers might be involved in potential charges, and why some categories of people, who might have closer contact with children than many teachers, are not included. We will have to revisit the subject, because the Bill cannot dot all the i's

and cross all the t's. It was necessary to make a fundamental change and to include abuse of trust provisions that apply to both heterosexual and homosexual relationships. It is right for the Bill to be non-discriminatory, although there are elements of discrimination left, as has been mentioned by my hon. Friends. Given that the House has had the opportunity to resolve the key issues on free votes, it is right that the Bill should be voted into law.

7.9 pm

**Mr. Hogg:** The right hon. Member for Berwick-upon-Tweed (Mr. Beith) said one thing with which I profoundly agree—the fact that one disapproves of an activity is not a good reason to make it criminal. That is an observation that might inform more people's approach to fox hunting than perhaps it does. It is true that one may disapprove of something without thinking that it should be made the subject of the criminal law. This is the first time that I have spoken on the Bill and the first time in 20 years that I have spoken on this subject. That notwithstanding, I shall be brief.

There are parts of the Bill with which I agree. I find the provisions of clause 2 correct. We have debated whether it goes far enough: I suspect that it does not, but that can be dealt with in another place or by the review, and the Minister has been good enough to indicate that special attention will be given to the concept of people in loco parentis, and those in their charge.

However, I do not agree with clause 1. The essential argument underpinning it is that it is desirable to establish equality in the criminal law for males and females. I hope that the House will forgive a very old-fashioned remark, but I believe that it is one that has greater resonance than we care to admit. One of the curses of the age is the lack of restraint on people's sexual appetites. The truth of that contention is evident in the enormous number of teenage pregnancies and of children born out of wedlock, in the very large incidence of abortion, in the many cases of venereal disease, and so forth.

That lack of restraint is a curse that has disfigured society, and that will continue to undermine its cohesion. I am reluctant to accept as valid the argument that, because 16 is an appropriate age of consent for females, we should make it the age of consent for young men. I am willing to accept that it is not possible to increase the age of consent for young women. Whether to do so would be good or bad in an ideal world does not matter—it is not realistic in the present age.

However, the question that we are asking is whether we should reduce the age of consent for young men. Against the background of my anxiety about society's willingness to succumb to sexual appetites, I am bound to say that I am very cautious about that proposition. In the course of my life—at school, at the criminal Bar, in the House and so on—I have become aware that older men can be predatory vis-a-vis young men. That is a fact of life, and much to be regretted. The Bill significantly increases the pressure on young men, and I oppose it for that reason.

I hope that the House will forgive another old-fashioned remark. I have never wanted to persecute homosexuals. In general, I do not think that they should be treated in a discriminatory way and, when asked, I have always said so. However, I do not believe that the homosexual way of life is a wholly satisfactory existence. Further, I believe that the sexual orientation of many people is not fixed at a young age, and probably is not fixed even at 15, 16 or 17. I am very reluctant for the House to do anything that would encourage people to adopt the homosexual way of life, if otherwise they would not have done so.

The hon. Member for Oxford, West and Abingdon (Dr. Harris) is looking at me disapprovingly, and he will no doubt draw on his experiences as a doctor. However, I have years of experience at the Bar and elsewhere to draw on, and I have seen people who I suspect have changed their sexual way of life as a result of experiences when young. On balance, I think that they have had a less full and happy life than they would have had if they had become heterosexual.

I regret the Bill. I do not think that it is desirable, and I shall not support it if it is pushed to a vote. On the whole, I think that the House ought to regret the Bill, and I am sure that most of my constituents will do so.

7.14 pm

**Dr. Harris:** I rise briefly to make two main points about the medical aspects of the Bill.

It is entirely wrong for Conservative Members to justify their opposition to clause 1 on medical grounds, when all the medical opinion—in the world, not just in this country—is that clause 1 is necessary to protect health. If Conservative Members want to bring health into the debate, they must recognise that the medical arguments favour reduction in the age of consent, to allow information about sexual health to get through to people who are sexually active.

**Mrs. Ann Winterton:** I hope that I am not jumping the gun, but will the hon. Gentleman say whether he believes that the Bill when it is enacted—as it will be—will mean that figures for AIDS and sexual health among young men will be considerably better than today? What happens if they are not?

**Dr. Harris:** I have worked with HIV, in prevention and as a clinician, and my experience tells me that, all other things being equal, the fact that the Bill enables young people to access important information on sexual health will reduce the number of new HIV infections among young gay men. That is not just my view: it is shared by all the relevant organisations, especially the medical ones. As I have said on previous occasions, the council of the British Medical Association—not a radical organisation—was unanimous in its recommendation of a unified age of consent at 16.

**Mr. Swayne:** Will the hon. Gentleman give way?

**Dr. Harris:** In a moment. The reason that the BMA council gave was that such a change would reduce the spread of HIV among young people. Other experience shows that the criminalisation of an activity drives it underground, with the result that people cannot get the information that they need.

**Mrs. Winterton:** How do you know?

**Dr. Harris:** The same thing happened, in the Victorian era, with back-street abortions. What is needed is

*[Dr. Harris]*

more education. I concede that young people—especially girls, if we are talking about abortion and teenage pregnancies—must be empowered to say no. That is a large element in sexual and health education. We will be able to do that—particularly for those of school age—only if we do not attach criminality to one type of behaviour and not to another.

**Mr. Swayne:** Should we therefore lower the age at which it is permissible for children to purchase tobacco products so that they can have greater access to health information about the consequences of smoking?

**Dr. Harris:** No. I do not believe that there is anything—other than the budgets of health education authorities—to prevent health educators passing information about the dangers of tobacco on to young people at risk. The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), when he was Minister, referred to scientific and expert opinion a great deal, but those who want to use health as an argument must recognise that the expert opinion supports those of us on my side of the argument.

Conservative Members are entitled to their opinion and—I do not mean the term derogatively—to their prejudices. However, without scientific opinion to back them up, they should not try to impose their views on other people.

Other arguments in favour of decriminalisation have been framed in terms of human rights. The right hon. and learned Member for Sleaford and North Hykeham talked about reality, so he will know that the European Court of Human Rights—which is not a European Union institution—is about to find against this country in that respect and that the European Commission of Human Rights has instructed the Government to let the House think again. So there are judicial reasons for the proposed equalisation in the age of consent. None of the hon. Members who say that the age of 16 is too young have tabled an amendment to raise the age of consent for girls, which at least would be consistent, if unrealistic.

Finally, Conservative Members implied that most predatory older men are homosexual. Of course there are predatory men who are homosexual, and I deplore some of the storylines recently on television, just as I have serious reservations about the contents of the famous Nabokov novel that has been made into a film. However, I do not recommend book-burning on that basis. The fact is that there are more predatory men also on the look out for girls—the proportions are probably similar.

I must tell the hon. Member for Billericay (Mrs. Gorman) that the hon. Member for New Forest, West (Mr. Swayne) claimed not long ago that that was not so, and that, in fact, 15-year-old girls were recognised as hunting for older men and wanting relationships with them. The people who have spoken against the Bill on predation seem to want it both ways, but they cannot have it every which way. There is predation, and it should be condemned. However, it cannot be distinguished by sexuality. More sex education would give young people the power to say no.

Those without power, such as those in care homes, are entitled to the protection provided by clauses 2 to 4, and I agree with all that my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) said on that. My only concern on those clauses is how wide ranging they are. They cover teachers, even those who do not have a direct educational relationship with the people with whom they are having consensual sexual relations. Disciplinary codes already exist to punish behaviour that is wrong. To bring in the criminal law seems to be going too far.

In Committee, I raised the problem of Scottish higher education institutions, at which the majority of first-year students are 17. Anyone, even a postgraduate involved in teaching, will be subject to the Bill's provisions if he has sexual relations with a 17-year-old whom he knows to be an undergraduate, even if he is not teaching that student, but is doing some teaching as a postgraduate student.

A 22-year-old and a 17-year-old—and in many cases people meet their future life partners at university—will be subject to the provisions of the Bill. Even if not prosecuted, they could be subject to worry, guilt and potential blackmail. It is strange to set apart 17-year-olds—both male and female—so that they will not be able to have relationships with their postgraduate peers. I hope that the other place will try to get rid of some of those problems.

I am sorry that the Minister is not here, as I need not have made my final point if he had allowed me to intervene even once on his closing remarks during one of our earlier debates. The point that I want to put on record is this: the Minister outlined the Government's motives for introducing the Bill. They had been forced to do so by the European Commission of Human Rights, and they would give the House a free vote on the age of consent. The welcome provision to decriminalise under-16s would provide protection for the young. There was, it seemed, no intention of recognising the other reason—equally valid in my opinion—that there is currently discrimination between heterosexuals and homosexuals. The Government rejected other amendments to equalise the law between heterosexuals and homosexuals outwith protection of children issues.

I hope that the Government will be clear about their intentions. I have spoken to many people outside the House who have felt that that was not what they understood the position of the Labour party to be. In the party's election manifesto, there was a commitment

"to end unjustifiable discrimination wherever it exists".

Yet the Government have said that seeking to provide equality in criminal legislation during this Parliament is not on their agenda. Any measures that are taken will be a side effect of child protection, which is, of course, valuable in itself.

The Government should be clear whether the gay community—and those like myself who are outside the gay community, but who feel strongly about the issue on human rights grounds—is correct in understanding the Minister to mean that there will be no wider reform in this Parliament and that the motives for this reform on under 16-year-olds did not include equality.

We shall get the Bill through the House. I hope that it passes through the House of Lords at its first attempt. The larger the majority that we can muster, the more the will of the House of Commons should prevail.

7.24 pm

**Mr. Swayne:** I voted against the Bill on Second Reading, and my profound impression is that it has become worse as it has proceeded through the House. A leap to the Bill's detriment has been taken this afternoon by the inclusion of new clause 4.

The Bill began with the intention of reducing the age of consent for homosexual young men. Its effect will be to abolish that age of consent. A young man under 16 may explore his sexuality without any constraint of the law. He need only choose a partner over the age of 16. For any young man in that position, there will be no age of consent under the Bill.

The Bill sets out to protect young people. I believe that it puts them at much greater risk. I have no doubt that it will serve to entrap a small number of young men in a life style that is gross and unnatural. They might otherwise have led a life not blighted in that way.

Some of the correspondence that I have had from constituents on this matter has been almost apocalyptic. It has suggested that all standards are being swept away, that the consequences will be disastrous and that there will be a huge increase in homosexuality. I do not believe that that is so. We must trust to the good sense of people, in which respect the remarks of the right hon. Member for Berwick-upon-Tweed (Mr. Beith) were instructive.

There are a number of motives behind the Bill. There are people who believe that equality before the law is the most important principle. I agree that the principle is important, but it is not the most important. There are those whose motive is to improve the health of the nation, as the hon. Member for Oxford, West and Abingdon (Dr. Harris) seeks to do. He is mistaken, but his position is perfectly honourable.

There is another motive, however. There is a homosexualist agenda. The homosexual community, by its nature, is sterile, and it can survive and grow only by proselytising. There is an agenda to make it easier for that community to grow—an agenda that will be further expressed when all sorts of requests are made to get rid of section 28 of the Local Government Act 1988.

Having said that, I believe that the wisdom of the general public is rather greater than that. It is unlikely that there will be a large increase in homosexuality. Irrespective of the change that we will make to the law today, most people are still profoundly disgusted, and alarmed, by homosexuality. That will provide a powerful incentive to reduce the level of homosexuality.

Many comments have been made to me, particularly in my correspondence, about how sorry and small a number have opposed the Bill. I think that those comments are wrong. If Lot had found himself in the Division Lobby with 126 voters and two tellers—all just men—the cities of the plain would have been saved.

7.28 pm

**Mr. Nicholas Winterton:** I commend the remarks of my hon. Friend the Member for New Forest, West (Mr. Swayne) who tackles issues straight on and who does not mince his words. I have not yet spoken in the debate, although I have voted against the Bill at every possible opportunity. It is fundamentally flawed, wrong and dangerous to the young men and boys about whom we are concerned.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) said that it was utterly wrong to seek to outlaw or criminalise something just because we do not like it. I agree with that. However, there is a great difference between sexual intercourse between a man and a woman—or, for that matter, a boy and a girl, whether they are over or under the age of 16—and the act of sodomy. That is what is so often practised in homosexual relationships. I do not hesitate to say from the Conservative Benches that heterosexual sex is a God-given act for reproduction, joy and pleasure. One cannot say that of the homosexual act—the act of sodomy.

I am not an expert on biology, but if God had meant men to commit sodomy or buggery with other men, even a doctor would admit that their bodies would have been built differently. That is a fundamental reason why there is a great difference between a heterosexual and a homosexual act.

My right hon. and learned Friend the Member for Sleaford and North Hykeham was right to have concerns about clause 1 because it would enshrine in law an unnatural act, in particular an unnatural act of a young person who is vulnerable and in many cases does not know his true sexuality.

The hon. Member for St. Helens, South (Mr. Bermingham) said that the European Court of Human Rights or even the European Court of Justice would bring this Parliament to court as our legislation does not give equality to the sex act between men and women and men and men, but that does not mean that we should change our law. If someone said that I should jump off Beachy head because some European Court told me to do so, I would not jump off, and this mother of Parliaments, the House of Commons and, indeed, Parliament as a whole should not do something that it believes to be morally and fundamentally wrong.

**Mr. Bermingham:** The case will be taken to the European Court of Human Rights. The European charter on human rights will become part of our law on 1 January 2000. It is also a fact of history that in Act after Act, from the Mental Health Act 1983 and under Governments of all parties, this country has had to change its laws to comply with European law. One is taken to court and offered a deal, "Change the law and we won't go for you." That is what we have done time and again. There is nothing novel in the situation.

**Mr. Winterton:** Except when the hon. Gentleman was hectoring me when I intervened from a sedentary position, he has always been a most agreeable man. We come from the same region.

**Mr. Swayne:** Region?

**Mr. Winterton:** The north-west. I do not believe in regional government, and I will not be led down that path. The hon. Member for St. Helens, South is a lawyer and I am not. I come from a business background. My constituents have elected me for almost 28 years, and I hope that I have a basic experience of life and that I also show good sense. Just because the law is an ass, it does not mean that I have to behave like an ass. If the European Court of Human Rights wants to bring the United Kingdom to court for failing to implement parts of the

*[Mr. Winterton]*

convention, let it do so. I would prefer to go screaming to defeat rather than go passively like a sheep to the slaughter. I really mean that.

This House is about people expressing their own view. I am not entirely sure that every vote has been a free vote for Labour Members. That is my view and it is an instinct. My instinct is why I oppose enshrining in law homosexual acts between youngsters of 16 upwards.

We heard certain medical views from the hon. Member for Oxford, West and Abingdon (Dr. Harris). I will repeat what I said following an intervention by the hon. Member for South Ribble (Mr. Borrow). When I was a member of the Select Committee on Social Services, we undertook an inquiry into AIDS. From all the evidence that we amassed, it was clear that the two prime sources of AIDS in this country were intravenous drug abuse—injecting oneself with infected or dirty needles—and the homosexual act. AIDS is costing the people of this country and of the world huge sums of money and is a great tragedy, which is resulting in tens of thousands of deaths.

**Ann Keen** (Brentford and Isleworth) *rose—*

**Mr. Winterton:** I will give way to the hon. Lady. I respect the sincerity with which she has advanced her cause, although I disagree with her.

**Ann Keen:** Does the hon. Gentleman care to comment on the fact that unsafe sex in the heterosexual community also carries a great risk of infection with AIDS-HIV?

**Mr. Winterton:** I am happy to comment on that because that matter was also drawn to the attention of the Select Committee. AIDS among heterosexuals is sometimes due to bisexual men, who not only commit positive homosexual acts with men, but have heterosexual sex with women. That is one reason why there has been a limited number of AIDS cases resulting from heterosexual acts. A second reason is that one partner—either the man or the woman—is a drug abuser and injects him or herself with dirty needles. That is another way in which the AIDS disease can come into the heterosexual community.

Further to the point made by my right hon. and learned Friend the Member for Sleaford and North Hykeham at the beginning of his short speech on Third Reading, I do not want to ban, criminalise or outlaw something in legislation merely because I dislike it. I do dislike homosexual behaviour because I believe it to be unnatural. This legislation will make a large number of young men more vulnerable to predators. I see my role as protecting young men so that they go through those formative and vulnerable years to have a normal heterosexual relationship, which is the natural relationship given by God.

7.38 pm

**Mr. Rogers:** I have always voted against the lowering of the age of consent from 18 to 16, but after hearing some of the homophobic rantings from Conservative Members, I am not sure what to do this evening.

The hon. Member for New Forest, West (Mr. Swayne) is obviously a great expert on homosexuality, but if he thinks that this legislation would create homosexuals, that is nonsense. Listening to the hon. Gentleman has made me wonder whether he thinks that the best way to abolish homosexuality—complete nonsense in itself—is to abolish all, all-male institutions. I presume that he would want to abolish the Army, the Navy and a couple of other all-male institutions. He would probably abolish public schools—I understand that a great number of men have had their first experience of homosexuality in such schools, although I am not sure how many Labour Members that applies to. Perhaps all those of us who went to public schools could confess our experiences. I did not go; I went to Bargoed secondary school.

I am sorry that the issues have been turned into homophobic rantings. The reason that I will either abstain or vote against the Bill is that I think that people need to have time to develop their sexuality. As a young lad of 18, I went into the Army, an all-male environment. There were predators—people who had been in the Army for many years who looked for young lads. No one can deny that. When I was shadow defence Minister and homosexuality in the armed forces came up, we had a much more constructive debate than this on the problems of homosexuals in the Army and predators. I am afraid that the homophobic ranting might well make me abstain, but I will probably vote against. I do not believe that the law creates homosexuals. Homosexuality is a natural condition that people have within them. There is nothing we can do to legislate about it, but I am concerned about predators, which is one reason why I may well vote against.

7.42 pm

**Mr. Gerald Howarth** (Aldershot): I am sorry that the hon. Member for Rhondda (Mr. Rogers) feels that there has been a lot of homophobic ranting by Conservative Members. That misrepresents what we have been saying. A feature of the way in which the Government have proposed the Bill is that they have cloaked it all with the word "equality". As we all subscribe to the concept of equality, we are invited to support it; if we do not, we are inferior citizens because we do not support the concept of equality.

All too often, it has been up to Conservative Members, with some distinguished contributions from Labour Members, to point out to the House and the wider public the Bill's practical consequences for young boys. It has largely been Conservative Members who have made that view known, but 13 Labour Members voted against clause 1 on 10 February. I do not know to what extent the Whips have been active.

**Mr. Boateng** *indicated dissent.*

**Mr. Howarth:** The Minister need not get excited. He is not a Whip at the moment. There has been some cross-party support.

**Mr. Rogers:** What the hon. Gentleman suggests is untrue. I have always voted against the measure. I have never been approached by a Whip or Minister about how I vote. It is silly to suggest that.

**Mr. Howarth:** I think that I am aware of the hon. Gentleman's views, although I have checked *Hansard* and I see that he was not here to vote on clause 1

on 10 February. I hope that I can persuade him to support us in the Lobby tonight. This is an important issue and he should not feel that he cannot support those of us who oppose the Bill simply because some of my hon. Friends have been forthright in expressing their views. On Second Reading, one of his colleagues made a contribution that was much more explicit than anything that I have heard from other Members. The hon. Gentleman should remember that it is not Conservative Members who have been guilty of being too specific about the practicalities of what we are discussing.

I have spoken several times on the Bill because I believe that it is profoundly misguided. Those who have opposed the Bill have been concerned on two counts. First, we want to protect the vulnerable—the children. As my hon. Friend the Member for Billericay (Mrs. Gorman) said, it is extraordinary that a Government who go to such lengths to invoke the nanny state to interfere in people's lives—

**Mr. Boateng** *indicated dissent.*

**Mr. Howarth:** It is no good the Minister shaking his head. The top item on today's news is that the Secretary of State for Wales has eaten beef on the bone. What a brave man to fly in the face of the Government's hostility to eating that.

**Mr. Nicholas Winterton:** I think that it was the Prince of Wales.

**Mr. Howarth:** They were both eating beef on the bone, which is banned. The Secretary of State for Wales, having secured his "victory" in the recent election in Wales—

**Mr. Deputy Speaker (Mr. Michael Lord):** Order. Perhaps the hon. Gentleman could turn his attention back to Third Reading.

**Mr. Winterton:** It is all too close to the bone.

**Mr. Howarth:** My hon. Friend says that it is all too close to the bone, which is worth putting on record.

My hon. Friend the Member for Billericay has noted that the Government are keen to interfere in the decisions of individuals about how they run their lies. In this case, they wish to reduce the protection available to children. The Bill is utterly flawed because of clause 2, which provides for protection between the ages of 16 and 18 in certain circumstances, but only in certain circumstances. If the Bill's supporters believe that children between those ages need protection in some cases, it is logical for us to propose that all, and not only some, children between those ages should be protected. Therefore, the idea that this is all to do with equality is humbug.

It was only a few years ago that Parliament was invited to consider reducing the age of consent for homosexuals from 21 to 18. All the arguments were deployed and we were told that it was not proposed that matters would go further and that 18 would be fine. Of course, there were some who argued for 16. Only a few years later, we face a decision to reduce the age to 16 from 18. I believe that the supporters of the Bill—not all, but many, and certainly some of the pressure groups outside—will seek to go further. It will not be long before we have—

**Mr. Boateng** *indicated dissent.*

**Mr. Howarth:** Again, it is no good the Minister shaking his head. It is all in "Equality 2000". The fact is that Stonewall has shown in its five-point plan how much further it wishes to go. There will therefore be further pressure. Passing the Bill will show that Parliament is prepared to go further.

I venture to suggest that there will be pressure for us to legalise homosexual marriages. I hope that those who support that will take note of what has been done in France. I gather that no fewer than 200,000 people demonstrated in Paris at the prospect of gay marriages. We know from what happened with the Countryside Alliance how the Government respond to public demonstrations. Perhaps those of us who feel strongly about this should take to the streets and demonstrate that we will not support any further move on this issue. *[Interruption.]*

**Mr. Deputy Speaker:** Order. We cannot have private conversations. The hon. Gentleman must address the contents of the Bill.

**Mr. Howarth:** I was addressing the contents of the Bill.

**Mr. Deputy Speaker:** Order. I think that the hon. Gentleman must let me be the judge of that.

**Mr. Howarth:** Of course, Mr. Deputy Speaker. I was only trying to point out that the Bill follows on from a decision made by the previous Parliament to reduce the age of consent from 21, where it had stood for many years, to 18 and that now, only a few years later, we are asked to reduce the age of consent again. I contend that it will not be long before we are invited to consider further moves to provide for the homosexual life style. In Paris, 200,000 people demonstrated against the concept of gay marriages, and I hope that people will take to the streets in this country if it appears likely that we are to go down that road. There is no public support for the Bill and it is extraordinary that so many members of a Government who rely on focus groups and opinion polls are prepared to defy public opinion.

I know that the Minister is a practising christian, so I hope that he will take note of what the bishops said before Second Reading. They said that the leaders of both Church and state have a duty

"to protect them"—

children—

"from harm and exploitation and to offer them a vision of what is good."

They added that legislation affecting sexual relationships should

"set an example of what is good and be rooted in sound moral values".

They went on to say:

"Pressures are at work to legitimise any and every life style irrespective of any difference of value and quality between them. These pressures should be resisted."

That is another reason why the Bill should be opposed.

The hon. Member for Oxford, West and Abingdon (Dr. Harris) made great play of the British Medical Association being all in favour of reducing the age of consent, but I remind him that the same argument was used in 1994, when it was claimed that, if we reduced the age of consent from 21 to 18, the number of new

*[Mr. Howarth]*

HIV cases would fall because young people would come forward and seek advice without fear of being prosecuted. The truth is that figures show that, overall, HIV infections acquired through sex between men rose by 11 per cent. from 1995 to 1996—a full year after the change was made by Parliament. The *British Medical Journal*, which is the official organ of the BMA, said at the time that that was

"a considerable rise compared with previous years"

and found that new cases of HIV infection were

"particularly common among young homosexual men."

I rest my case: the Bill will increase the risk of HIV infection among vulnerable young men by increasing their exposure to that fatal illness. I do not believe that either the BMA or the hon. Gentleman has proved that medical opinion is in favour of the Bill. There is clear evidence that, if the Bill is passed, there will be increased infection among young people.

My hon. Friend the Member for Macclesfield (Mr. Winterton) mentioned the European convention on human rights and the European Court of Human Rights. I find it deeply offensive that a matter of this nature should be decided by a court beyond our islands, when this Parliament is perfectly capable of deciding this issue. Even if I oppose Parliament's likely decision, I do not believe that it should be second-guessed by foreigners sitting in Strasbourg or anywhere else. We should be able to decide such matters in this country and I resent that idea that Parliament cannot adequately safeguard human rights.

We have had our say and made a strong case on why the Bill should be resisted. I shall vote against it on Third Reading, as I did on Second Reading, and I hope that I shall be joined by a good representative number of Labour Members. I also hope that, when the Bill goes to another place, their lordships will not be afeared to stand firm as they have done before and that, if we cannot defeat the Bill in this House, they will ensure that public opinion is properly reflected by voting it down in the other place.

7.55 pm

**Mr. Clappison:** Clauses 1 and 2 have been the subject of free votes among Conservative Members and, as I said, when I speak from the Dispatch Box I am expressing only my personal views. My right hon. and hon. Friends have expressed their views, which may be different. In this matter, we are called on to exercise our individual judgment and decide what we think is the appropriate age of consent.

The hon. Member for St. Helens, South (Mr. Bermingham) was right: the case which he mentioned is before the European Court, which has decided that there is a case to answer. We do not know what the outcome will be. Even before the European convention on human rights was incorporated into domestic law, we always incorporated the findings of the European Court in our law. Even so, on a matter such as the one before us now, we have to exercise our individual consciences and judgment and do what is right, while simultaneously endeavouring to represent our constituents as best we can.

I do not feel any shred of homophobia: I do not think that homosexuality is evil or wrong; still less do I think that individual homosexuals are evil. However, when called on to exercise my judgment on the right age of consent—we have to set one; we cannot do away with it altogether—the more I think about it, the more I believe that 18 is the appropriate age of consent and that 16 is simply far too young.

That was my view when the matter came before the House last year, in an amendment to what became the Crime and Disorder Act 1998. At that time, the hon. Member for Bassetlaw (Mr. Ashton), who served on the Standing Committee, raised the important matter of the protection of young people. He did the House a great service in doing so, for that is an eminently worthy objective and one of which the House should be mindful, especially in view of the catalogue of cases chronicled in the Utting report, to which the hon. Gentleman drew our attention. He described many cases in which young people in residential and other forms of care had been made the victims of abuse by older people—a scandalous state of affairs which had existed for far too long and was brought to light time and again, to an almost unbelievable extent.

The hon. Gentleman brought that issue to the House's attention, and the debate that took place at that time gave rise to clause 2, which attempts to protect young people by creating a new offence of abuse of trust. We should do all that we can to promote that worthy objective, but the provisions that the Government have produced to achieve that aim fall well short of what is needed. It has three important weaknesses: first, clause 2 does nothing to protect under-16s, yet it is under-16s who are the main subject matter of the Utting report. They are the most vulnerable and the most in need of protection from potential abusers. We believe that there are ways in which under-16s could be given greater protection, but the Bill does not go so far, and that is an important defect.

Secondly, in respect of the protection that the Bill does give to 16 and 17-year-olds, the scope of the definition of a position of trust set down in the Bill by the Government is not nearly broad enough. The public will feel that many people who are not included in that definition should be so included. To adopt an argument advanced by the Liberal Democrats, some teachers who are considered to be in a position of trust under the Bill might well wonder why that should be when other people in other walks of life—clergymen, youth leaders—are not so considered. With great eloquence and gloss, the Minister put his arguments as to why that should be so. However, I am not convinced by them. I am more convinced by the contribution of the hon. Member for Swansea, East (Mr. Anderson) who, in a much earlier speech, asked quite bluntly why clergymen, scout leaders and other youth leaders had not been brought within the ambit of the Bill. It is difficult to understand why they are not.

The third defect is that the maximum sentence was too low. That situation has now been remedied through our amendment in Committee, and we welcome the fact that the Government have seen sense and increased the maximum penalty.

The hon. Member for Oxford, West and Abingdon (Dr. Harris) remarked about my earlier contribution to the House when I drew attention to the number of prosecutions for offences involving under-age sex and how there had been a significant change—a collapse—in those figures following the last lowering of the age of consent. I heard the points that the hon. Gentleman made on this subject. I did not call then—and I do not do so now—for any oppressive action or witch hunt. I do not

want the police or other authorities to go on the offensive and seek out convictions under this offence. I hope that the law will be enforced properly, sensibly and sensitively, especially—but not exclusively—when one of the perpetrators is much older.

I listened to the views expressed by my hon. Friend the Member for New Forest, East (Dr. Lewis) on the question of decriminalising the offence when one of the parties is under age. I can provide some reassurance on that point. I understand the concern that motivates him, but he must bear in mind the fact that, even with new clause 4, the offence will remain when both parties are under age. When only one of the parties is under age, it will be an offence for the over-age party. The law exists to protect the under-age party and to bring the older party to justice in those circumstances. As my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) said, on balance, that is the decision that we must take and that is where the public interest lies. We must bring the older party to justice without creating any disincentive for the younger person to report the offence. The under-age party should not become embroiled in criminal proceedings, and this is a sensible and well-justified change.

I do not believe that clause 2 goes far enough in protecting young people. I think that the Government were timid in introducing the Bill, which contains several potential loopholes, anomalies and inconsistencies. I am doubtful about the defence that the Government afford to older people who, I believe, should know the ages of those they are teaching and looking after. That defence is anomalous and creates an entirely new type of defence. I am also concerned about the precedent that it will set. Although I welcome any attempts to protect young people, the Government's attempts are flawed.

Those flaws are greater still when it comes to the main subject of the Bill. I do not feel any animus towards homosexual people: I welcome greater tolerance in society. However, I believe that 16 is too young for the purposes of the Bill. When the matter first came before the House, I supported reducing the age of consent from 21 to 18 years because I thought that the case for that change was well made and that it was oppressive for people to have to wait until the age of 21 before engaging in homosexual activities. However, as my right hon. and learned Friend the Member for Sleaford and North Hykeham said, some young people of 15, 16 and 17 are not fixed in their sexual preferences. I think that they should practise a little abstinence and wait until they are 18 before engaging lawfully in such activities.

That view was shared by the Wolfenden commission, which certainly did not start from a position of hostility towards homosexuals. That commission discounted 16 as an age of consent in the 1950s. It found that too many young men did not have fixed sexual preferences at that age and that 16 was too young to take such a big step which could have profound consequences for the rest of people's lives. I believe that it does not do any harm to make a person wait until 18.

I believe that many people share that view. I know that public opinion has been prayed in aid on all sides of the debate—it is difficult to be entirely accurate about public opinion in these circumstances. Many people have strong views about homosexuality and oppose it altogether—that is entirely a matter for them. However, many others look at the issue pragmatically and ask, "What is the appropriate age for youngsters to become involved in homosexual activity?" Drawing on their own lives and everyday experiences, they have concluded that 16-year-olds are far too young to take such momentous decisions.

Hon. Members who favour reducing the age of consent to 16 are taking a step that will leave many constituents and a large section of the public with a sense of deep unease. This momentous decision comes hot on the heels of an earlier reduction in the age of consent from 21 to 18 years. The Bill goes too far too fast and allows people to make this important decision when they are still too young. Those are my views and that is why I shall oppose the measure.

8.6 pm

**Mr. Boateng:** This has been a wide-ranging debate. I wish that it had not ranged as wide as the twin cities of the plain via Aldershot and the New forest. Nevertheless, if that is where the debate had to lead, so be it. This debate has been spread over several sessions. We have considered the Bill carefully, and I thank hon. Members on both sides of the House for the care and attention that they have displayed in the House and in Committee.

Everyone has had plenty of opportunities to express his or her views and, in the main, those views have been heard respectfully. Therefore, it is rather sad that some Opposition Members should suggest that those who support the Bill do so at the behest of some hidden, or not so hidden, agenda. That does not do justice to the deeply held feelings about fairness and equality that many hon. Members share with people outside this place who do not work to any hidden agenda either. The agenda for those who support the Bill is clear: equality and respect. They seek equality before the law in terms of equalising the age of consent and respect for vulnerability and trust, and share a determination to ensure that that trust is not broken. They are two distinct aims and it is important to stress that the two parts of the Bill are separate: each is important in its own right.

We must also be clear about what the Bill can and cannot do. It can—I believe that it should—provide for equality before the law in relation to the age of consent. It can—I believe that it should—provide specific targeted protection for people who are particularly at risk from abuse of trust perpetrated by those in positions of authority. However, the Bill cannot go beyond that without the risk of getting it badly wrong.

I assure the hon. Member for Oxford, West and Abingdon (Dr. Harris) that the Bill cannot remove all the anomalies and inequities in sexual offences law; nor can it be a wide-ranging child protection measure which rewrites the law on a grand scale. For example, the Bill cannot protect children in the family home or guard against abuse from strangers. Protection of the vulnerable, coupled with equality before the law, is the driving aim of the sexual offences review. We will ensure that the European convention on human rights informs and shapes the outcome of that review.

Those who suggest that people support the measure—the charge was levelled particularly at my right hon. and hon. Friends—simply to comply with the European Court of Human Rights are wrong. The impulse is quite different: it recognises the importance of equality before the law and the need to protect the vulnerable in circumstances in which trust may be abused. That is what drives this legislation.

*[Mr. Boateng]*

I say to the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), the hon. Member for Aldershot (Mr. Howarth) and others that we ought to be concerned—the hon. Member for Macclesfield (Mr. Winterton) has certainly accepted this point—about a society in which there is a lack of restraint in people's sexual appetite. It is wrong to believe that concern about unrestrained sexual appetite exists solely on one side of the House. We are all concerned about recognising the importance of children and young people deferring sexual activity as late as it is reasonable to expect them to do so. We all understand that.

Are we not all concerned about the sexualisation of children and young people? If we are not, we certainly ought to be. However, to believe that criminal law is the way to ensure that young people refrain from irresponsible or dangerous sexual behaviour simply flies in the face of reason. Young people will not be deterred from sex by the criminal law. We know that young people are made frightened, fearful and ill, but we know also that young people do not desist from sexual activity because we criminalise that activity.

**Mr. Julian Brazier** (Canterbury): Will the hon. Gentleman give way?

**Mr. Boateng:** No, the hon. Gentleman has had an opportunity to speak during our discussions on these matters.

The hon. Member for Billericay (Mrs. Gorman) again suggests that there is a hidden agenda at work. We know that there is evidence that we cannot ascribe to homosexuals the spread of AIDS. It is wrong to demonise any group of people in that way. AIDS is a public health issue and, when we are concerned with such issues, we must recognise that ignorance, fear and lack of information contribute to a danger to public health. Those are the real dangers, not this measure. To suggest otherwise does not do justice to the arguments.

**Dr. Julian Lewis:** Will the hon. Gentleman give way?

**Mr. Boateng:** No; the hon. Gentleman has had his say during our debates, and no doubt we shall return to the subject.

The House has had an opportunity to express a view and to scrutinise the Bill in great depth. It is now time to send the Bill to another place. I believe that, tonight, the Bill and its detailed proposals will receive an overwhelming endorsement based on principles of equality and a determination to ensure that the vulnerable are protected from abuse of trust. That is what will motivate hon. Members in the Lobbies tonight, and the other place had better listen to the democratically elected Chamber, because my right hon. Friend the Secretary of State has made it crystal clear that we do not intend for the will of Parliament to be thwarted again. Each and every one of us will go into the Lobbies tonight exercising his or her conscience. This is a free vote, and I, for one, shall vote for Third Reading of the Bill.

*Question put,* That the Bill be now read the Third time:—

*The House divided:* Ayes 281, Noes 82.

**Division No. 79]** **[8.13 pm**

**AYES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Boswell, Tim
Bradley, Keith *(Withington)*
Brady, Graham
Brake, Tom
Brinton, Mrs Helen
Buck, Ms Karen
Butler, Mrs Christine
Campbell, Menzies *(NE Fife)*
Campbell-Savours, Dale
Canavan, Dennis
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Curry, Rt Hon David
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Eagle, Angela *(Wallasey)*
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fabricant, Michael
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harris, Dr Evan
Heal, Mrs Sylvia
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally

Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Key, Robert
Kidney, David
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Linton, Martin
Livingstone, Ken
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McIsaac, Shona
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Ayes:**
**Mrs. Anne McGuire and**
**Mr. Jim Dowd.**

**NOES**

Anderson, Donald *(Swansea E)*
Arbuthnot, Rt Hon James
Bell, Martin *(Tatton)*
Benton, Joe
Bercow, John
Blunt, Crispin
Body, Sir Richard
Brazier, Julian
Bruce, Ian *(S Dorset)*
Butterfill, John
Cann, Jamie
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Cran, James
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan Smith, Iain
Dunwoody, Mrs Gwyneth
Faber, David
Fallon, Michael
Flight, Howard
Fraser, Christopher
Gale, Roger
Gill, Christopher
Gillan, Mrs Cheryl
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hawkins, Nick
Heald, Oliver
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
MacGregor, Rt Hon John
Maclean, Rt Hon David
McLoughlin, Patrick
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
Page, Richard
Paterson, Owen
Pickles, Eric
Pollard, Kerry
Powell, Sir Raymond
Randall, John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rogers, Allan
Rowlands, Ted
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Spicer, Sir Michael
Stanley, Rt Hon Sir John
Syms, Robert
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Trend, Michael
Viggers, Peter
Walter, Robert
Wardle, Charles
Wareing, Robert N
Waterson, Nigel
Whitney, Sir Raymond
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wray, James

**Tellers for the Noes:**
**Mrs. Teresa Gorman and**
**Mr. Desmond Swayne.**

*Question accordingly agreed to.*

*Bill read the Third time, and passed.*

## Scottish Enterprise Bill

*Order for Third Reading read.*

8.27 pm

**The Parliamentary Under-Secretary of State for Scotland (Mr. Calum Macdonald):** I beg to move, That the Bill be now read the Third time.

Section 25(2) of the Enterprise and New Towns (Scotland) Act 1990 places a financial limit upon Scottish Enterprise. The purpose of the Bill, as hon. Members who have followed its progress will know, is to increase the financial limit from the present level of £3,000 million to £4,000 million. In addition, it removes the provision enabling the Secretary of State to increase the limit further by statutory instrument.

Scottish Enterprise will reach the current limit in June. The Bill is required to allow it to continue to operate until March 2001. Thereafter, the Scottish Parliament will decide on the funding arrangements of Scottish Enterprise.

The Bill is technical. Both sides of the House supported it in principle on Second Reading and it was not amended in Committee. I therefore commend the Bill to the House.

8.28 pm

**Mr. Oliver Letwin** (West Dorset): The Bill is brief, and the Minister has made a brief speech. With his usual engaging manner, he sought to lull us into a sufficient sense of insensibility so that we would not wish to contribute at length. I certainly do not intend to detain the House for long, but some points need to be raised.

Our deliberations on the Bill have, surprisingly, occasioned some interesting debate. We have considered the question whether the agency to which it refers—Scottish Enterprise—is itself efficient. More importantly, we have considered whether the House, under the proposals for devolution enacted in the Scotland Act 1998, ought to continue to have a role of oversight in relation to the expenditure by that agency, given that the great part of its funding will come from the United Kingdom taxpayer.

I do not wish to rehearse again those arguments which have been amply rehearsed on Second Reading and in Committee. The Minister has been a kind of gentle Ozymandias throughout, asking us, in effect, to make our arguments, but not to press them to the point where he needs to tell us politely to disappear. However, in the course of that debate, we have become increasingly aware of another problem to which we have not yet alluded and, before we leave this subject, it needs to be aired.

Scottish Enterprise is not alone—there are other agencies like it around the United Kingdom. The Welsh Development Agency—the so-called economic powerhouse of Wales—is a prime example. In due course, there may be more agencies seeking to attract investment to a region or a country within the UK. It is to the great advantage of the UK as a whole if investment that would not otherwise come arrives under circumstances where that investment is drawn from outside the UK, where it would otherwise not have arrived in the UK but would have gone outside, or where it simply would not otherwise have been made. The same applies in the case of jobs.

Alas, that is not the only kind of activity in which regional or country-based development agencies need necessarily act. They may engage—nothing in their constitution prevents them from doing so—in a bidding war against one another to try to draw investment, and hence jobs, from one part of the UK to another. That is not a problem that afflicts Scottish Enterprise in particular. Nothing about Scottish Enterprise gives rise to the fear that it may seek to engage in such activity, but Scottish Enterprise has that ability. By raising its financial limit this evening, as we shall eventually do, we shall increase, rather than reduce, that ability.

Under normal circumstances—certainly under circumstances that would have obtained before the Scotland Act 1998 and its sister legislation in Wales and Northern Ireland—that potential problem would have existed anyway. Since the enactment of that legislation, that problem has increased and taken on a new character, which this Third Reading provides the House with an opportunity to ponder. Let us imagine the circumstances in reverse: that, in due course, the Government were to introduce parallel legislation in respect of agencies for the English regions. Let us suppose that those English regions were to use taxpayers' funds to engage in a bidding war to draw investment and jobs away from Scotland into the English regions.

**Dr. Norman A. Godman** (Greenock and Inverclyde): Or into Wales and Northern Ireland.

**Mr. Letwin:** Or let us suppose that the Welsh Development Agency or a similar agency in Northern Ireland were to engage in the same activity, which is already possible. It would then be quite reasonable for people in Scotland to object on the basis that they were partly funding an agency that was drawing jobs and investment away from them. People in other parts of the United Kingdom could harbour similar feelings if, benefiting from this legislation, Scottish Enterprise were to engage in the same activity.

I hope that the House will note that I am specifically not making an argument that is derogatory about Scottish Enterprise and its management, nor do I suggest that there is an asymmetry between the way in which people in Scotland would act or respond, and the way in which people in other parts of the Kingdom would act or respond. On the contrary, I am talking about rational behaviour and attitudes on the part of people throughout the Kingdom. It is a fact of life that no one likes to have some of their money used, via the Consolidated Fund, to fund an agency to take jobs and investment away from their patch in the United Kingdom.

Following devolution, that pattern could all too easily be exploited, in particular by nationalists. If a party wanted to destabilise the United Kingdom and to play on the rational fears that I have described, it could all too easily use the fact that a development agency such as Scottish Enterprise or one in another part of the kingdom is dragging jobs and investment from its part—the part that the nationalists in question happen to defend and to believe should be separate—to another.

**Mr. Tam Dalyell** (Linlithgow): Not "could"—such a party certainly will. It is human nature.

**Mr. Letwin:** The hon. Gentleman is probably right, as he often is, but I hope that he will note that I am trying

to make the case not in the most lurid way, but, on the contrary, in the most cautious way possible. It is at least evidently possible. He may be right that it will occur.

My concern is to make it abundantly clear that I am not trying to arouse or to inflame sentiments. On the contrary, I am trying to assuage. I am trying to put the case in as calm a way as I can to make it clear that we have a collective problem that should be faced by people from all parts of the kingdom who wish the United Kingdom to remain intact.

Of course I recognise honourably that some hon. Members present do not wish the UK to remain intact. They will welcome any mechanism that enables the United Kingdom more rapidly to descend into tension.

**Mr. Andrew Lansley** (South Cambridgeshire): I am following what my hon. Friend says with care. He will be more familiar with the passage of the Bill than I am, but have the Government at any stage during its passage in the House or in Committee published or presented to the House or Committee a concordat—which, I understand, should occur—between Scotland, Wales and the regions of England about the circumstances in which particularly regional selective assistance is to be made available?

**Mr. Letwin:** The short answer is, of course, no. As my hon. Friend will know, the whole question of concordats is extremely vexed. None of us knows what the juridical status of the administrative contracts between—

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Order. The terms of the Bill are narrow. We are talking about increasing the borrowing powers of Scottish Enterprise, so we should not go into the powers that a new Parliament in Edinburgh, or any other devolved Parliament might have. We must stick to the Bill before us.

**Mr. Letwin:** Absolutely, Mr. Deputy Speaker. It is true that, under the Bill, the financial limit for Scottish Enterprise having been increased, its ability—were it to choose to do so—to engage in the activities that I have described will increase. That would have to be restricted via a concordat, I think, unless it were restricted by Act of Parliament.

During the debates on the Bill, the Minister has not advanced any suggestion that the Bill should be amended to introduce a mechanism to restrict the activities of Scottish Enterprise in drawing away investment.

**Mr. Deputy Speaker:** Order. We have now come to Third Reading. The hon. Gentleman had opportunities to table amendments in Committee. He could also have tabled what are known as probing amendments. It is not for me to tell him what his job is, but we have landed at the Third Reading of the Bill, which is very narrow. He must keep to the terms of the Third Reading of the Bill.

**Mr. Letwin:** Of course, Mr. Deputy Speaker.

**Mr. Lansley:** On a point of order, Mr. Deputy Speaker. May I seek your guidance? In considering whether we should give the Bill a Third Reading, I must also consider whether there is to be a concordat between Scotland, Wales and England on the circumstances in which grant aid is to be provided for projects. That, surely, is of some relevance. Is it acceptable for us to debate it?

**Mr. Deputy Speaker:** There are always opportunities for hon. Members to find out about such matters. There are many occasions, including Scottish questions, on which the hon. Gentleman can find out about those other matters, but he can only talk about what is in the Bill. I am guided by the rules of the House, which say that we are discussing only Third Reading of the Bill.

**Mr. Letwin:** I am guided by your instructions, Mr. Deputy Speaker. My observations are intended to suggest that there remains a deficiency in the Bill, in that it provides no mechanism to constrain the activities of Scottish Enterprise in relation to drawing investment from other parts of the United Kingdom. That ought to be common ground between all those present who are not in favour of breaking up the United Kingdom. I know that the Minister is not in favour of that. The Opposition are not either, and I believe that others present are not, with the exception of members of one party.

I think that all of us who share that view should regard the Bill as—alas—a missed opportunity. That does not mean that there is something intrinsically wrong with it from a positive point of view, for it does its job perfectly adequately, but it fails to do another job, and, if the Minister considers the issue, he may think that that job is worth doing in some form or another. I hope that, if and when the House must consider further legislation concerning such an agency—I doubt that there will be another Bill concerning this agency, for obvious reasons—the Minister will recommend such mechanisms to his ministerial colleagues. Those observations clearly apply with equal force to any regional agency in England, for example, and such matters would be dealt with in the House.

You were right, Mr. Deputy Speaker, to admonish me for not having raised this matter earlier. On reflection, I think that it would have been a good idea to table amendments. I do not, however, want to let the Third Reading debate pass without having made a point that I consider to be right, even if the person making it is culpable in not having made it earlier. I hope, Mr. Deputy Speaker, that you will allow me to press the Minister. I also hope that the Minister will have a word or two to say about whether the Government accept the general principle. Whether or not they finally agree with the hon. Member for Linlithgow (Mr. Dalyell), who suggested that it was inevitable that the problem would arise, I hope that they will accept that there is a potential for it to arise. I trust that the Minister will tell us that the Government will address, in some manner—they cannot do so in the context of this Bill—the need to prevent a bidding war that would draw investment uselessly from one part of the kingdom to another, to the possible advantage of separatists whom most of us do not wish to prosper.

**Mr. Lansley:** Some months ago, I tabled parliamentary questions asking what had been the maximum cost per job of provision for projects in Scotland, Wales and England. The responses showed that, in Scotland, the maximum cost per job had reached £17,000, whereas in Wales and England it had reached £15,000. On the face of it, therefore, there is scope for Scottish Enterprise to

*[Mr. Lansley]*

use the resources available at a higher maximum cost per job than would be possible in other parts of the United Kingdom.

**Mr. Letwin:** My hon. Friend, as he does so often, makes an interesting point. I suppose that, in raising the financial limits for Scottish Enterprise, the Bill would potentially aggravate the situation.

**Sir Robert Smith** (West Aberdeenshire and Kincardine): Has the hon. Gentleman considered the consequences of not passing the Bill?

**Mr. Letwin:** There is ample evidence on the record, from statements made on Second Reading and throughout the Committee stage, to suggest that Her Majesty's Opposition have no intention of preventing the Bill's passage. We recognise that it needs to be passed, because Scottish Enterprise needs to continue its work, much of which—notwithstanding the comments that we have made about its efficiency—is valuable.

**Mr. John Bercow** (Buckingham): I appreciate the position taken on the matter by Opposition Front Benchers and Back Benchers, but I am conscious also of my hon. Friend's reputation as a Unionist. Is he saying that he is prepared to countenance, by supporting the Bill, a situation in which we acquiesce in, or vote for, differential treatment of different parts of the United Kingdom?

**Mr. Letwin:** My hon. Friend was right to seek, on my behalf, that I should protect my reputation as a Unionist; I hold nothing dearer. We are told nowadays that that view is shared on both sides of the House, and that is [illegible] to be welcomed.

**Mr. Bercow:** Action speaks louder than words.

**Mr. Letwin:** Alas, in some respects, that is true.

The purpose of the Bill is not in any way to aggravate the problem that I have been describing. If the Bill's provisions were abused, it could lead to an aggravation of the problem—but that is not the purpose of the Bill itself. I fear that, if the Bill is passed without amendment; it will be a missed opportunity to cure a potential problem. I do not by any means go so far as to say that, in itself, it will cause a further problem.

The Opposition shall therefore not be pressing the matter so that it causes friction or difficulty for Scottish Enterprise itself or for the Government. We do, however, urge the Minister to take on board the points that I have made. I hope that, in his usual manner, he will tell the House that he recognises the seriousness of the issues and that he will seek to address them in one way or another.

8.46 pm

**Mr. Dennis Canavan** (Falkirk, West): I welcome the Bill's Third Reading, and the potential additional investment—an increase in the aggregate amount outstanding from £3 billion to £4 billion—that it will provide for Scottish Enterprise and its subsidiaries. There will be a general welcome for the increase not only in the House, but across Scotland. In his reply, however, will the Minister be good enough to give us some indication of how he envisages that additional money will be used to regenerate the Scottish economy and to try to improve job opportunities for the people of Scotland?

The Minister may recall that, last week, at Scottish Question Time, I pointed out that, according to International Labour Organisation statistics, last year unemployment in the United Kingdom fell by 98,000, whereas there was a 9,000 increase in Scotland. That was before the recent declaration of redundancies at places such as Wrangler, BP, Kvaerner, Bishopton and Volvo. In the past month, in the Falkirk area alone, more than 1,000 redundancies have been announced. It has been the biggest spate of redundancies in the area for many years.

I was very disappointed indeed last week with the Secretary of State's reply to my question. He said:

"A little perspective would be rather more helpful than suggesting that the end of the world is nigh."—[*Official Report*, 23 February 1999; Vol. 326, c. 166.]

That reply went down like a lead balloon in Falkirk.

Last week, the Secretary of State never even replied to my suggestion of a top-level meeting, comprising a high-ranking Minister and representatives of local people and the local business community, to discuss the area's jobs crisis. I am grateful that my right hon. Friend the Secretary of State for Scotland has just entered the Chamber.

I hope that the Scottish Enterprise Bill will offer, through Scottish Enterprise and Forth Valley Enterprise, an opportunity for more investment in areas such as Falkirk. I should like the Minister or the Secretary of State to confirm that, and to outline specific proposals for action.

As the Secretary of State and the Minister may know, recently, with representatives of the local community, I took part in a delegation that went to see Lord Macdonald of Tradeston, who has responsibility at the Scottish Office for business and industry. We made a very strong case for assisted area status in the Falkirk area, to encourage industrial and economic development. That case was supported by the chairman of Forth Valley Enterprise, who participated in the delegation. I hope that the additional investment that the Bill provides will help him to put some money where his mouth is and ensure that Forth Valley Enterprise works in partnership with potential inward investors in the private sector to persuade them to come to our area and ensure that something is done to reduce the appalling and unacceptable level of unemployment.

The Bill should increase the investment potential of Forth Valley Enterprise, which should help to save existing jobs and create new ones through inward investment. I should be grateful if my hon. Friend the Minister said how he thinks that the Bill will help to regenerate the economy in the Falkirk area and improve the employment prospects of my constituents.

8.51 pm

**Sir Robert Smith** (West Aberdeenshire and Kincardine): I shall be brief, because this is a short Bill and I do not want to hold up other matters to be discussed later this evening that affect Scottish business. Scottish legislation will not hold the House up in future and we shall have time to scrutinise other issues more closely.

I welcome the fact that the Bill provides for transitional arrangements to keep Scottish Enterprise alive and active until the Scottish Parliament takes control of its affairs, guiding and directing the most efficient use of the money in Scotland to be invested for the benefit of Scotland.

Given that no amendments were tabled in Committee or on Report, the Bill has clearly not attracted much controversy. The fact that the Official Opposition have said that they do not intend to vote against it suggests that it deserves to be passed quickly, so that we have time to scrutinise other measures.

8.52 pm

**Mr. Tam Dalyell** (Linlithgow): I intervened earlier on the hon. Member for West Dorset (Mr. Letwin) because he could not see that the hon. Member for Moray (Mrs. Ewing) was looking as though she were the cat who had swallowed the cream. The truth is that she has swallowed the cream. Every Member of the Holyrood Parliament will inevitably behave like the nationalists in this matter. People struggle for their institution. Conflict will certainly materialise in some form. That is why I intervened to say that it will, rather than it could.

My hon. Friend the Minister said that the financing of Scottish Enterprise would be a matter for the Scottish Parliament. We have a Treasury Minister on the Front Bench. What is the Treasury view of the Minister's statement? Is it fully endorsed by the Treasury? I should be very interested to have confirmation of that, because I wonder whether it has been agreed by the Treasury.

I should like to follow up the point made by my hon. Friend the Member for Falkirk, West (Mr. Canavan). There is a problem with assisted area status. The area that I have the good fortune to represent is one of the more prosperous parts not only of Scotland, but of Britain. However, Ministers had better be careful about killing the proverbial goose that laid the golden egg. Thousands of people from Lanarkshire and 1,500 to 2,000 people from Fife come into west Lothian every day because of the factories in Livlngston and elsewhere that we have been fortunate enough to attract.

Ministers must be careful because, even now, this is a fragile economy. My hon. Friend the Minister knows all the arguments that have been expertly deployed by West Lothian district council. I should like an answer to the question on assisted area status, and how this will be dovetailed.

8.55 pm

**Dr. Norman A. Godman** (Greenock and Inverclyde): Mr. Deputy Speaker, I shall be brief—so brief that I shall sit down before 9 o'clock. My hon. Friend the Member for Linlithgow (Mr. Dalyell) referred to the hon. Member for Moray (Mrs. Ewing) as a cat who had swallowed the cream. However, I totally reject the Cassandra-like projection offered by my hon. Friend. I know of one candidate hoping to secure a seat in the Scottish Parliament who would reject entirely the notion that she was a nationalist.

I reject also what the hon. Member for West Dorset (Mr. Letwin) had to say about the Scottish Parliament and its monitoring of Scottish Enterprise's expenditure. I have every confidence that the kind of candidates that all parties are putting forward for the Scottish Parliament will carry out—

**Mr. Deputy Speaker:** Order. I have given some leeway, but I cannot allow discussion of candidates. The Bill is narrow—it proposes to double the borrowing powers of Scottish Enterprise. That is all we can talk about.

**Dr. Godman:** I beg your pardon, Mr. Deputy Speaker. However, I wanted to make the point that any extra investment—we are talking about an extra £1 billion, not £3 billion—should be used to re-energise those parts of the country which have been hit badly by job losses. I need hardly remind my hon. Friend the Minister of the 650 jobs disappearing from National Semiconductor, the 350 jobs to be lost at Amp in Port Glasgow and job losses at Royal Ordnance Bishopton and elsewhere. It is essential that that money be used to maintain work and to bring in highly skilled work.

Finally, I wish to make a plea for the Gourock waterfront, because the infrastructure needs to be developed. If that can take place with money from Renfrewshire Enterprise, the whole area will be a much better place in which to live, and it will attract more investment and more jobs.

8.57 pm

**Mrs. Maria Fyfe** (Glasgow, Maryhill): I wish to put it on record that there is enormous Back-Bench appreciation of the huge increase in the budget of Scottish Enterprise, and we expect great things from it. I am speaking as a Glasgow Member of Parliament, representing one of a number of constituencies with high and continuing levels of unemployment. My hon. Friend the Member for Linlithgow (Mr. Dalyell) said that everybody in the Scottish Parliament would be a nationalist. The truth of the matter might be that we will all be Glasgow nationalists, Edinburgh nationalists, Aberdeen nationalists and so on.

There are serious concerns, and that is why there will be enormous resentment about the remarks of the Opposition spokesman, who begrudged us the extra money for areas of our country which have badly needed money to make employment possible. Instead, some have had money sucked out of them—as has been the case with Glasgow.

**Mr. Dalyell:** May I just clarify something? I did not say—nor would I ever say—that my hon. Friend or any of our colleagues were nationalists. I said that members of the Scottish Parliament would behave as if they were nationalists.

**Mr. Deputy Speaker:** Order. Perhaps it might have been better if I had stopped the hon. Gentleman making those remarks in the first place. I will certainly not allow him to do so in an intervention. I believe in any case that the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) has finished.

8.58 pm

**Mr. Macdonald:** This has turned out to be another interesting debate on a narrow and technical measure. I should remind the House that the Bill increases the

*[Mr. Macdonald]*

borrowing limits for Scottish Enterprise—it does not, of itself, increase the funds available. It allows Scottish Enterprise to continue to be funded, and it allows the Government to continue to provide Scottish Enterprise with the money it needs to carry out its work.

**Mr. Lansley:** Will the Minister answer the question asked by the hon. Member for Linlithgow (Mr. Dalyell)? Is the Treasury content for the Scottish Parliament to ask Scottish Enterprise to increase the limit further, even though it may be taking on borrowing powers or contingent liabilities, without any further limit being set for national economic reasons?

**Mr. Macdonald:** It will be for the Scottish Executive to decide how much money to provide to Scottish Enterprise out of the Scottish block. That is what devolution is all about. The Treasury is fully satisfied with the Bill.

It is legitimate to ask about inward investment, but not necessarily in the context of the Bill; it might be more appropriate in discussions on the Scotland Act 1998. The Government accept that it would be sensible to have effective co-ordination of financial assistance offered throughout the United Kingdom. It is in no one's interest to have an auction or bidding war. The White Paper on devolution envisaged that United Kingdom guidelines and consultation arrangements for the devolved bodies would be set out by concordat.

There is nothing new or special about that in principle. The incentives that can be offered to inward investors will depend on assisted area status, which is itself dependent on various European Union rules and regulations. It is not uniquely a United Kingdom problem. It is a matter of concern throughout Europe that we should not get unfair playing fields or uncompetitive practices, so we will seek to establish in the United Kingdom, by concordat, the same principles that we want to agree throughout the European Union.

Some of my hon. Friends have expressed concerns about unemployment and job losses in their constituencies. That is a matter of concern to the Government, which is why we need to ensure that Scottish Enterprise continues to function and put its strategy into effect. Thanks to the new deal and other measures, unemployment—the claimant count—is at its lowest in Scotland since 1977, under the previous Labour Government, and we should take some pride and satisfaction from that; but every job loss is a matter of genuine and grave concern not only to constituency Members but to the Government.

Scottish Enterprise recently published its strategy. The Bill is technical and will simply allow the borrowing limits to be raised to allow Scottish Enterprise to continue to carry out its work and the Scottish Parliament to institute future arrangements as appropriate. I commend the Bill to the House.

*Question put and agreed to.*

*Bill accordingly read the Third time, and passed.*

## Corporation Tax

9.4 pm

**Mr. Nick Gibb** (Bognor Regis and Littlehampton): I beg to move,

That the Corporation Tax (Instalment Payments) Regulations 1998 (S.I., 1998, No. 3175), dated 17th December 1998, a copy of which was laid before this House on 17th December, be revoked.

I thank the Government for allowing a debate on this important and far-reaching statutory instrument. The regulations are yet another example of the Government's policy of raising taxes by stealth. The Prime Minister, in the months leading up to the general election, said:

"We have no plans to raise taxes at all."

In response to a phone-in caller, he promised:

"Our proposals do not involve raising taxes, and if we have any such proposals we will make them clear before the election."

Within three months of his election as Prime Minister, his Government raised taxes. Those additions now amount to some £40 billion of tax increases, including the cuts in married couple's allowance, the cut in mortgage interest relief at source, extra petrol duties, higher stamp duties, especially on businesses, and a £5 billion a year tax on pension funds. The corporation tax regulations will cost industry £1.6 billion in the first year, £2 billion in the second year, £3.1 billion in year three and £2.2 billion in year four.

The regulations change the whole system of corporation tax. As such, it is wrong that the regulations should be implemented by secondary legislation—and by negative resolution at that. The regulations amount to just 15 paragraphs and they could and should have been included in last year's Finance Bill, so that they could have been debated at length and, more importantly, amended. As the Institute of Directors has said:

"The dates on which tax is payable and any associated penalties are fundamental matters, which should be dealt with in primary legislation."

Senior accountants have expressed their concern about this use of secondary legislation. It prompted Richard Collier-Keywood, a partner at PricewaterhouseCoopers, to say:

"I think we are getting perilously close to some constitutional issues."

The regulations change the dates on which companies have to pay their corporation tax bills. Under the current system, which has been in place for nearly three decades, companies pay their tax bills nine months after the end of their accounting period. A company with an accounting period ending on 31 December 1998 would pay its tax bill on 1 October 1999. Under the system proposed in the regulations, companies will have to pay their tax in four quarterly instalments, with the first instalment being paid six months before the end of the accounting period, the second three months before the end, with the final two instalments being paid at year-end and three months after it. In other words, whereas currently companies pay their tax some 21 months after the beginning of an accounting period, under the new system companies will start to pay their tax after just six months.

That is an enormous change and brings forward the tax bills of 20,000 of the largest companies in this country. Together, those companies employ more than half of all employees and represent half of the total turnover in

businesses in the United Kingdom. That is why the measure will raise £8.9 billion of extra taxes over the four-year transition period, money which has to be found and paid over by the corporate sector. That money could have been used for investment and job creation.

**Mr. John Bercow** (Buckingham): In regularly and wrongly claiming that the burden of corporation tax has been reduced since the general election, is the Prime Minister guilty, in my hon. Friend's opinion, of knavery or folly?

**Mr. Gibb:** My hon. Friend makes a good point.

The Government were elected on a clear mandate of no tax rises, but there have been £40 billion of tax rises in a mere two years. In addition to the taxes that I have mentioned, we have seen a £5.2 billion windfall tax, a £5 billion tax on pension funds and the £15 billion regulatory burden on business. Those are staggering sums of money to take from British business. Anyone who claims that it will not damage British industry is at best naive and at worst negligent of, and reckless with, the job prospects of hundreds of thousands of employees.

**Ms Sally Keeble** (Northampton, North): The hon. Gentleman tells us that my right hon. Friend the Prime Minister said that there would be no tax increases under the Labour Government. The hon. Gentleman also mentioned the utilities tax—the windfall tax—which was part of our manifesto commitment and was clearly flagged up. His two statements are incorrect—or incompatible.

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Order. Although the hon. Lady was making an intervention, I should make it clear to hon. Members that we are discussing a statutory instrument that deals with the collection of corporation tax; not taxation in general.

**Mr. Gibb:** The hon. Lady makes a valid point. The windfall tax was the one tax measure highlighted in the manifesto; no other tax measures were mentioned. The tax changes that we are discussing were not mentioned in the Labour manifesto.

**Mr. Christopher Leslie** (Shipley): In proposing to revoke the statutory instrument, the hon. Gentleman suggests that there will be a significant drop in Government revenue. How would he plug that gap? What other taxes would he raise, and which public services would he cut?

**Mr. Gibb** *rose—*

**Mr. Deputy Speaker:** Order. I am sure that the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) does not want to go into that matter, as that would be straying from the motion before the House.

**Mr. Gibb:** Thank you, Mr. Deputy Speaker. Of course, the money will have been spent by the time that the Conservatives return to office, but, when we return, we shall clear up the mess left by the Government.

No one should be taken in by the Government's argument that the cost of the regulations will be offset by the cut in the corporation tax rate. One glance at the Red Book will dispel that myth. In 1999–2000, the introduction of quarterly corporation tax payments will cost industry £1,600 billion. The benefit of the rate cut, according to the Red Book, will be "negligible". In the following year, the quarterly payment will cost industry £2,000 million, but the benefit from the rate cut will be only £700 million. That is why the Confederation of British Industry states:

"The reduction in the Corporation Tax rate does not amount to full compensation for earlier payment."

The introduction of quarterly payments was not a carefully constructed and well-motivated reform of the corporation tax system by the Government, but pure firefighting. It is the latest stage in a saga of incompetence that began in July 1997, in the Labour Government's first Budget, when they abolished the repayment of dividend tax credits to pension funds. That measure meant that the Government had to abolish foreign income dividends, leading to a huge protest by British multinationals, which had surplus advance corporation tax problems that foreign income dividends had been helping to alleviate.

The Government were in chaos and did not know what to do. The Paymaster General proposed a range of hopeless solutions. In the end, the Government decided to abolish advance corporation tax altogether. However, that created a cash-flow cost to the Exchequer, so the Government proposed the introduction of quarterly corporation tax payments. As a by-product, the new system also raised a huge chunk of extra revenue for the Government for which British industry is paying the price.

We now have a system that not only costs industry an extra £2 billion, but creates difficult and burdensome compliance problems. The quarterly payments are based on a company's current year profits, with the first payment being made halfway through that year. In other words, companies will have to estimate their profits for the year and then calculate their taxable profits and pay the first quarterly instalments after only six months of the year.

The Government claim that all the 20,000 so-called large companies affected by the regulations have sophisticated budgeting and forecasting systems in place. That may well be true of the top 1,000 companies, or even of the top 2,000 or 3,000 companies, but not of the 17,000, 18,000 or 19,000 next largest companies in Britain. Even if all those companies had sophisticated forecasting and budgeting systems, no company can forecast the state of the economy, changes in the weather, in taste or in fashion, or a change in a competitor's product or service. All those changes have an impact on sales and profits. No company can forecast with certainty a change in the price of a raw material, or the exchange rate or interest rates. How can an insurance company forecast a major national disaster, or a large accident, in the final quarter of its accounting period? Yet the Government expect companies to do so and to calculate their tax bills, down to the last pound, on the basis of those forecasts.

For many companies, there is an additional problem in that the majority of their profits are determined in just two or three months of the year. That is true of seasonal companies in, for example, tourism, toy manufacture, jewellery retailing and agriculture. For such companies, a few months are critical and it is usual for them to have a year-end just after the important months so that shareholders may have the results from those months as soon as possible.

*[Mr. Gibb]*

The majority of profits for those companies are therefore earned at the end of the accounting period. However, the regulations mean that they are expected to estimate the profits, and pay tax on them, in the first half of the accounting period. Not only is it difficult, if not impossible, to estimate the figures with any accuracy but the companies are also required to pay tax on profits that have not yet been earned. For many companies, that will create real difficulties. One major seasonal company has said:

"We will need to borrow funds to pay 50 per cent. of our annual tax liability in advance, which will result in punitive interest rates."

**Mr. Geraint Davies** (Croydon, Central): Is it not the case that significant companies that trade on the stock market must declare their position on a quarterly basis to buoy up their share prices? I am glad to see the right hon. Member for Horsham (Mr. Maude) on the Opposition Front Bench: is it not true that, on 23 June, he tabled an amendment to the Finance Bill asking for special treatment for the retail industry without having disclosed his directorship of Asda?

**Mr. Gibb:** When companies declare results to the stock exchange, they do so in retrospect. They do not have to forecast their profits a year or six months in advance. Supermarkets do not suffer from seasonal variations.

The Government claim that quarterly payments work in other jurisdictions, particularly Australia, Canada, France, Germany, Japan and the United States. In all those countries, except Australia and the United States, instalments are based wholly or mainly on the previous year's taxable profits rather than on those of the current year, as the regulations require. In Australia and the United States, the systems allow some alternative methods to mitigate the difficulties faced by seasonal companies. No such help is provided in the regulations, despite promises by the former Paymaster General on Second Reading of the Finance Act 1998 and during its Committee stage that he would carefully consider such matters and return to them.

What, according to the regulations, is the consequence for a company that wrongly estimates its tax charge and its quarterly instalments? The first penalty if the company understates its instalment will be an interest charge 2 per cent. above base rates. Overpayment will be compensated for by rates of one quarter of 1 per cent. below base. Despite the reduced margin differential, those are punitive rates for companies to suffer simply for failing to calculate accurately a sum that it is impossible to calculate accurately.

Penalties are set out in paragraph 13. The original consultation document said that penalties would be chargeable only if a company "deliberately and flagrantly" failed to make an instalment of sufficient size. That sounded fair enough. The document also said that that would result in penalties being paid in no more than a handful of instances each year.

I do not know whether the Treasury received representations that the penalty regime was not harsh enough, but the regulations now say that a penalty will be imposed on a company that "deliberately or recklessly" fails to pay the right amount. It need not be a deliberate miscalculation; it need only be reckless.

How do we define "reckless"? How much forecasting effort are companies expected to engage in to avoid the charge of being reckless? The penalties are not small—they amount to up to 200 per cent. of the amount of interest charged on the underpayment. It would be helpful of the Paymaster General to explain why the wording changed between the consultation document and the regulation. What does she mean by "reckless"?

The Government seek to give the impression that they are business friendly, but we are debating a statutory instrument that will cost business dear. It will result in higher tax bills for the next four years, to the tune of £8.9 billion. Therefore, this is a hugely important issue, which should not be sneaked through as secondary legislation in a one-and-a-half hour debate—a debate that, incidentally, would not have been held but for the fact that the Opposition prayed against the regulations.

The regulations are yet another example of where the image and posture of the Government differ from the reality. They pretend to be business friendly while loading on to Britain's top 20,000 companies billions of pounds of extra taxation. Do not take our word for it, Mr. Deputy Speaker. Adair Turner, the Director General of the CBI, said recently:

"There is a concern about the accumulation of extra costs which have been imposed on business of which the biggest was actually the Corporation Tax changes which were very carefully"—

portrayed—

"as a reduction in tax rates, but were actually a tax increase".

Those are not our words, but those of the CBI.

The Government portray themselves as a Government of better regulation, while piling on mountains of complex regulations. They pretend to be concerned about jobs, while presiding over measures such as these regulations, which will damage the job prospects of hundreds of thousands of employees. They posture about investment, while taking from industry £40 billion that would otherwise have been used for investment. As the Institute for Fiscal Studies said recently:

"The net increase in taxation of company profits sits uneasily alongside the desire to raise business investment."

The regulations amount to no more than yet another of the Government's stealth taxes. They are anti-business, anti-investment and anti-jobs and I urge the House to reject them.

9.21 pm

**Sir Peter Lloyd** (Fareham): I found the regulations difficult to follow. I realise that effective drafting invariably produces impenetrable prose. There have to be complicated references to other legislation and draftsmen have to cater for every eventuality that their ingenuity can envisage. I tried to understand paragraph 3—the crucial regulation—which defines the large companies that will be affected. I could not make sense of it. If you read it, Mr. Deputy Speaker, you will find several sub-paragraphs stating what a large company is not, but none stating what it is. I turned hopefully to the explanatory note, which clearly states and I quote in full:

"Regulation 3 defines a 'large company' for the purposes of the Regulations."

That is it—not a hint as to how big a company has to be to qualify as such under the regulations.

It would have been useful if, accompanying the regulations, there was an explanatory note that really explained that, not merely for hon. Members but for interested parties outside—not least the managers of the companies affected. Perhaps it would be even better, as my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) said, if matters of such moment were included in primary legislation, so that they could be fully debated and amended.

I hope that the Paymaster General will tell us, as her personal contribution to open government, that she will ensure that, in future, subordinate legislation from the Treasury will always come with reasonably full explanations for the layman.

As my hon. Friend the Member for Bognor Regis and Littlehampton said convincingly from the Opposition Front Bench, the Government have stumbled into these changes. They started by abolishing tax credits for pension funds and others, found that they created anomalies and a cash flow difficulty for themselves and had to go further, hence the regulations. No one would mind the stumbling too much, if only the outcome were reasonable and fair. It is not. Instead of the potential cash flow reduction for the Government, they have contrived a hefty cash windfall for themselves for the next four years because payment of corporation tax by large companies will be brought forward. That will be handy for the Chancellor, and the Exchequer will get a substantial bonus, peaking at £3 billion in 2001-02, which may well be election year.

The Government could have organised a neutral system, but they did not. Despite the reduction in the nominal rates of corporation tax, for the next three years they will be collecting more. That additional cash flow, which the Government find so useful and which creates confidence in their accounts, is exactly matched by a reduced cash flow in the large companies from which it is taken. Their finances are weakened, with an obvious consequent reduction in their ability to invest and create jobs. With these regulations, the Government are hurting the large businesses that they claim to support and encourage. They are raising the burdens on them stealthily when profit margins are likely to be under pressure from subdued world trade.

Moreover, the Government seem to have made their arrangements far more complicated and uncertain than they needed to. Companies will have to estimate their profits for the whole year and pay the appropriate fraction quarterly. That will make error inevitable and create unwelcome opportunities for honest companies whose forecasts prove unreliable to be accused of bad faith by the Revenue. It would surely save much time, trouble and misunderstanding if we adopted the procedures used for individual taxpayers and based forward payments on the previous year. There would be no argument and no extra work; it would be eminently straightforward. I hope that the Minister will explain why the Government chose a more difficult and complicated method when a simple one was readily available.

My hon. Friend the Member for Bognor Regis and Littlehampton made an important point about the interest rate at which overpayments and underpayments are charged. In all good faith, forecasts are often bound to be overestimated and underestimated. However, as I understand it, the Treasury will give a lower rate of interest on overpayments made in good faith by large companies than it will charge on underpayments made in equally good faith. I realise that that is merely a continuation of current practice, but that can perhaps be justified under present arrangements because payments are made in arrears; companies should get it right each time. It is unfair and unreasonable to make the distinction under the estimate-based system that the regulations introduce. I hope that the Minister will say whether the Government are prepared to reconsider.

The regulations serve as a tax increase on large companies. The Government would gain more trust and respect if they admitted as much instead of posing as their friend anxious only to reduce the burdens with a cut in the rate of corporation tax. I hope that the Minister will also address that point.

9.28 pm

**Ms Sally Keeble** (Northampton, North): I am grateful for the opportunity to speak on this matter. I speak neither as a tax expert nor as one with huge experience in private companies, but the matter is of concern to my constituents because, behind what look like technical regulations, lie several issues about the Government's approach to the tax regime and welfare state changes that have been constantly raised by the public. That was recognised by Opposition Members because they spoke not only about technical issues, but about the factors behind them and some of their consequences.

A consequence repeatedly raised by the Opposition and by my constituents is the impact of the changes on the income of pensioners, particularly those who are partly reliant on investment income. It is important to recognise that, to such people, the prospect of losing some of that income as a result of the changes is a substantial concern. The loss for the average person will be about £75 pounds a year, but that must be offset against the many other changes that the Government have made that will increase pensioners' individual incomes by more than that sum. In addition, whatever changes are made to tax regimes, pensioners, including the ones in my constituency who have investment income, will be far better off if there is a healthy economy, created in part by the sort of measures included in the regulations.

**Mr. Bercow:** What is the ethical basis on which the Government propose to charge more interest on underpayment than they propose to pay in cases of overpayment?

**Ms Keeble:** I shall come to that point, which was raised by the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb). However, first, I shall finish my remarks on the impact that the regulations will have on pensioners' investment income. I am sure that Opposition Members recognise that, as a result of their repeatedly raising and debating the issue, considerable concern has been aroused within the pensioner community and Members' postbags now contain quite a lot of correspondence on the subject. Having considered the facts of the matter and the long-term interest in having a sound economy that will ultimately be of far greater benefit to pensioners, I have no difficulty in justifying the proposed regulations.

**Sir Robert Smith** (West Aberdeenshire and Kincardine): I cannot quite understand how the hon. Lady

*[Sir Robert Smith]*

envisages the creation of a sound economy being assisted by taking out of the cash flow of industry several billion pounds that could be invested.

**Ms Keeble:** The regulations are not the only measure that the Government are taking to build a sound economy; they are one set of proposals, which affect companies in one particular way but, when talking about a sound economy, we have to consider the full range of Government actions. Those measures will build a sounder economy and so benefit pensioners.

If one wanted to look at one of the most direct measures of confidence in the economy, where one might expect to see any shaking of confidence resulting from the changes, one might look at the stock exchange. That is currently at record levels, so if companies have felt any qualms and investors' confidence in companies has been shaken, that has not yet shown up.

The Opposition have made much of the assertion that the proposed regulations would be profoundly damaging to companies and long-term investment. In fact, the regulations form part of a range of proposals to encourage investment. I am no expert, but I ask Opposition Members to consider the impact of the Conservative Government's decision to abolish the 100 per cent. tax relief on capital allowance, and to change the arrangement for the writing down of assets from 25 to 4 per cent. Those measures had two effects: first, to increase the tax base and secondly, to discourage investment and encourage other uses to be made of the money.

Much has been made of the reasons why the Government have decided to make changes, rather than leave matters as they were. There are two main reasons: first, to encourage investment and secondly, to deal with anomalies in the existing structure of corporation tax, especially some of the pressures on British companies that have substantial interests abroad.

The Opposition have also made much of the arrangements for differential interest rates on penalties paid. In looking at those issues, the Government responded substantially to representations made during the consultation process.

In opening the debate, the hon. Member for Bognor Regis and Littlehampton mentioned advice provided by PricewaterhouseCoopers and the fact that it appeared that we would have to deal with a constitutional issue. I have great respect for PricewaterhouseCoopers and for the advice that it gives. However, the company comprises management consultants and accountants who are not constitutional experts, and I believe that they have made a mistake in this case.

The Opposition's concerns and the proposals that they wish to discuss do not include the detailed workings of the measure or the constitutional niceties of its introduction in the House. I am sure that, if the Government had got it wrong, points of order would have been taken and a different procedure would have been followed. In all discussions so far about these issues, it has been apparent that the Opposition are using this legislation and these regulations to pursue a different agenda: attacking the Government's economic record.

**Mr. Bercow:** I suspect that the hon. Lady probably knows that her explanation of differential interest payments is nonsense on stilts. In light of her comments about listening to consultation, will she explain why the British Chambers of Commerce, the Confederation of British Industry and the Institute of Directors are uniformly hostile to the proposals in their present form?

**Ms Keeble:** That might be so. During the consultation process, particular points were made about the difficulties that companies would face, some of which were taken into account in the final arrangements. I do not claim to be able to do things that I cannot and I made it clear at the outset that I am not a tax expert or an expert in company law. The Whip has not told me what to say: I have had long and genuine experience in this area and received many constituency letters about the issue. Many of my constituents have investment income and have shifted their affiliations away from the Conservative party. I am sure that the Opposition know the income levels and particular political interests of that community. I am extremely interested in ensuring that I can respond fully to my constituents' arguments.

Opposition Members demonstrated clearly that they are using the measure to attack the Government's economic and welfare proposals, and their implications for pensioners.

**Mr. Bercow:** That is nonsense.

**Ms Keeble:** It is not.

I support the proposals before us tonight. They are part of the Government's wide programme to build a sound economy, promote public confidence, encourage investment and strengthen industry. We want to ensure that those who invest in our economy—particularly those who invest long term for their pensions—can have real confidence in their actions and a secure future. I hope that the Opposition motion will be defeated tonight.

9.39 pm

**Mr. Brian Cotter** (Weston-super-Mare): I am glad that the regulations have come before the House tonight, because that gives us another opportunity to debate what amounts to a major change in the country's tax regime and denies the Government the chance to slip the change through quietly.

The taste that the Government have developed for secondary legislation should be discouraged. The Liberal Democrats will oppose the regulations, not because we oppose the principle of advance payments—we have conceded that the previous system needed reform—but because we harbour significant doubts about the manner of their introduction.

The Chancellor has trumpeted long and loud in his Budgets about his reduction of the rate of corporation tax, but we all know that the regulations will result in a considerable net gain to the Exchequer, something to which attention has been drawn tonight. The Paymaster General has recently claimed that the Treasury has estimated that the long-term effect of the changes will be a net reduction in companies' liabilities. If the Chancellor is not concerned about that and if he does not intend to hit businesses, why are the regulations framed so that they will increase the short-term liability of businesses so dramatically?

The transition period allowed by the regulations is insufficiently generous if the Government's primary intention is indeed to move towards a fairer tax regime.

The transition arrangements seem concerned only with the changes to companies' cash-flow arrangements. However, it seems likely that the regulations will require an extremely substantial change in accounting procedure in affected companies. To cope with the new system of estimation, it would surely be wise to give a far longer time to adjust than the brief period allowed by the regulations.

The Government seem instead to have arranged the regulations to maximise their incidental increase in revenue from the transition. If the Chancellor wants to increase his net gain from companies, does he not owe it to them to be open and honest about that? The regulations are central to the Chancellor's public sleight of hand, which makes him appear to be giving while secretly gathering.

I am further concerned that some of the undertakings given in a debate last April by the previous Paymaster General, the hon. Member for Coventry, North-West (Mr. Robinson), do not appear to have been given any house room in the regulations. In the face of an amendment concerned with companies whose profits were subject to seasonal fluctuation, he undertook carefully to consider the matter.

The regulations are complex and thorough on the punitive arrangements put in place for non-compliance and error, but do not have a crumb of comfort for those companies whose cash flow could be severely compromised by the new arrangements. Is the House to conclude that the Paymaster General thought carefully, as promised, about the unfortunate position of those companies, but then decided to do nothing about them?

I do not support the regulations. The Government's rhetoric and practice do not add up. If I may paraphrase a well-respected authority, that which we call a tax rise by any other name would sting as hard, and that would be the effect of the regulations.

9.43 pm

**Mr. John Townend** (East Yorkshire): Unlike most Labour Members, who have never run even a small corner shop, I have had 35 years' experience of running medium businesses, so I understand the problems of businesses and business men, and I have a slight knowledge of accountancy. I do not have to declare an interest tonight because, regrettably, my companies make less than £1.5 million.

I approach the regulations by asking whether the proposed changes in the payment of corporation tax are aimed at benefiting industry or the Inland Revenue. When we hear the Government continually trumpeting that Labour is the new party of business, there should be only one answer—the changes should benefit industry. However, as in so many cases, Labour says one thing and does the exact opposite. The proposals will result in industry having its cash flow reduced. As my colleagues have said, beginning in 1999-2000, that reduction will be a modest £100 million. The next year, the figure rises to £1.6 billion, then it is £2 billion, then £3 billion and then £2.3 billion. Only after that does the figure start to turn positive. The Inland Revenue will benefit for five years, by more than £8 billion, out of industry's cash flow. That will have to be paid for with jobs and it will affect investment.

**Mr. Geraint Davies:** He has dropped his papers.

**Mr. Townend:** Indeed, I seem to have lost my papers.

The Government's answer is that they have reduced corporation tax, but they have reduced it in those years by only £2.8 billion. That leaves £5.2 billion, which the taxpayer has been left to pay, but the proposals really worry me in respect of the administration. As the hon. Member for Weston-super-Mare (Mr. Cotter) said, there will be a considerable increase in the burden on industry. There is a fundamental flaw in the proposals: as has been mentioned, tax will not be assessed on the previous year's profits, as in the past, which made for certainty for industry. Tax will be based on a guesstimate for a year, and that guesstimate will have to be made when only six months of that year have passed.

I suggest to the Minister that, considering what has happened over the past 18 months and considering the enormous, sudden changes in the world economy—the crises in Asia and Brazil, the debt default in Russia and the speed at which currency and interest rates change—it is difficult to estimate profits. With the best will in the world, industry can get it wrong—without trying to defraud the tax person. As my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) has said, when we consider what will happen, we realise how appalling the proposals are.

First, industry is faced with paying interest, but there is no justice in that, because the interest that has to be paid if someone underestimates is more than that which has to be paid if someone overestimates. How can anyone justify that? It is no good saying—

**Mr. Davies:** Will the hon. Gentleman give way?

**Mr. Townend:** In a moment.

It is no good saying, "That was the practice before," because before, we were dealing with the previous year's profits so we knew what we were doing. If the hon. Gentleman can justify that, I will be delighted to give way to him.

**Mr. Davies:** Did the hon. Gentleman work in any business that did not project trading and profitability on a monthly basis for the year ahead? If he did not, he could not have worked for any serious company. Are not differential interest rates obviously rational because, otherwise, there would be an incentive to industry to underpay? What is more, because of what the previous Government did, are not we talking only about the levels, not the principle? This is hogwash.

**Mr. Townend:** Certainly not. Our Government never produced legislation in which taxation was based on estimates. I do not know what the hon. Gentleman did before he was elected to the House, but he clearly—

**Mr. Davies:** I ran a number of companies, which I started myself—they all had monthly projections of profit and sales—after a very successful career in multinational companies. I think that the hon. Gentleman was in wine and spirits, which he shows by the way that he drops his papers.

**Mr. Townend:** I can assure the hon. Gentleman that I have not even had any dinner tonight. Clearly, we have the most perfect business man in the world in the House—he makes projections that are always 100 per cent. right.

*[Mr. Townend]*

Of course all the businesses with which I have been involved have had budgets, but how often—at the end of the year, the month or the quarter—did we go to our various managers to ask why a budget was 15 per cent. higher than forecast or why sales were 10 per cent. lower than forecast? If the hon. Gentleman is able to budget and always get it right, he is much cleverer than I am.

The regulations are vague about the level of penalties. I have looked through them carefully, but have found no mention of the level of penalties. That will create uncertainty, which is most unfair to businesses. As the hon. Member for Weston-super-Mare said, some firms are subject to seasonal variations. If they get their budgets wrong for that reason and a tax inspector does not accept the extent of those seasonal variations, they will have to pay penalties.

When I read the regulations, I was taken back to the time when I was studying to be a chartered accountant. As on so many occasions, Treasury Ministers have produced regulations that demonstrate that they have become the lackeys of the Inland Revenue.

**The Paymaster General (Dawn Primarolo):** May I try to help the hon. Gentleman? I am sure that he has read the regulations, so he will have seen that regulation 13, entitled "Penalty for unpaid tax", says:

"penalty not exceeding twice the amount of interest charged".

I think that he will find that that gives the answer that he seeks.

**Mr. Townend:** It depends on the interest charged. We do not yet know what that will be, do we?

Will the Government think seriously again about two matters? First, let us have some morality in the regulations. Let us say, at this late stage, that the interest charged on money paid in excess will be the same as interest charged on money underpaid. Secondly, will the Government look again at the basis of assessment? Will they listen to all their friends in industry—they are always telling us how the CBI is a great supporter of new Labour, so why not listen to the CBI? It says that the first three quarters of the financial year could be based on the previous year, and the fourth quarter, paid in the 16th month, could be a catch-up quarter. The Institute of Directors and the British Chambers of Commerce say that payment should be based on the previous year.

**Mr. Barry Gardiner** (Brent, North): So they do not even agree among themselves.

**Mr. Townend:** Not at all. The CBI maintains that, under its proposals, there would be no loss of revenue to the Government.

The regulations convince me that this is a Government who, when the chips are down, believe in high taxation and regulation, and that all the talk about being the party of business is a load of old codswallop.

9.53 pm

**Sir Teddy Taylor** (Rochford and Southend, East): I should like to make just one brief point and then ask the Minister four questions.

The hon. Member for Northampton, North (Ms Keeble) said that she would support the regulations. I greatly appreciate the point that she made about the taxation of pensions. I find it difficult to understand, particularly coming from a Labour Government whom I often admire for the good things that they do. By removing the right of pensioners to reclaim the tax on dividends, we have achieved a situation in which a pensioner with an annual income of £100,000 a year is now treated in exactly the same way as a pensioner with dividends of £500 a year. In the past, someone who did not pay income tax was entitled to reclaim the tax, but he or she no longer has that opportunity. A mistake was made in principle and I hope that the Minister will listen to the hon. Lady.

Will the Minister look at the answer that she gave in *Hansard* on 22 February at column 83, when she was asked about the regulations? She was asked whether she would explain what they were all about and what impact they would have. The point that I want to make, although I would not made it to the Minister, who is an honourable person, is that there is a terrible danger, when giving answers, in not telling the whole truth. The danger to Governments of both parties is that, if they do not tell the whole truth, they end up with the public not believing a word that they say.

The Minister was asked about the regulations. I throw in the point that she did not write the answer, but this is what it said:

"This measure was part of a package of measures introduced in the 1998 Budget which included the abolition of Advanced Corporation Tax (ACT)"—

is that not good?—

"and a 1 per cent. cut in the main rate of corporation tax from April 1999"—

is that not wonderful?

"After a four year transition period, the effect for these companies of introducing quarterly payments, abolishing ACT and the 1 per cent. rate cut is likely on average to be a reduction in liability."—[*Official Report*, 22 February 1999; Vol. 326, c. *83*.]

The regulations were going to be great news. They were going to mean the scrapping of the appalling ACT, whatever it was, the cutting of corporation tax—hooray—and the average company paying less.

All that is true, but the Minister's answer does not refer to the fact that, in the interim four years, there will be a massive rise in taxation. It would be much better if Governments of all parties, as I say, told the whole story. If a change in the arrangements will mean a big rise in tax and better times later on, why not explain that—that there will be a big rise in tax in the meantime?

I ask four brief questions. The first is simply: why are we making a change at all? Why are the Government introducing quarterly payments? My understanding is that they are being introduced because the Government abolished advance corporation tax following problems that were created by their decision to end the repayment of dividend tax credits to pension funds in the 1997 Budget. A catalogue of consequences has arisen from what appeared to many people to be the smash-and-grab raid on pension funds in the first Budget. That is the information that I have from people who claim to be experts. If that is not the reason for the change, what is the reason?

Secondly, will the Minister say clearly and precisely what she thinks the increase in revenue to the Government will be as a result of the changes? We have heard a

number of figures from Back Benchers. Some people have said that the increase will be £8.9 billion. Some have said that it will be £8 billion. Some have said that, if we take into account the reduction in corporation tax, it will be £5 billion. It would help if the Minister would say clearly—they are a very clever and talented Government—what extra revenue they think they will receive as a result of the changes in the next four years.

I hope that the Minister does not think that I have been critical. I think that she knows that I have a high regard for her, but I genuinely think that it would help us, and help to establish the proper way in which to treat Parliament, if she said what the Government believe the net extra money will be as a result of the changes.

The Minister will be aware that there is much suspicion about the Government because many tax changes have been introduced without people noticing. One of the estimates, again by clever people, who may be totally misinformed, is that, as a result of all the changes in taxation made by the Government, by the next election the average taxpayer will have paid an extra £1,500.

I do not know what would have happened if this Government had not been elected and some other Government had; the position might have been worse or much better. The crucial thing is to tell people the truth and to say what the estimate is.

My third question is simple. We are told that interest is to be paid both on overpayments and underpayments. Is the interest on overpayments and underpayments the same? If not, why is it not the same? It would be sensible if companies that paid too much tax were allowed to get interest on it or to get something back. If they are overpaying or underpaying, the interest should be the same.

I come to my final question. As the Minister must be aware, I come from a seaside town, where we tend to make all our profits within one week in summer time. Some companies make a lot of money at one time in the year and others make their money at other times of the year. That will create problems if they pay quarterly in advance.

The Minister should be aware that many companies find life a bit difficult, because things can change suddenly and dramatically. Some of the leading companies in Britain which have been very profitable suddenly find themselves in a difficult situation. Some companies that depend on changes from time to time within a year find that they will have a major problem.

Overall, I genuinely fear that we are imposing an increasing burden of taxation on industry and commerce. We should realise how lucky we are in Britain, given how well our economy is doing in general compared with the nightmare on the rest of the continent. Our unemployment levels are low, whereas the unemployment average on the continent is 10.1 per cent. Our economy is generally in a good state, compared with the appalling situation in the Federal Republic of Germany and other countries.

We should appreciate that we have secured our benefits because, by and large, we have tried to keep taxation low. I hope that, despite all their previous endeavours, the Government will try to keep it low. If they do not, we shall end up with the same nightmare that is experienced by so many European countries: high unemployment, and a great deal of human misery. That is the last thing that we want.

10.1 pm

**Mr. Richard Page** (South-West Hertfordshire): I suspect that, when the history of the Government is written and judgments are made, the standard response to all criticisms will be, "It seemed like a good idea at the time." That will certainly cover the reason for the business-damaging regulations that we are discussing. They are by no means a triumph, despite what the Minister will no doubt have us believe, and despite what a single Government Back Bencher tried to persuade us of a little earlier.

I vividly remember the Chancellor coming here immediately after the election of May 1997, and trying to convince us that he could produce a reforming Budget over a weekend. It took the Treasury—even with Ed Balls and Charlie Whelan on its staff—a week or two to convince him otherwise, and a month or so of frantic efforts by Treasury officials followed. I can imagine the scene when the Chancellor revealed his election Budget to the Cabinet.

I rather like Budgets, because they are just about the only Government announcements that are made to the House before they are made to the media. I am strongly in favour of that, and I hope that the Government will rigorously maintain the same rule in the future. I can envisage the Chancellor saying, on that morning in the Cabinet—

**Madam Speaker:** Order. The hon. Gentleman is ahead of his time. We are not yet discussing the Budget; we are dealing with regulations. Perhaps I can draw the explanatory note to his attention, so that he can refer to it from time to time. That would be interesting.

**Mr. Page:** Thank you, Madam Speaker. You are right to draw such matters to my attention, but I want to explain how I believe what appeared to be a good idea at the time of the removal of advance corporation tax led to a disaster.

**Madam Speaker:** Order. No doubt the hon. Gentleman will now turn to the regulations.

**Mr. Page:** As night follows day, I shall do so. I shall leave out all that I was going to say about hitting utilities, and deal with the question of hitting pension levels.

I have no doubt that a complaint was made that the removal of ACT would hit pension levels. What was not clear to the Government at the time was that their removal would have severe cash-flow consequences, but, inevitably, the decision of July 1997 had that effect—the decision to phase out corporation tax and end tax credits for pension funds and companies when they receive dividends. The consequences of that were, as we know, disastrous.

By then, the mandarins at Great George street had persuaded the Chancellor that measures could be used to circumvent the shortfall in corporation tax. Here we come—as you requested, Madam Speaker—to the wheel that turns towards the whole matter of advance payments of corporation tax on a quarterly basis. As my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) has said, over the next four years, £8.9 billion will be sucked out of British businesses into the Treasury

*[Mr. Page]*

to make up for the shortfall—and not just to make up for the shortfall, but to make £8.9 billion more. How convenient! How business friendly!

**Mr. Leslie:** Will the hon. Gentleman give way?

**Mr. Page:** If the hon. Gentleman will allow me to develop my few comments, I shall let him intervene afterwards.

**Mr. Leslie:** On that point.

**Mr. Page:** The hon. Gentleman has had plenty of opportunity to make his own speech in the debate. Only one Labour Member—the hon. Member for Northampton, North (Ms Keeble)—has had the courage to speak, undoubtedly after being pressurised by the Whips. Every hon. Member knows what it is like to be pressurised by the Whips to make appropriate comments.

The regulations are full of theory, but are just a tad short of practice. I look the Minister straight in the eye and ask her whether she has had any experience of running a business. I should be delighted to hear her reply. My hon. Friend the Member for East Yorkshire (Mr. Townend) hit the nail on the head: unless one has run a business, the regulations will seem fine in theory, but not very good in practice.

One of the regulations' fundamental problems is that larger businesses will, each quarter, have to pay their corporation tax instalment on the basis of what they expect their profits to be over the whole year.

**Mr. Bercow:** Will my hon. Friend allow me to intervene?

**Mr. Page:** If my hon. Friend will give me 30 seconds, we shall enter the intervention stakes.

As someone who—like my hon. Friend the Member for East Yorkshire—has a modicum of business experience, I should go on bended knee to ensure that the profit that I make at the end of the year is exactly what I forecast at the beginning of the year. If only projections could be translated into profits at the end of the year, I should be a very happy bunny. But life ain't like that.

**Mr. Bercow:** Does my hon. Friend agree that, in all fairness to the Paymaster General, as long ago as 1986, she ran a very effective corporation, which drove out of business the noble Lord Cocks of Hartcliffe?

**Mr. Page:** My hon. Friend will understand if I am timorous in entering into such a matter of private expertise. However, I shall give way to the hon. Member for Shipley (Mr. Leslie).

**Mr. Leslie:** I have waited very patiently, but am very grateful to the hon. Gentleman for giving way. I have a simple question, on the earlier point that he made on the revenue impact of revoking the statutory instrument. Earlier, I asked the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) a question on the same matter, but he did not give much of a reply to it. Will the hon. Member for South-West Hertfordshire (Mr. Page) please enlighten me? From where does he propose finding alternative revenue for the Exchequer? Would he levy additional taxes, or cut public expenditure?

**Mr. Bercow:** On a point of order, Madam Speaker. Is it in order for the hon. Member for Shipley (Mr. Leslie) to raise again in the debate a point that he raised earlier, but was ruled out of order by the Deputy Speaker?

**Madam Speaker:** We often hear repetitions here, particularly at this time of night.

**Mr. Page:** Far be it from me to try to gallop over ground that has already been covered. Nevertheless, I tell the hon. Member for Shipley that, simply because the Government have got themselves into a sticky problem, it does not follow that the solution is not to return the situation to where it was before—by giving current and future pensioners the ACTs that they require to ensure that they will have the decent pensions that the Government have so effectively denied them.

I only wish that, in any business that I had anything to do with, I knew what my profits would be at the end of the year. I ask the Paymaster General whether it would be nice if the Treasury knew that, at the end of the year, its projections were right. How often have the Treasury's various projections been within the right percentage points? That happens more rarely than commonly.

I endorse the submission of the Confederation of British Industry that

"to avoid serious compliance problems for companies, the regime should allow them the option of basing the first two instalments on actual profits in the first half of their financial years, rather than having to be based on an uncertain forecast for the first year."

This is why I ask the Paymaster General whether she has any experience of running a business. The measure means that, every quarter, companies will have to run not just an ordinary profit and loss account, but an end of year account. That will be bureaucratic and will cause extra work and immense cost. Some companies will pay corporation tax not more rapidly, but before they have received the sale income on which their profit forecast depends.

What happens if a company makes more profit in the third and fourth quarters than it expected in the first and second? Unless I have read the regulations wrong, it will be hit by a charge of extra interest. That is unfair—heads the Treasury wins, tails the business loses. If too much tax has been paid over the first two quarters, the compensatory repayment by the Treasury is at approaching 5.3 per cent., which is a margin in the Treasury's favour of 2 per cent., because, if the company has not paid enough, the figure is nearly 8 per cent.

The Government say that they are business friendly, but their measure is just another burden on business. Completing the calculations every quarter will be an immense amount of work. It will not be sufficient to take just the ordinary profit and loss management accounts. Companies will have to make all sorts of calculations and make end of year accounts every three months. What happens if a company buys a machine tool? It will have to factor the depreciation into the figures. It would be simple if the company knew at the start of the year that it was going to buy the machine two thirds of the way through the year, but the company does not know whether

the machine will break or extra orders will come in. The Government are treating businesses as mechanistic operations in which there is no element of chance or difficulty.

The change will cause difficulty for companies with seasonal factors. The CBI's submissions show that some companies make their money in the last quarter. A firework manufacturer has a limited season, as does a business that grows Christmas trees or a toy seller. If we are not careful, a raft of companies will be changing their year end to just before their most profitable quarter so that they will not have to pay interest charges on profits that they have not yet earned, just to satisfy the regulations.

All that will create extra work, more computer files, more paperwork, and even broader smiles on the faces of accountants. Perhaps that is the intention. Unless profits are equally spread throughout the year, a lot of unnecessary work will be needed to ensure that the end-of-year tax liability is not distorted by overpayments during the year.

No mention has yet been made of groups with several companies in them. If they all earn more than £1.5 million a year, there is no problem, but if one company earns £1.5 million and several others earn just £100,000, the calculations will cause immense problems. The Government have not recognised the fact that, often, companies want separate trading entities to enable more sensible and viable marketing to occur.

It is all very well for the Government to present themselves as a business-friendly, reforming Administration, being better and bigger, but they do not understand business. The quicker the business community realises that, the better it will be for Britain.

10.14 pm

**The Paymaster General (Dawn Primarolo):** This has been an interesting debate, in which Opposition Members have raised a number of detailed questions about the regulations. In the time left to me, I will try to deal with them.

First, companies which will not have to pay by instalments—the overwhelming majority of companies—will gain £1 billion in cash flow as a result of the abolition of advance corporation tax alone. After the transitional period is through, in the year 2003–04, companies will gain £1.6 billion a year from the combined effect of the changes.

The hon. Member for Rochford and Southend, East (Sir T. Taylor) raised a number of points, but I will deal first with the points raised by the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb). His first point was the old chestnut that secondary legislation was undemocratic and the wrong way to make regulations. Other Opposition Members called for morality in the regulations. Essentially, they believe that it is unconstitutional to modify existing tax law through regulations made under the negative resolution procedure.

There is nothing in those allegations—as Opposition Members know full well. Regulations must be laid before Parliament before they come into effect. The previous Government made extensive use of tax regulations under the negative resolution procedure. The use of regulations facilitates consultation on the fine details of schemes, such as the instalments and the shadow ACT.

I wish to refer to the consultation. On 24 April last year, the Revenue published draft instalment payment regulations to give tax practitioners, business and others an opportunity to comment. A further draft of the regulations was made available to members of the self-assessment consultative committee last autumn. Further comments were then taken into account. Many of the points raised by Opposition Members about the changes arise from that consultation.

The first point was that instalment payments give a tax rise. No company will pay more tax as a result of the regulations—they bring forward the time at which the tax is paid. There is no effect on the amount of tax to be paid.

**Mr. Page:** Will the Minister give way?

**Dawn Primarolo:** With respect, I will not. The hon. Gentleman spoke for quite a long time and I wish to answer the important points made in the debate. If I have time at the end of the debate, I will be happy to give way. As Opposition Members well know, the new instalment payments result from the abolition of ACT—not through some chaos, but through the Government's policy of moving to a position where we encourage investment and take the distortions out of the tax system.

The hon. Member for Bognor Regis and Littlehampton referred to the interest charge, which he said was penal—he can correct me if I have overstated his point—and somehow a penalty. It is not. It is to ensure that the correct use of the money is available either to the Treasury, if there has been underpayment, or as a refund to the company if there has been an overpayment to ensure that there is a proper result and no financial loss either way.

The hon. Gentleman referred to the right of appeal. There is a penalty power, which will be used in cases of flagrant abuse. The Revenue will determine the penalty to be properly applied and that companies have a right of appeal to the commissioners.

In the consultation, the companies felt that the ordinary meaning of the word "reckless" was better than "flagrant", so they suggested that amendment, and it was perfectly reasonable for the Government to have accepted that.

The hon. Member for Bognor Regis and Littlehampton said that our regime was more penal than that of other countries, and especially the United States. That is not the case: other countries apply a regime to companies with much lower profits; I will not cite them, because I know that the hon. Gentleman knows them and that, having spent a long time as an accountant, he knows the details full well.

**Mr. Charles Wardle** (Bexhill and Battle): Will the Paymaster General give way?

**Dawn Primarolo:** No. The hon. Gentleman has only just come in and, out of respect to hon. Members who made points in the debate, I really should try to deal with them.

**Mr. Townend** *rose—*

**Dawn Primarolo:** I will not give way to the hon. Gentleman, as I have not dropped my papers or lost my place, so I do not need any assistance.

**Mr. Bercow** *rose—*

**Dawn Primarolo:** I will get on to what the hon. Gentleman has said, but I must show respect to the hon. Member for Bognor Regis and Littlehampton, the Front-Bench spokesman, by answering his points first.

*[Dawn Primarolo]*

Through the consultations, the Government have taken proper account of how the introduction of instalments will work, and we will continue to work closely with the companies.

The right hon. Member for Fareham (Sir P. Lloyd) made a thoughtful contribution, as always. He talked about the definition of companies and what counts as a large company. The regulations make it clear that a large company is one whose profits exceed £1.5 million for a 12-month accounting period ending on or after 1 July 1999.

The right hon. Gentleman asked about interest. He asked why there should be a differential rate between overpaid and underpaid. That was a feature of the tax system under the previous Government, of which I seem to remember that he might have been a member. It represents the difference between rates on borrowing and on investment: the same arrangement as in banks and other financial institutions. There is no skulduggery; it is straightforward. The system is finely tuned, so it can respond to changes in interest rates, unlike the previous system.

**Mr. Bercow** *rose—*

**Dawn Primarolo:** Much as I appreciate the hon. Gentleman's interventions and little jokes, I will not give way at present.

The right hon. Member for Fareham went on to say that the interest rate regime was unfair to companies. In the consultations, we responded to companies' concerns about interest rates, and we have introduced a new regime for the instalment payments. There is a smaller spread on the charge on amounts overpaid and underpaid, and the system is more sensitive to changes in the base rate.

The right hon. Gentleman asked why the instalment for the current year should not be based on the previous year's payment. A good number of companies said in the consultations that they already produced profit forecasts in year and could manage the instalment based on their estimated current year corporation tax liability.

Some companies wanted a mixture. They wanted to pick and choose between current and previous year. They thought that one year it might be good to have a previous year calculation, and another year a current year calculation. We came to the conclusion that, if they can show such flexibility, they must be able to do current year calculations.

The hon. Member for Weston-super-Mare (Mr. Cotter) was in danger of losing the plot of the regulations. He talked about cutting rates on the one hand but taxing via the instalment regime on the other. I am sure that he has noticed the following point, but I shall point it out to him anyway. Small and medium companies, as I have already said, gained £1 billion in cash flow from the abolition of ACT. Only the 20,000 largest companies will pay by instalments.

Hon. Members asked a series of questions about the results of the consultation. Companies with profits between £300,000 and £1.5 million were removed from the instalment regime as a result of the consultation. Following discussions with business, penalty and information powers will focus more clearly on cases of flagrant or, as business prefers to say, reckless abuse, and the anti-avoidance provisions were amended to help companies involved in a legitimate restructuring rather than a scheme designed to avoid the instalment regime.

**Mr. Gibb:** Will the Paymaster General give way?

**Dawn Primarolo:** No, I want to answer the questions of the hon. Member for Rochford and Southend, East (Sir T. Taylor). He made some generous comments and I hope that he will not be too disappointed with the replies. I have already covered his first point about the £1.6 billion a year gain as a result of the combined effects of the changes when the transition period is over. I also dealt with his second point when I said that no more tax will be paid, it is a question of when it is paid.

The hon. Gentleman raised a point about the clarity of the figures and whether the forecasts had revealed the true intent. In the March 1998 Budget press release, and in the "Financial Statement and Budget Report"—I am happy to send him copies of those—£5.8 billion for 1998–99 to 2002–03 is shown as the cash flow figure for that item. It was not a secret, because it was there in the papers. I hope that the hon. Gentleman will accept that all the information has been there, even though he does not agree with it. I hope that he will also accept that small and medium companies, especially those in seaside towns to which he was perhaps referring, will not be affected.

The hon. Gentleman's final point, and one that many other hon. Members made, was about companies whose trade is seasonal. Following discussions with companies, we believe that they can cope with the forecast and be able to pay their instalments. However, if a company feels that its forecast has turned out to be wrong and its instalments are too high, it can apply to the Revenue for some of the money back if it proves that its cash flow has changed and it will not reach the profit levels that it originally forecast.

**Mr. Page** *rose—*

**Mr. Bercow:** Will the Paymaster General give way?

**Dawn Primarolo:** No, I will not give way. On the question of companies that have excessive seasonal problems, I can tell the hon. Member for Rochford and Southend, East that we will keep an eye on the issue. We are not convinced that there will be a problem, but we will not ignore it.

**Mr. Gibb** *rose—*

**Dawn Primarolo:** I understand that the hon. Gentleman is entitled to speak at the end of the debate.

My hon. Friend the Member for Northampton, North (Ms Keeble) was right to point out the need to address questions of poor growth and investment and the productivity gap in the economy that the Government inherited from the previous Government. We set about tackling those problems by focusing on how to create long-term stability. The corporation tax changes, the tax credit reform and the abolition of ACT are part of that comprehensive agenda. We have a simplified corporation tax system, which supports and encourages companies. We have an instalment method that will benefit companies, not cause problems for them.

The House has heard the error of the Opposition's ways and will have realised that they did not read the regulations as carefully as they should have. The House should feel reassured, and I hope that my hon. Friends will vote for the regulations.

10.30 pm

**Mr. Gibb:** That was an appalling wind-up speech. The Paymaster General claims to have listened to the businesses that made representations during the consultation process, so why has she not listened to the representations of companies faced with seasonal profits? Her predecessor, the hon. Member for Coventry, North-West (Mr. Robinson), intimated that he would listen and would return with changes to the regulations to assist the companies that have serious problems in that they generate the majority of their profits in just two or three months a year.

The hon. Lady has done nothing to accommodate those real concerns, and she has said nothing about the consultation and the representations made. Will she use the remaining three minutes of the debate to tell us why she did not listen?

**Mr. Bercow:** Does my hon. Friend, who is developing a powerful case, agree that the proposed treatment of company overpayments amounts in practice to legalised theft? The very least that the hon. Lady should do is to tell us whether she and her colleagues have satisfied themselves that the regulations are consistent with the requirements of the European convention on human rights.

**Mr. Gibb:** My hon. Friend makes a very good point. We are dealing not with the current situation, in which companies make calculations nine months after the year-end so that they can be made with great accuracy, but with a new system that will involve companies having to estimate six months or a year in advance what their profits will be, and in particular what their taxable profits will be. Companies, particularly those with seasonal variations, that make the majority of their profits in just two or three months each year—generally towards the end of an accounting period—find it difficult to make those estimates. The interest payments are also punitive.

During the final two minutes of the debate, will the Paymaster General tell us why she has ignored representations from all the companies in tourism, jewellery retailing and toy manufacture that have real concerns about the proposals?

*Question put:—*

*The House divided:* Ayes 130, Noes 289.

**Division No. 80]** **[10.32 pm**

**AYES**

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Ballard, Jackie
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Butterfill, John
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jones, Nigel *(Cheltenham)*
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

**Tellers for the Ayes:**
**Mr. John M. Taylor and Mr. Tim Collins.**

**NOES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Brinton, Mrs Helen
Buck, Ms Karen
Butler, Mrs Christine
Cabom, Richard
Campbell–Savours, Dale
Canavan, Dennis
Cann, Jamie
Casale, Roger
Caton, Martin

Cawsey, Ian
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Patrick *(Bedford)*
Hanson, David
Heal, Mrs Sylvia
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kidney, David
Kilfoyle, Peter
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Noes:**
**Mr. Graham Allen and**
**Mr. Mike Hall.**

*Question accordingly negatived.*

**Mr. Roger Gale** (North Thanet): On a point of order, Mr. Deputy Speaker. I am, as the record will show, not one of those who has criticised the Home Secretary for taking what I am sure was a much-needed break with his wife over the weekend. However, the record will show that, at 12.30 on Thursday afternoon, when the Home Secretary was in Eltham delivering soundbites and should have been here making a statement, I queried with Madam Speaker the removal from the Vote Office of the appendices to the Lawrence report. Madam Speaker kindly investigated the matter and a statement was, as the House knows, made on Friday morning. The House and the Vote Office were given to understand that the expurgated version of the appendices would be made available in the Vote Office today. I have inquired of the

Vote Office and the document is still not available. Mr. Deputy Speaker, will you inform the House whether Madam Speaker has been given any idea by the Home Office as to when the appendices will be available; and, if not, whether the Home Secretary has asked to make a statement?

**Mr. Deputy Speaker (Mr. Michael Lord):** That is a matter not for the occupant of the Chair, but for the Government. I have no doubt that those on the Treasury Bench will have heard the hon. Gentleman's point of order.

**Mr. Win Griffiths** (Bridgend): Further to that point of order, Mr. Deputy Speaker. I am rather mystified by that point of order because, about 15 minutes ago, I was told quite explicitly by the Vote Office that the appendices would be available tomorrow, and I should have thought that the same information would have been given to the hon. Member for North Thanet (Mr. Gale).

**Mr. Deputy Speaker:** I have already dealt with that point of order.

## DELEGATED LEGISLATION

**Mr. Deputy Speaker:** For the convenience of the House, I propose that we take motions Nos. 4, 5, 6 and 7 together.

**Hon. Members:** Object.

### Government Trading Funds

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(4) (Standing Committees on Delegated Legislation),*

That the draft National Health Service Estate Management and Health Building Agency Trading Fund Order 1999, which was laid before this House on 3rd February, be approved.—*[Mr. Jamieson.]*

*Question agreed to.*

### Local Government Finance

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation):—*

That the Local Government Finance (England) Special Grant Report (No. 39) (HC 213), which was laid before this House on 4th February, be approved.—*[Mr. Jamieson.]*

*The House divided:* Ayes 274, Noes 29.

**Division No. 81]** **[10.47 pm**

**AYES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Brinton, Mrs Helen
Buck, Ms Karen
Butler, Mrs Christine
Cabom, Richard
Campbell–Savours, Dale
Canavan, Dennis
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Patrick *(Bedford)*
Hanson, David
Heal, Mrs Sylvia
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kidney, David
Kilfoyle, Peter
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug

O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Ayes:**
**Mr. Graham Allen and**
**Mr. Mike Hall.**

**NOES**

Allan, Richard
Baker, Norman
Ballard, Jackie
Beresford, Sir Paul
Bruce, Malcolm *(Gordon)*
Campbell, Menzies *(NE Fife)*
Chope, Christopher
Clappison, James
Cotter, Brian
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Gale, Roger
Gill, Christopher
Gillan, Mrs Cheryl
Grieve, Dominic
Heath, David *(Somerton & Frome)*
Howarth, Gerald *(Aldershot)*
Maclean, Rt Hon David
Moore, Michael
Paterson, Owen
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Swayne, Desmond
Tyler, Paul
Wilkinson, John

**Tellers for the Noes:**
**Mr. John Bercow and**
**Mr. David Ruffley.**

*Question accordingly agreed to.*

**Mr. Deputy Speaker:** With permission, I shall put together motions Nos. 5 and 6 related to delegated legislation.

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

EUROPEAN COMMUNITIES

That the draft European Communities (Definition of Treaties) (Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States and the Hashemite Kingdom of Jordan) Order 1999, which was laid before this House on 8 February, be approved.

NORTHERN IRELAND

That the draft Appropriation (Northern Ireland) Order 1999, which was laid before this House on 15th February, be approved.—*[Mr. Jamieson.]*

*Question agreed to.*

COURT OF AUDITORS REPORT

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation):—*

That this House takes note of European Community Documents OJ No. C349, European Court of Auditors Annual Report on the financial year 1997, Nos. 14031/98, Draft Council Regulation establishing a European Fraud Investigation Office, and 10786/98, Special Report No. 9/98 of the European Court of Auditors concerning the protection of the financial interests of the European Union in the field of VAT on intra-Community trade; and supports the Government's continuing efforts to promote and support measures to improve financial management and fight fraud against the EU Budget.—*[Mr. Jamieson.]*

*The House divided:* Ayes 291, Noes 15.

**Division No. 82]** **[10.58 pm**

**AYES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Brinton, Mrs Helen
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Butler, Mrs Christine
Cabom, Richard
Campbell, Menzies *(NE Fife)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*

Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Patrick *(Bedford)*
Hanson, David
Harris, Dr Evan
Heal, Mrs Sylvia
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kidney, David
Kilfoyle, Peter
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Ayes:**
**Mr. Graham Allen and**
**Mr. Mike Hall.**

**NOES**

Browning, Mrs Angela
Chope, Christopher
Clappison, James
Fallon, Michael
Forth, Rt Hon Eric
Gale, Roger
Gill, Christopher
Gorman, Mrs Teresa
Grieve, Dominic
Howarth, Gerald *(Aldershot)*
Lloyd, Rt Hon Sir Peter *(Fareham)*
Maclean, Rt Hon David
Paterson, Owen
Swayne, Desmond
Wilkinson, John

**Tellers for the Noes:**
**Mr. John Bercow and**
**Mr. David Ruffley.**

*Question accordingly agreed to.*

## Penn School

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Jamieson.]*

11.8 pm

**Mrs. Cheryl Gillan** (Chesham and Amersham): I am delighted, even at this late hour, to have an opportunity to air the concerns of parents, pupils, governors and staff about the future of Penn school, which is based in my constituency.

I thank my hon. Friends the Members for Buckingham (Mr. Bercow), for Aylesbury (Mr. Lidington) and for Beaconsfield (Mr. Grieve), who are supporting me here tonight. My hon. Friends the Members for Wycombe (Sir R. Whitney) and for Hertsmere (Mr. Clappison) have sent their apologies, but have also been of great support to me. I wish to mention in particular the hon. Member for Harrow, West (Mr. Thomas) who, together with other Labour Members, has supported the future of Penn school.

I am delighted to welcome the Under-Secretary of State for Education and Employment to the Front Bench and I hope that, in replying to the debate, he will be able to give heart and a definite future to Penn school. Some 18 hon. Members have an interest in the school's future, and that interest extends well beyond this place. Many people will have stayed up tonight to hear what the Minister has to say to us.

Penn school, a designated regional resource for deaf and hearing-impaired children—is under threat. For 76 years, it has met the special educational needs of deaf and hearing-impaired children. Since 1990, its role has evolved to include a unit for language-impaired children. Throughout its history, children have come to Penn from as far afield as the counties of Avon to the west and Cambridgeshire to the east. No fewer than 11 London boroughs place children at the school.

In 1990, Camden local education authority bid, and took responsibility for, the school. However, the LEA now proposes ceasing to maintain it from August 1999. I support the governors and others in their hope of retaining the school as an expanded regional resource for secondary-age children with communication problems who cannot wholly be successfully managed or treated in mainstream schools.

In their own words, the governors and others aspire to continue

"to nurture and care for children with communication difficulties, educate them to the highest limit of their individual abilities and prepare them to maximise their achievements in adult life".

As well as providing facilities for secondary-aged pupils, the governors and staff wish, depending on demand, to introduce a primary entry class for pupils aged nine to 11.

As the Minister will know, the governors have made a formal application to the Secretary of State for Education and Employment to continue to operate Penn school as a non-maintained special school. I press the Minister on the matter and hope that he will respond positively to that proposal. However, there are some concerns about how the Department will interpret the school's degree of specialism. That has been defined as a "unique combination" and includes the school's provision of facilities for deaf or hearing-impaired and language-impaired children, who also have other, sometimes severe, difficulties.

The school offers teaching by qualified teachers of the deaf and a high-level signing system. In addition, there are boarding facilities. The school provides a small, homely environment that secures the development of a range of secondary-age pupils with disabilities. It has a successful history of providing a period of restorative care and teaching that enables severely disadvantaged pupils to return to mainstream schools after a spell at Penn. It is worth mentioning, although I am sure that the Minister will have noticed it, that the school received a very good Ofsted report in June 1998.

The governors have succeeded in attracting funding to back their attempt to continue the school's work. I hope that their application will be given every consideration to enable that valuable resource to continue to help young people. I have been to the school on several occasions and met pupils, parents, governors and staff. It is obvious that the standard of education in the school is excellent and that the children respond extremely well.

I urge the Minister to make a decision as soon as possible because, clearly, while there is uncertainty about the school's future, it is difficult for LEAs to come to decisions about whether to place a pupil at the school. The governors also face the problem of retaining the well-trained and highly motivated teachers.

Camden's case for closure depends partly on the argument about the viability of the school, but it could be argued that its policy of stopping residential admissions from May 1997—a decision that I appreciate has been reversed—in itself damaged the school's viability. That has made it more difficult to recruit new pupils. However, following market research, the governors and teaching staff believe that at least seven LEAs are potential new customers for the school.

The school has the capability to provide places for 60 pupils—either for all their senior years, or for some—to enter the school for a relatively short period before they re-enter mainstream education. In addition, the school could take part in the programme of greater inclusion for pupils with special educational needs, as set out in the Department's Green Paper "Excellence for all Children". I do not mean to quote the Minister's words back at him, but, as I am sure that he knows, the Green Paper states:

"We recognise the continuing need for special schools to provide—in some cases temporarily—for a very small proportion of pupils whose needs cannot be fully met within the mainstream sector."

Penn school fulfils all the criteria to operate as a centre of regional excellence. The Green Paper acknowledged that there should be a "continuum of provision" across the country, and I believe that Penn school has a role to play within that provision.

The preferred option set out in the Green Paper is to encourage voluntary contribution between local education authorities and other providers, including non-maintained special schools. One of the core functions is defined as the planning of places for low-incidence disabilities. That includes pupils with hearing impairments and autism—the type of pupils who attend Penn school.

Another difficulty faced by the governors and the team putting together the bid is Camden's recent decision on the valuation of the site. The estimated value of the site and the buildings, for continued educational use, is £1.6 million. However, in mid-February, Camden stated that it must adopt as its basis for valuation the full market

price of the site, which would be some £2 million. The argument is that the council has a statutory duty to obtain the full market value on a best-consideration basis.

I urge the Minister to do what he can to persuade Camden to rethink its decision. The governors are prepared to give legal undertakings that, in the eventuality of the school's having to close, the London borough of Camden would be involved in any arrangement for its disposal; but I cannot emphasise too strongly that the team at Penn school see no reason why it should not have a thriving future for many years to come.

Camden's decision about the valuation is one more obstacle put in the way. There does not seem to be any reason why Camden should not accept an offer based on the valuation of the site operating as a school under the provisions of the Local Government Act 1972. When Camden council ratified the closure recommendation in September 1998, the education committee stated in writing:

"Members urged officers to work with the governors in their aim for Penn to become a non-maintained/independent school".

That effectively set the valuation as the utilisation of an existing use. What has happened since then could be described as a U-turn. If the Minister can wield any influence with the LEA to persuade it to rethink its strategy, my constituents and I—and the constituents of many other hon. Members—will be extremely grateful.

Children at Penn have often been placed once, twice or as many as three times before coming to the school. They eventually find the right school, and start to make good progress. If the school is closed, we shall also have to think about the consequences for pupils who will then have to travel far from home.

A former pupil, Shaun Wiggins, wrote this about his personal experience of the school and the effect that it had on him:

"When I started Penn School I had very bad speech problems and since I started I have improved a lot in my work. If people can keep Penn school open then more people will come and would be treated the same as other kids. Before I came to Penn School I went to a comprehensive school where I had no friends. When I came to Penn School I had friends for the first time and now I am very happy."

That is a great tribute to the work of the headmaster, Mr. Alan Jones, and his staff, and to the dedication of the school's governors, headed by Mr. John Tripp. Their greatest concern is for the welfare of the children in their care. They want the work of Penn school to continue for many years, as indeed do my hon. Friends and I.

I hope that Shaun Wiggins's eloquent plea will not be disregarded, and that other pupils with hearing or language impairment, or autism, can continue to receive the benefits of the education provided at Penn school.

I hope that, today, the Minister will give the Penn school the future that it desires. It is a centre of excellence. I have been delighted to visit the school, and to see the outcome of the education provided to its pupils. I cannot tell the Minister how dedicated the parents, the governors, the staff and the pupils are to the school's continuation.

The Minister has a golden opportunity today to set at rest the minds of deserving people and their children. I hope that he will grasp the opportunity with both hands.

11.20 pm

**Mr. Tom Levitt** (High Peak): I congratulate the hon. Member for Chesham and Amersham (Mrs. Gillan) on securing this Adjournment debate on such an important topic for children with the special need of hearing impairment—in which I have great interest. I do not know an awful lot about land valuation, but I know something about teaching and—as trustee of the Royal National Institute for Deaf People—a bit about deafness.

I shall speak only briefly, simply to make the point that if children—any child in any culture—are to develop language effectively, they have to grow up in an environment that is rich in that language. That is as true for a hearing child, in any language, as it is for a deaf child growing up, who is developing sign language as his or her first language—as it is for 50,000 people in the United Kingdom.

As far as I know, the Penn school provides that type of rich cultural environment for hearing-impaired children. I therefore urge my hon. Friend the Minister to do what he can to respond positively to the pleas of the hon. Member for Chesham and Amersham.

11.21 pm

**The Parliamentary Under-Secretary of State for Education and Employment (Mr. Charles Clarke):** I congratulate the hon. Member for Chesham and Amersham (Mrs. Gillan) on securing this debate. Not all hon. Members will know that she spent much of her early life in my constituency, in Cringleford, which is just outside Norwich. For some reason, she decided to depart—to Cheltenham Ladies college and to Amersham and Chesham. I do not know why she left, but I know that our loss in Norwich was their gain in Chesham and Amersham. I congratulate her on the way in which she made her case.

I very much welcome the opportunity of discussing the future of Penn school, which, judging from the correspondence that I have received, is a subject close to the hearts of many hon. Members and people elsewhere, such as parents at the school and others who are interested in the education of deaf children.

I really am grateful to all those who, in the past few months, have contributed their views on the school. The Department and I have received submissions from hon. Members representing south-east Buckinghamshire—I am glad to see the hon. Member for Buckingham (Mr. Bercow) in the Chamber—and the hon. Members for Chesham and Amersham, for Aylesbury (Mr. Lidington), for Brent, East (Mr. Livingstone), for Hayes and Harlington (Mr. McDonnell), for Harrow, East (Mr. McNulty), for Finchley and Golders Green (Dr. Vis), for Wycombe (Sir R. Whitney), for Harrow, West (Mr. Thomas), for Beaconsfield (Mr. Grieve), for Southwark, North and Bermondsey (Mr. Hughes) and Tiverton and Honiton (Mrs. Browning). From the other place, I have received representations from Earl Howe and Lord Ashley of Stoke. It is a testament to the quality of the school that so many Members of the House and of the other place should have decided that they wished to make representations in the manner that they have.

We have received representations also in a petition of 1,200 names, from the National Deaf Children's Society and from a variety of local education authorities—

*[Mr. Charles Clarke]*

which I suspect are among those that the hon. Member for Chesham and Amersham said would be keen to use the school.

**Mrs. Gillan:** It is quite obvious that there is tremendous support for the school, and I am glad that the Minister has catalogued the number of representations that he has received. May I also, through him, thank his officials, who I believe have visited the school several times, most recently last week? I was pleased to note that officials took such close interest in the school and in the outcome. I therefore hope that the Minister will today be giving us the response that we wish to hear.

**Mr. Clarke:** I appreciate that remark, and shall certainly pass it on to officials in my Department. As the hon. Lady said, they have worked hard on the matter, and I join her in thanking them for their work.

**Mr. Gareth R. Thomas** (Harrow, West): My hon. Friend has already mentioned the written representations that other hon. Members and I have made to him. May I underline the point about the considerable uncertainty facing parents—such as Mr. and Mrs. Wilson, who have a child at the school and live in my constituency—because of continued uncertainty about the school's future? An early decision to end that uncertainty would be particularly welcome for them.

**Mr. Clarke:** I appreciate that point and I hope that I can help my hon. Friend during the debate.

Special educational needs is an important issue for the Government. Our Green Paper in October 1997, followed by our action programme in November 1998, set out a clear plan for dealing with the issues. We are committed to taking all possible steps to improve the situation for people with special educational needs. That is the context in which I turn to the proposal from Camden local education authority to cease to maintain the school and the school's application to become a non-maintained special school.

I congratulate the hon. Member for Chesham and Amersham on the clarity with which she made her case. Penn school is a special school in Penn in Buckinghamshire, but maintained by Camden LEA, for children with hearing impairments and communications difficulties. Most of the children also have other learning difficulties. As the hon. Lady said, it is an important regional facility for that group of children.

Camden LEA inherited the school when the Inner London education authority was abolished in 1990. The school serves a wide area, with children from a number of authorities. None of the children currently at the school is from Camden. The school received a good Ofsted report in June 1998, which was a commendation of all those working at the school and the service that it offers.

However, because of the consideration that I mentioned earlier, Camden LEA served notice on the Secretary of State on 6 October 1998 of its proposal to cease to maintain the school from the end of the current academic year. Later that month, the school applied for non-maintained special school status. Non-maintained special schools are run by charitable trusts on a non-profit making basis. The governors of Penn school have already established the Rayners special education trust, with a view to running the school under the proposed new arrangements. We have received many letters of support for the continued existence of the school and my officials have kept in close contact with Camden LEA and Penn school throughout.

I am pleased to be able to announce that my right hon. Friend the Secretary of State has considered all the information available to him and has decided that he is minded to approve Camden LEA's proposal to cease to maintain the school from 31 August 1999 and the school's application to become a non-maintained special school from 1 September this year. I hope that that will allow the school to plan for its future as a non-maintained special school.

As the hon. Lady mentioned, substantial independent research has been carried out and a business plan has been developed that gives the governors of the school confidence that they will be able to develop it as they have proposed.

I said my right hon. Friend is minded to approve. Final approval will be given when the school and Camden have agreed terms and conditions for the sale of the site, which is currently being negotiated, and when the Secretary of State is satisfied that the school's sponsors have provided formal confirmation that they will provide financial security for the school for its first five years as a non-maintained special school. I understand that that is expected shortly.

**Mr. John McDonnell** (Hayes and Harlington): I congratulate my hon. Friend on his announcement, which will bring great relief to many of my constituents as well as to many others. When I was the chief executive of the Association of London Authorities, I was involved in the transfer of properties from ILEA to the boroughs. They were transferred largely as trusts so that they would be maintained for the benefit of London and the whole country. It behoves the Government to ensure that that concept is taken into account in the consideration of the financial arrangements between Camden and the school. The school was designed to provide educational value and service to the whole community. Any pricing of the property should be on that basis. Under the Wednesbury principles, it would be reasonable to take that into account.

**Mr. Clarke:** I take that point, which was also made by the hon. Member for Chesham and Amersham. I was coming to that. I cannot give any detailed comfort on that, save to say that I understand the powerful and forceful points that have been made and I shall give careful consideration to the situation to see what good offices my Department can offer to try to ensure that an agreement is reached at a reasonable level.

**Mrs. Gillan:** On behalf of my constituents, the school, the governors, the parents and the children, may I thank the Minister for arriving so speedily at a "minded-to" decision tonight? He knows that this is a subject close to my heart, and one about which I feel strongly. To be able to send those with the greatest interest in the school home tonight with happiness in their hearts means a great deal. I unreservedly thank him for the decision. I note that there are some precursors to the final signing of the document,

but I feel sure that, as the Minister has come to the Dispatch Box tonight to make the announcement in response to this Adjournment debate, most barriers will melt away.

**Mr. Clarke:** If only that were true in all walks of life, Mr. Deputy Speaker. I appreciate the sentiment that the hon. Lady has just expressed, and I hope that the decision provides some of the security for which my hon. Friend the Member for High Peak (Mr. Levitt) has asked. There are matters to be sorted out, but I, too, am confident that they will be sorted out. The hon. Member for Chesham and Amersham referred to the definition of impairment, to the boarding facilities and to restorative care, and those issues will be addressed positively and constructively.

My Department has written today to Camden LEA and to the chair of the governors of Penn school to inform them of the decision. I am sure that they, too, would want to pay tribute to all those who have campaigned so hard to support and maintain the facility.

The hon. Member for Chesham and Amersham will wish to know that Camden LEA has undertaken to invest the proceeds from the sale of the site specifically to improve the special educational provision for children in Camden. I believe that that is an important commitment, which will be of benefit. I appreciate what has been said from Members on both sides of the House, and I hope that everybody will agree that that is good news.

I want to conclude by wishing the school every success in the future, and by congratulating the hon. Member for Chesham and Amersham and all her parliamentary colleagues who have argued so forcibly, constructively and patiently to ensure that the issue is resolved. The school is an important resource, and I wish the teachers, pupils and governors well in the future.

*Question put and agreed to.*

*Adjourned accordingly at twenty-eight minutes to Twelve o'clock.*

# House of Commons

*Tuesday 2 March 1999*

*The House met at half-past Two o'clock*

PRAYERS

[MADAM SPEAKER *in the Chair*]

# Oral Answers to Questions

## HEALTH

*The Secretary of State was asked—*

### Community Hospitals

1. **Mr. Shaun Woodward** (Witney): What assessment he has made of the likely impact on *(a)* health service provision and *(b)* social services provision in Oxfordshire of the proposed closure of community hospitals in the county. [72373]

**The Parliamentary Under-Secretary of State for Health (Mr. John Hutton):** I am sure that, before I answer the hon. Gentleman's question, the whole House will want to express its sympathy to the right hon. Member for Maidstone and The Weald (Miss Widdecombe) on her recent bereavement.

My right hon. Friend the Secretary of State has had a number of meetings with right hon. and hon. Members from Oxfordshire, including the hon. Gentleman, local general practitioners and other interested groups to discuss Oxfordshire health authority's proposals. As the hon. Gentleman is aware, my right hon. Friend is currently considering those proposals in detail.

**Mr. Woodward:** I thank the Minister for that reply. He will know that it has been more than a year since consideration of the future of community hospitals in my constituency began. There is huge uncertainty, which means that it is becoming impossible to recruit nurses to community hospitals, because they do not know whether they will have a job in six months' time. Does he also know that the Oxford Radcliffe said that currently 16 of its 26 patient assessment areas are blocked because it cannot get people out into community hospital beds—and that is with the three community hospitals still open? It has also said that losing 52 beds in my constituency will have a catastrophic effect on health, not only in west Oxfordshire, but in Oxfordshire as a whole.

Does the Minister accept that cuts for social services this year, under which Oxfordshire will lose £10.5 million, will create an impossible situation for those who require health care and social services? An urgent decision by Ministers on keeping open Burford, Witney and Chipping Norton community hospitals is absolutely essential.

**Mr. Hutton:** My right hon. Friend the Secretary of State is urgently considering the proposals. As I said, we intend to discuss them and the available options in detail with all the interested parties. However, we are clear that any changes in Oxfordshire must lead to a modern and dependable health service for local people, and our priority is to ensure that. We recognise the important role that community hospitals play in delivering locally based patient care, but it is the responsibility of individual health authorities to determine the most appropriate balance of health services for their population and to ensure that those services are provided in the most clinically effective and resource efficient manner.

**Dr. Evan Harris** (Oxford, West and Abingdon): Does the Minister accept that the proposal to close community hospitals in Oxfordshire, which also affects Abingdon community hospital, was made at a time when the Government were sticking to Conservative spending plans, before the comprehensive spending review settlement, and before the savage cuts to social services that have been forced on Oxfordshire county council by a combination of the settlement and the crazy capping system? Will he give an undertaking that some of the money in the comprehensive spending review will be available to give Oxfordshire people what they want—good quality local care, at a level that is affordable to the health service, in their local community hospitals?

**Mr. Hutton:** I am sure that the hon. Gentleman is aware that there is a limit on what I can say today because my right hon. Friend the Secretary of State is currently reviewing all the proposals. My right hon. Friend is doing that in an inclusive and open fashion, and I hope that the hon. Gentleman acknowledges and supports that.

On the issue of resources for Oxfordshire county council and its social services budget, I do not recognise the figures quoted by the hon. Member for Witney (Mr. Woodward). In 1998–99, total social services expenditure for Oxfordshire was £76.8 million; next year, it will be £78.2 million.

**Mr. Alan Duncan** (Rutland and Melton): Does the Minister agree that the role of community hospitals is vital in reducing waiting lists in a legitimate way that benefits patients? The record of community hospitals in Oxfordshire and elsewhere is rather better than the hon. Gentleman's record of fiddling the figures. Why will he not admit that the total number of patients now waiting to get on the waiting list has increased by more than 220,000, and that, therefore, today's real waiting list figure is half a million more than he boasts?

**Mr. Hutton:** None of that has anything to do with the question or the issue of hospitals in Oxfordshire. I have already tried to make clear the importance we attach to the role of community hospitals. I hope that the hon. Gentleman will have the opportunity to check *Hansard* tomorrow.

### NHS Direct

2. **Mr. Colin Burgon** (Elmet): What assessment he has made of the performance of NHS Direct. [72375]

**The Secretary of State for Health (Mr. Frank Dobson):** In March last year, we launched NHS Direct pilot schemes in Newcastle, Preston and Milton Keynes. An independent survey has shown that 97 per cent. of the callers surveyed were satisfied with the service they received from the three pilot schemes, which shows that NHS Direct is a great success. That is why we are extending that 24-hour, nurse-led helpline to cover more than 40 per cent. of the country by Easter. That coverage will include West Yorkshire NHS Direct, covering my hon. Friend's constituency. NHS Direct will be extended to cover 60 per cent. of the country by the beginning of December.

**Mr. Burgon:** I thank my right hon. Friend for that reply. As he said, the NHS Direct initiative will be launched in West Yorkshire on 7 April and will cover some 2 million people. Does he share my hope that in my city of Leeds, the new initiative will help to reduce the number of admissions to accident and emergency units, which currently run at 12 per cent. above the national average?

Further to a conversation I had a with a nurse when I was in hospital the other week, will my right hon. Friend assure me that the new scheme will be given the maximum possible publicity campaign, so that the people of West Yorkshire will be aware of the Government's excellent initiative?

**Mr. Dobson:** The object of NHS Direct is to provide a better 24-hour service to people. In some cases, people will be referred instantly to an accident and emergency department; in other cases, they will receive advice, help or reassurance. The object is to provide anyone who rings the service with the assistance that they need. That is the crucial point. One of the few complaints revealed by the survey of the three pilot schemes was that they were not receiving enough publicity. Therefore, I shall do my best to ensure that as each new NHS Direct scheme comes into operation in different parts of the country, it gets the publicity that it clearly deserves.

**Mr. Alan Duncan** (Rutland and Melton): Why, when the Secretary of State delivered a statement about NHS Direct only a month ago, did he make no mention of his plans to consider replacing all contact with the family doctor and diverting people instead through a remote national call centre? That is what he told the newspapers on Sunday. He must have known of the proposal in Northumberland when he made his statement. Why did he not have the honesty to tell the House that he was looking to move NHS Direct into a whole new area?

**Mr. Dobson:** The hon. Gentleman was present on 2 February when I announced the proposal to extend NHS Direct to 40 per cent. of the country by Easter and to 60 per cent. of the country by December. If he checks *Hansard*, he will note that I drew attention to the proposal advanced by local doctors from around the Newcastle centre in Northumberland to go ahead with the scheme, under which people would ring NHS Direct first rather than go straight to their doctors. That was part of the statement that the hon. Gentleman may recall he welcomed.

**Mr. Duncan:** I have *Hansard* here. The Secretary of State implied that the proposal was for only out-of-hours calls. I welcome a central number—that is what I called for. It may be only a trial, but the subject requires a proper debate. It now appears that the right hon. Gentleman is not talking about only out-of-hours calls. If patients cannot call their own doctors but must go through a national centre, it becomes "NHS Indirect". Will he confirm that the Government are against centralisation and that he favours maintaining close local contact between patients and their family doctors?

**Mr. Dobson:** All that I can say—if it is not out of order, Madam Speaker—is that it seems rather empty-headed to have listened to a statement about a 24-hour helpline and concluded that its extension would not cover a 24-hour period. That is what it will do. I emphasise that I did not provoke or encourage the scheme in Northumberland: the proposal came from the Northumbria ambulance service, the local health information service and Northern Doctors Urgent Care—a GP co-operative which provides services in that area. Those bodies want to go ahead and pilot the scheme and, if it works, I have no doubt that other doctors and people elsewhere in the country will want to introduce similar schemes. We are conducting a pilot scheme to see whether the proposal will work, but it will not prevent people in Northumberland from ringing their own doctors.

## Fuel Poverty

3. **Mr. Alan Simpson** (Nottingham, South): What suggestions he has received about the role of primary care groups in addressing the health consequences of fuel poverty. [72377]

**The Minister for Public Health (Ms Tessa Jowell):** One of the three key tasks for primary care groups will be the improvement of the health of their local population, and we attach great importance to that role. Fuel poverty can contribute to increased risk of heart attack, stroke and respiratory conditions such as flu, pneumonia and bronchitis. An interdepartmental group reviewing all Government policy on fuel poverty identified primary care groups as a potential way of reaching households in need of help with that problem. Work is in hand to explore that possibility further.

**Mr. Simpson:** Will the Minister ask the interdepartmental group to pay particular attention to work being done on warm homes programmes in at least two areas? First, in Cornwall, considerable work is being done to tackle child asthma and, secondly, in Birmingham, a collaboration with the local authority allowed home insulation to be offered on prescription. Will my right hon. Friend consider the lessons to be learned from such initiatives and seek to extend them where possible so that we can ask primary care groups to tackle the causes of ill health as well as its consequences and costs?

**Ms Jowell:** I am delighted to take on board my hon. Friend's suggestions for good practice and to reaffirm the Government's commitment to tackle the root causes of ill health by working across Government and, in doing so, to tackle inequality in health, which blights our society.

**Mr. Archie Norman** (Tunbridge Wells): Is the Secretary of State aware that the right hon. Member for

Darlington (Mr. Milburn), when he was a Health Minister and before he became Chief Secretary to the Treasury, reassured Conservative Members that there would shortly be an announcement on the next round of hospital private finance initiatives, including the consideration of a case in my constituency relating to West Kent and East Sussex—

**Madam Speaker:** Order. I think that I must have called the hon. Gentleman on the wrong question. This question concerns the health consequences of fuel poverty. I call the right hon. Member for Bromley and Chislehurst (Mr. Forth).

**Mr. Eric Forth** (Bromley and Chislehurst): What is fuel poverty compared with, for example, food poverty or clothing poverty?

**Ms Jowell:** Fuel poverty is measured as the need to spend over 10 per cent. of one's weekly income on keeping warm.

**Mr. David Kidney** (Stafford): The question demonstrates one of the many demands on the boards of the new primary care groups at this stage. If the Stafford primary care group is anything to go by, the management structures are certainly as lean as the Government would like them to be. Will the Minister assure the House that the new boards will have adequate resources and training so that they have the expertise as well as the time, which is very important, to be able to deal with conflicting demands at this important time in their establishment?

**Ms Jowell:** We are determined that the role of primary care groups will not be only to deliver primary care to local people, but to act as a major force in meeting the Government's targets for broader health improvement and reducing preventable deaths. We shall certainly work with primary care groups so that they are clear not only that they are in the business of ensuring that people receive treatment for ill health, but that they are a force for health improvement.

**Dr. Peter Brand** (Isle of Wight): I am sure that the Minister recognises the importance of delivering the wider public health agenda and the role of primary care groups in that aim. Does she agree that local authority services are an integral part of the delivery of the wider public health agenda? Would not it be sensible to integrate, perhaps as pilot studies, a number of health and local authority services so that we can find out whether the proposals can go further? A coterminous area such as my own, an island, would welcome such an initiative.

**Ms Jowell:** We certainly recognise the importance of close partnership between health and local authorities in tackling health inequality and improving health. The hon. Gentleman will be aware of the many steps that the Government have taken to reduce the obstructive and artificial boundaries between health and local authorities. The Health Bill will set out a new framework, including a duty of partnership between health and local authorities, so that the people of a given area no longer have to grapple with the dreadful bureaucracy that results from a single need being met sometimes by services from the local authority, and sometimes by health authority services. Health improvement is also about making sure that we achieve closer integration of the working of health and local authorities.

## Hospital Trusts

4. **Mr. David Ruffley** (Bury St. Edmunds): What representations he has received regarding levels of funding for NHS hospital trusts. [72378]

**The Parliamentary Under-Secretary of State for Health (Mr. John Hutton):** The Department, through the NHS Executive and its regional offices, is in day-to-day contact with NHS trusts and health authorities in their role of managing the national health service. Representations are made during those contacts, including by Members of Parliament, through formal channels such as parliamentary questions.

**Mr. Ruffley:** Is the Minister aware that many of my constituents who use the West Suffolk Hospitals NHS trust believe that the Government's funding policy discriminates against trusts in rural areas, such as their's, compared with urban areas? In that respect, may I draw the Minister's attention to today's report of an inquiry into the East Anglian Ambulance NHS trust, the performance of which is giving rise to great concern among many people in Suffolk? I am aware that the Secretary of State has taken a personal interest in the report. Given that meeting the goals in that document relies on increased funding, will the Minister give an undertaking to welcome a delegation of Suffolk Members of Parliament so that they may lobby for fairer health funding for Suffolk?

**Mr. Hutton:** I shall say two things to the hon. Gentleman. First, we will not accept any lectures from him and his hon. Friends about national health service funding. His tirade completely omitted any reference either to the 5.5 per cent. cash increase in Suffolk health authority's funding, or to next year's real-terms increase of more than £11 million for Suffolk health authority. I am rather surprised that he managed to let those figures slip through his fingers.

Secondly, the hon. Gentleman may not be aware of it, but we have already made an adjustment to the funding formula to allow additional resources to be made available to rural ambulance services.

**Mrs. Anne Campbell** (Cambridge): Will my hon. Friend ensure that the very generous funding allocated to the NHS by this Government is spent wisely? Will he look at the report into the East Anglian Ambulance NHS trust, which points to deep-seated management problems, many of which I have been drawing attention to for many years? I hope that he agrees that we should concentrate on the way in which such resources are spent.

**Mr. Hutton:** I am grateful to my hon. Friend and I very strongly agree with what she says. It might help the debate and the clarity of the issues if Conservative Members were prepared to address the reality rather than criticise the Government's record on funding. In 1996–97, the total of NHS trust and health authority deficits was nearly £460 million. By the last quarter of 1998–99, we had managed to reduce that to £80 million. That is the bottom line.

**Mr. Philip Hammond** (Runnymede and Weybridge): Will the hon. Gentleman confirm that most NHS acute

trusts will this year receive part of their funding in the form of a performance bonus, if they meet the Secretary of State's headline waiting list targets by 31 March? Will the Minister acknowledge that few, if any, hospital trusts can afford to lose that bonus? Does not that amount to a clear invitation to NHS trusts to do the Secretary of State's dirty work for him, letting out-patient waiting lists double in order to deliver on his political target for headline waiting lists?

**Mr. Hutton:** No, I do not accept that criticism—any part of it, or any word of it. If the hon. Gentleman were able to look at the performance of the NHS over the past few months, especially over the difficult winter period, I am sure that he would join me in congratulating the staff on their excellent work. He may well want to consider the very interesting figures on the reduction in waiting lists.

### A and E Departments

5. **Mr. Phil Sawford** (Kettering): How many accident and emergency departments will receive funds for improvements this year; and if he will make a statement. [72379]

**The Secretary of State for Health (Mr. Frank Dobson):** Seventy-nine accident and emergency departments in all parts of the country will be upgraded in the coming year with money from the NHS modernisation fund. That is a third of all A and E departments in England. It will mean better and quicker services for patients, and better and safer working conditions for staff. That extra investment from the modernisation fund augments the upgrading that is already being funded as part of the general increase in capital for the NHS which this Government have introduced.

**Mr. Sawford:** I thank my right hon. Friend for that answer and welcome his massive investment of funds in our national health service. However, is he aware that many NHS trusts, including Kettering general hospital in my constituency, have already modernised their accident and emergency units and fear that, as a result, they may lose out on Government funding? Is it his intention that all future modernisation funding will be earmarked for specific purposes, or will there be some discretionary funding for local projects identified as meeting local needs?

**Mr. Dobson:** The straight answer is that there will be a mixture. Some of the extra capital funds will be entirely at the discretion of the local trust; some of the money that comes from the ordinary allocation of funds will have some priorities given to it by me; and some of it, from the modernisation fund, will be specifically laid down from the centre.

We believe that it was right and proper, for instance, to try to bring all accident and emergency departments up to the standard that prevails in Kettering, because we believe that a good standard should apply everywhere. When that has been done, additional funds will go elsewhere.

However, I have said that the national health service management, with the extra capital that it is getting this year, must give priority to replacing unreliable equipment that goes on the blink and breaks down. That is very bad for patients. One of the most frustrating aspects of working in the national health service is to have to work with the clapped-out old equipment on which the previous Government spent no money over the past 19 years.

**Mr. Simon Hughes** (Southwark, North and Bermondsey): When will there be enough money for our accident and emergency and other hospital departments to ensure—and to employ the necessary staff—that we reduce the number of people who have seen their consultants and are waiting to get into hospital to below the level that the Government inherited; to reduce the number of those waiting to see their consultants—which is 200,000 more than when the Government came to office—below the number that they inherited; and to ensure that our A and E departments treat the recommended number of 100,000 a year, not 150,000 a year, which is the number of people expected to go through the doors of St. Thomas's hospital when Guy's hospital closes later this year, thanks to the right hon. Gentleman's decision?

**Mr. Dobson:** Just in case the hon. Gentleman causes any more Liberal hairs to rise, Guy's hospital is not going to close. The A and E department will close because, in the opinion of the people whom we have consulted—who know more about accidents and emergencies than even the Liberal party—the alternative arrangements that we are making, as recommended by Sir Leslie Turnberg in his report, will be satisfactory. However, as the hon. Gentleman knows, and should have said if he is prepared to be straightforward about this matter, I have said that we shall keep a very close eye on that.

We must recruit more staff, and we are doing so; we must improve equipment; we must make layouts safer; and we must install closed circuit television to stop the yobbos beating up nurses. Indeed, we are doing all those things, but the management must also improve in many places.

We have insisted on getting admissions wards into every district general hospital. When we took over, almost half the district general hospitals in this country had no admissions ward to back up the accident and emergency department; now, only 20 do not have one.

**Mr. Dennis Turner** (Wolverhampton, South-East): As my right hon. Friend knows, one beneficiary of the improvement programme is New Cross hospital in Wolverhampton. At the cost of making him blush, may I tell him that the improvements to and upgrading of our A and E department and the provision of an extra 22 beds are most welcome? Can he confirm that that is further evidence that Labour is keeping its promises? I say on behalf of Wolverhampton, thank you very much.

**Mr. Dobson:** My hon. Friend, with his mastery of understatement, only repeats what many doctors and nurses told me in his presence last time I was in Wolverhampton.

One thing that we are doing with the extra money for modernising A and E departments is to put an extra £600,000 into modernising that department at Whipps Cross hospital in east London, and we shall sort out its management as well. That hospital needs a better A and

E department, and it needs to be better run than it is at present if we are to avoid the scandalous things that happened there this winter.

**Mr. Gerald Howarth** (Aldershot): Is the Secretary of State aware that, when the Prime Minister was grinning on the steps of Basingstoke hospital while announcing the proposed investment in A and E facilities, one of my constituents, just 20 miles down the road at Yateley in Hampshire, was suffering from a lack of Government funding? That constituent had an operation in 1995 at a specialist London hospital outside his area, followed by three check-ups, but has now been denied a further appointment there. He has been told by the local health authority that, in common with many others, it is experiencing severe financial difficulties. It states:

"We are desperately trying to ensure that we continue to provide the best quality care for all our residents but, regrettably, do not have the financial resources to allow for freedom of choice for individuals."

It went on to say that, unless more taxpayers' money was made available, it would not be able to deliver the service.

Is not the truth that the Secretary of State castigated the Conservatives when he was sitting on the Opposition Benches, but has failed to deliver patient care in government?

**Mr. Dobson:** If the hon. Gentleman sends me the details of that case, I shall look into it. From bitter experience at the Dispatch Box since I have had this job, I do not give full credence to what Tory Members read out. However, what he says may be correct.

When my right hon. Friend the Prime Minister was mobbed by delighted hospital staff, he was at Basingstoke hospital to mark the effort to bring its A and E department at Basingstoke up to the sort of level that we need for the next century, including the introduction of an X-ray machine specifically for that department, which will be better for the patients and speed up the process altogether. I should have thought that the hon. Gentleman might just have welcomed that, but of course he cannot really welcome it without a touch of hypocrisy because the shadow Chancellor says that we are spending too much on the health service.

**Audrey Wise** (Preston): In welcoming the announcement, may I draw my right hon. Friend's attention to the fact that although many A and E patients are children, many A and E departments make no special provision for them? Will my right hon. Friend check on the position of the 79 A and E departments and ensure that the modest changes that are necessary properly to receive and reassure children are put in place as part of the upgrading?

**Mr. Dobson:** That is certainly the case; my hon. Friend makes a valuable point. It would be wholly reasonable for me to add that one of the changes in Basingstoke is to provide a specific area for children in the A and E department, just as the £882,000 that we are giving to the Central Manchester trust will create separate children's A and E areas in the central Manchester hospitals.

**Rev. Martin Smyth** (Belfast, South): The Secretary of State will be aware that many A and E departments are used as drop-in centres, preventing the staff from doing their main work. Is there any further development in the creation of specialist trauma centres to deal with the most serious accidents, which was part of the earlier policy?

**Mr. Dobson:** As the hon. Gentleman knows, there is almost a theological dispute among trauma experts about whether we should have trauma centres or A and E departments as we have at present, and some places are moving more towards trauma departments than others. I have some sympathy with people who use their local A and E departments as a drop-in centre if they are feeling off colour. That has certainly been a characteristic of the major inner-city teaching hospitals of all our great cities.

Although that use poses burdens, I believe that the national health service should provide what local people clearly want of their hospitals. In quite a few areas, GPs are used to provide that service as part of the accident and emergency unit. If that suits the needs of local people—usually people from a deprived area around one of the old teaching hospitals—that is probably as good a use of NHS funds as any.

## Health Care (Ageism)

6. **Dr. Vincent Cable** (Twickenham): What steps he is taking to ensure that age is not used as a criterion for allocating health care. [72380]

**The Parliamentary Under-Secretary of State for Health (Mr. John Hutton):** The fundamental principle of the national health service is to provide services for everybody on the basis of clinical need. We are putting in place a number of measures that should improve fair access to services, including national service frameworks, the National Institute for Clinical Excellence, local clinical governance and a new performance assessment framework. We have made it clear that access to NHS services should be based on clinical need alone.

We are taking a number of steps specifically to improve the health of older people. For example, this year for the first time all people over 75 years old have been targeted for influenza vaccination.

**Dr. Cable:** I thank the Minister for his positive reply. Is he aware that, from the serious research that has been undertaken in the NHS on specialisms such as cardiac rehabilitation and kidney dialysis, there is hard evidence that many NHS trusts are discriminating on the basis of age? They are, in effect, rationing health care on the basis of age. Does the Minister agree, confirming his previous reply, that that is fundamentally wrong? Will he undertake to carry out a more far-reaching review of specialisms in the NHS to ensure that age discrimination does not occur?

**Mr. Hutton:** I repeat what I said in my previous answer about the emphasis we place on clinical need: that is the determinant and should govern what treatment a person receives. I hope that the hon. Gentleman welcomes the initiatives that we are taking. I draw his attention in particular to the proposed new national service framework for older people, which we hope will help to drive up quality and standards of care for older people.

**Mr. Michael Fabricant** (Lichfield): Although I welcome the Minister's comments, does he realise that

they will ring pretty hollow in the west midlands, especially in Lichfield and Burntwood? He will be aware, because I have written to him, of an elderly lady in my constituency who has been waiting for more than a year to have a metal plate removed from her shoulder. Given that the waiting lists in the west midlands are the longest in England and Wales, does he find it amazing, as I do, that none of his hon. Friends has risen to point that out? What can he do to ensure that waiting lists in Lichfield and Burntwood for this type of operation for the elderly, and for younger people, are not even longer than those in the west midlands generally because of a crazy rule that has been introduced since the Government were elected? People have to wait three times as long to go to the Good Hope hospital in Sutton Coldfield if they happen to live in Lichfield and Burntwood. If they live in Sutton Coldfield, they can get into that hospital in a third of the time, regardless of their clinical position.

**Mr. Hutton:** I am afraid that that was one of those questions that started with a point, but I am not sure where it ended up. I do not think that the beginning and the end were connected. The hon. Gentleman may not be aware that waiting lists have come down by a further 14,000 in January. I hope that he welcomes that excellent news. I remind him that we are taking initiatives—I should be grateful to know whether he supports them—to try to ensure that we improve the range and quality of health services for older people. They make up a significant group of people who use the NHS, and we want to make sure for them, and for others, that the NHS is a first-class service.

### Nicotine Replacement Therapy

8. **Dr. Phyllis Starkey** (Milton Keynes, South-West): What action he is taking to promote the spread of nicotine replacement therapy in health action zones. [72382]

**The Minister for Public Health (Ms Tessa Jowell):** Up to £60 million will be available over the next three years, initially in health action zones, to develop smoking cessation services. Part of those funds will provide for the distribution of one week's nicotine replacement therapy free of charge to those smokers least able to afford it.

**Dr. Starkey:** I welcome the Minister's response in relation to health action zones. May I remind her that the south-east has not a single health action zone, because the region is relatively affluent? However, there are pockets of deprivation, some of which are in my constituency—one of them has a smoking cessation programme. Will she consider extending the week's free nicotine replacement therapy to people on benefit in projects such as the one at Netherfield in my constituency?

**Ms Jowell:** It is intended that, following assessment of the effectiveness of smoking cessation services in health action zones after the first year, there will be further cessation services and free nicotine replacement therapy in the subsequent two years. This is intended to be a national programme.

It is important to link the scheme with its original purpose. We as a Government have committed ourselves to improving the health of the worst-off at a faster rate than the rate of improvement in the health of the population as a whole. More poor people than those who are better off die prematurely of cancer and heart disease, and many of those early deaths are due to smoking. That is why our providing free nicotine replacement and tackling the problem of smoking with smoking cessation services is so important to our broader aim of tackling health inequality.

**Sir Peter Emery** (East Devon): May I declare a non-financial interest as chairman of the National Asthma Campaign?

Has the Minister seen reports of research done at Oxford, showing that heart and lung disease are now major killers, and that the biggest cause of such deaths is smoking? Will she ensure that the money spent on nicotine replacement therapy is not misused or used ineffectively, in view of a major campaign by the cigarette companies, which are trying to suggest that tax on cigarettes should not be increased in the Budget? It ought to be increased, and I hope that the Minister will ensure that comes about.

**Ms Jowell:** As the right hon. Gentleman will recognise, tax on cigarettes is a matter for the Chancellor. We may well hear more about it next week.

As for the right hon. Gentleman's broader point, we are determined to ensure that each of the measures set out in "Smoking Kills", the tobacco White Paper, is implemented and assessed in relation to its effectiveness. We must also ensure that the money invested is invested in saving lives from smoking, and tackling the inequality in health that it causes.

### Private Finance Initiative

9. **Mr. Dennis Canavan** (Falkirk, West): How many PFI projects have been approved in the national health service. [72383]

**The Minister of State, Department of Health (Mr. John Denham):** The private finance initiative plays an important role in modernising the national health service and contributing to the biggest new hospital building programme in the history of the service.

The final decision to proceed with a major capital development in the NHS is made on the basis of an approved full business case. To date, in the NHS in England, 10 major PFI hospital schemes have been given full business case approval, and construction work has now started. In addition, a further 15 major schemes are being developed, and could be given approval as PFI projects subject to satisfactory full business cases being produced and approved.

**Mr. Canavan:** May we have an assurance that the national health service in England will not follow the bad example of the notorious PFI deal in Scotland, whereby three Edinburgh hospital buildings on associated land were handed over to a private consortium that stands to make up to £200 million profit by developing the land for housing, and will also receive £30 million a year of public money for 30 years to build a new hospital that will never become public property? The shady deal will be financed partly by cutting the number of beds, cutting the number

of nurses and cutting the number of doctors. Is that not conclusive proof that the PFI is a disaster for our national health service?

**Mr. Denham:** No. My hon. Friend made a number of points; let me deal with the important ones.

The PFI does not lead to a reduction in the number of beds. The number of beds required in the local health service is identified at the outset, whether a hospital is to be built with public sector funds or through the private finance initiative. My right hon. Friend the Secretary of State has announced and put in hand a national beds inquiry to ensure that the number of beds that is provided reflects local and national priorities properly.

As for the financing of the deal, open market value is obtained for any surplus NHS land that is included in a PFI deal. A PFI deal will go ahead only if it is affordable for the NHS and represents value for money.

**Mr. Stephen Dorrell** (Charnwood): Does the Minister agree that, ever since the foundation of the NHS, its effectiveness under Governments of both political parties, has been undermined by the fact that it has tried to deliver modern health care with inadequate capital investment? That is largely the result of the health service being trapped in a public sector capital model. Therefore, does he agree that the best option for the health service capital programme is a partnership between the public and private sectors to ensure that clinical staff who are employed by the NHS have the most up-to-date capital resources at their disposal?

**Mr. Denham:** The capital programme that is being developed by the Government includes a mixture of PFI arrangements and traditional public sector capital investment. That is absolutely right. There is a big difference between the present Administration and the previous one. They made a complete mess of the private finance initiative—numerous schemes were developed, none of which has ever begun construction. It was the present Administration who sorted it out and got the priorities right. We will build on that in due course with clear guidance on contracts to be used and the approach to be taken. We are using PFI not as a bit of political rhetoric, but to deliver new hospitals and better conditions for NHS staff and patients.

**Jane Griffiths** (Reading, East): Is my hon. Friend aware of the situation in my constituency, where Royal Berkshire hospital failed in its PFI initiative, but has now received Treasury funding to provide the new hospital consolidation that is greatly needed? Is he further aware of the scandalous situation with regard to Berkshire health authority? It threatened savage cuts to health services in my constituency, but they were found not to be necessary by a recent National Audit Office investigation and, following a campaign by my hon. Friends the Members for Reading, West (Mr. Salter) and for Slough (Fiona Mactaggart), have been halted.

**Mr. Denham:** I congratulate my hon. Friend on the close interest that she and her colleagues took in the proposals in Berkshire. I understand that proposals that were initially made last autumn have been substantially varied. She has drawn the House's attention to the flexibility that underlies the Government's approach to capital investment, with the right vehicle for particular projects being chosen.

**Mr. Archie Norman** (Tunbridge Wells): When is the long-awaited announcement on the next round of hospital PFIs likely to be made?

**Mr. Denham:** Shortly.

### Dental Treatment

10. **Mrs. Ann Cryer** (Keighley): What proportion of dental treatment was carried out within the NHS in the last year for which figures are available. [72384]

**The Minister of State, Department of Health (Mr. John Denham):** The number of courses of NHS dental treatments is rising. In the first 10 months of the financial year, courses of treatment for adults rose by 4.2 per cent. and courses of treatment for children, excluding basic treatments that are included in the capitation fee, rose by 2 per cent. compared with the same period in previous years. Unfortunately, we do not have the figures for the amount of private treatment, so I cannot answer the question in full.

**Mrs. Cryer:** I thank my hon. Friend for his helpful reply—things seem to be improving. I am aware of the 18 years of neglect; it is an uphill struggle. However, would he care to comment on a letter that I have received from a constituent in Ilkley, who tells me that, after being the patient of a dentist for 30 years, he has just been told that he can no longer have NHS treatment from the dentist and that, in future, it will cost him £96 for inspection and a polish?

I telephoned Airedale community health council to find out what evidence it had on what was going on. It tells me that its last survey, which was held in 1996, demonstrated that only 65 per cent. of the adult population could hope to obtain treatment on the NHS. The community health council also tells me that the situation does not seem to be improving, and that it is receiving more complaints. Consequently, in the next few months, it will probably conduct another survey.

**Mr. Denham:** Individual dentists may—as in the situation described by my hon. Friend—choose no longer to offer national health service treatment. My understanding of the situation in Keighley—my geography is not good enough to know whether it would apply also to my hon. Friend's constituent in Ilkley—is that some dental practices are still accepting national health service patients. Bradford health authority would be able to advise on the matter. The Administration are investing in measures to ensure that national health service registration and treatment are available. The investing in dentistry initiative, in particular, should enable about 600,000 additional patients to receive national health service dental treatment.

**Mr. Ian Bruce** (South Dorset): I am sure that the hon. Gentleman will know that in my constituency, the previous Government received much, probably justified criticism because so many dentists decided to opt out of the NHS. Labour politicians, both locally and nationally,

said that they would solve the problem if they were elected. Will he tell my constituents why the situation, which was improving up until the general election, is starting again to decline—despite Labour's assurance that it would solve the problem?

**Mr. Denham:** If there is a developing problem in the hon. Gentleman's constituency, it certainly would be open to the health authority to make bids under the investing in dentistry scheme and to start pilots in personal dental services. I do not know—although I shall certainly look into the matter—whether such bids were made or, if they were made, whether they were successful. Initiatives have been taken by the Government which will enable proposals to be made to deal with problems in areas of great difficulty. I shall certainly investigate the case of South Dorset to see whether that effort was made, and whether full advantage has been taken of the Government's new initiatives.

### Unit Modernisation

11. **Mr. Patrick Hall** (Bedford): What proposals he has for the modernisation of intensive care and high-dependency units in the current year. [72385]

**The Minister for Public Health (Ms Tessa Jowell):** A modern health service needs modern intensive care and high-dependency care services. We have already, since the new year, invested almost £10 million to increase capacity. We are reviewing plans for next winter and the longer term, including the need for national standards.

**Mr. Hall:** I thank my right hon. Friend for her answer. May I also thank the Secretary of State for recently visiting Bedford, where he thanked national health service staff for their hard work and dedication. That message went down very well and was appreciated in the area—*[Interruption.]* Conservative Members react to that statement, but they should realise that the British people do appreciate the commitment to the health service shown by the Secretary of State and the Government. One group of people whom the Secretary of State met at Bedford hospital were the team at the hospital's intensive care unit. Does the Minister also have a message for that intensive care unit team, as they consider necessary improvements in the unit's capacity and conditions?

**Ms Jowell:** Bedfordshire health authority is considering the case for providing more intensive care beds. Later this year, we expect to receive a report from the Audit Commission, which will provide national guidance in NHS planning on both the quality of intensive care services and the number of intensive care beds. The previous Government ploughed on in chaos in dealing with intensive care provision, without the faintest idea of how many intensive care beds were available. We have put that right.

**Mr. John Wilkinson** (Ruislip-Northwood): Does the right hon. Lady agree that few high-dependency units fulfil a more critical function than burns units and heart-lung transplant units, as exemplified by Mount Vernon hospital and Harefield hospital in my constituency? Therefore, can the right hon. Lady put my constituents and those for many around about out of their misery by announcing that both those units will receive the modernisation that they rightly deserve, and which would be much more cost-effective than moving the facilities elsewhere?

**Ms Jowell:** The hon. Gentleman is right to say that there needs to be a proper assessment of the level of care that individual intensive care units are capable of providing. He will be aware that the proposals for the two specific hospitals he mentioned are currently being considered by my right hon. Friend the Secretary of State.

### Nurse Recruitment Hotline

12. **Judy Mallaber** (Amber Valley): How many nurses have phoned the nurse recruitment hotline. [72386]

**The Secretary of State for Health (Mr. Frank Dobson):** At 11 am today, the number of inquiries to the national nursing recruitment campaign was 41,398. More than 3,300 of those were from qualified nurses wanting to return to nursing.

**Judy Mallaber:** On 2 February, I tabled a question arising from a case in my constituency about the extent to which inflexible working hours deter qualified nurses from taking up NHS employment. Will my right hon. Friend publish the results of the survey referred to in the answer to that question? Has he seen the recent industrial tribunal case in which nurses successfully challenged new shift patterns which meant that they could no longer look after their children? Will my right hon. Friend encourage health trusts to provide flexibility so that qualified nurses can combine domestic and work responsibilities? Will he encourage NHS Direct to approach qualified nurses who had to retire on health grounds, perhaps because of back injuries, so that they can return to work on something that they will be able to do?

**Mr. Dobson:** My hon. Friend has raised various points. Yes, we will publish the survey to which she referred. I am past the stage of encouraging trusts to offer family-friendly policies, and I have got round to telling some of them to do so because they are so slow. We want to ensure that we get rid of the rigid grading system that nurses in particular find so offensive. We want all staff to be offered family-friendly policies and shift rotas that suit the needs of their families. Also, we want to make working in the NHS safe. We are doing a lot within the health service to bring that about, and I am co-operating with the Lord Chancellor and my right hon. Friend the Home Secretary towards that end. All that, combined with the pay increases, will, I hope, mean that we can recruit all the nurses we need, including some of the 140,000 qualified nurses no longer working in the health service.

**Mrs. Ann Winterton** (Congleton): I welcome the number of inquiries to the nurse recruitment hotline, but is the right hon. Gentleman aware that the recent

statement on nurses' pay has, no doubt, had a part to play in that? What will be important is the number of those inquiries that turn into nurses who are recruited for training or trained nurses who return to work. Will the right hon. Gentleman accept that nurses who have stayed with the health service are slightly miffed, to say the least, that their percentage pay increase does not reflect that commitment? Does the right hon. Gentleman agree that part and parcel of the problem of nurse recruitment is one of nurse retention?

**Mr. Dobson:** There has been a major problem of nurse retention. If we had been retaining nurses over the past 18 or 19 years, we would not have the problem of having to get nurses back again. The more long-standing nurses did not get as big a pay increase as those being recruited. However, the Royal College of Nursing said constantly that the pay of newly qualified nurses starting in the health service was a national disgrace. Clearly, the pay review body agreed and gave such nurses a 12 per cent. increase. Other people on that grade who have been working in the NHS for some time received 8 per cent. The rest of the nurses and midwives received a 4.7 per cent. increase which, by April, will be about double the rate of inflation. It is a long time since nurses received a pay increase as generous as that.

## Doctor Training

13. **Mr. Tony McWalter** (Hemel Hempstead): What provision he is making to train increased numbers of doctors; and what progress is being made in inaugurating new medical schools. [72388]

**The Minister of State, Department of Health (Mr. John Denham):** The Government announced on 22 July 1998 that intake to medical schools in the United Kingdom would be increased to about 6,000 places by 2005—an increase of about 20 per cent. In England, the increase is being co-ordinated by a joint implementation group, which has invited universities to submit proposals for the allocation of additional places by 12 March. Proposals will be considered by the group and decisions will be announced later in the year. Numbers in postgraduate training are also growing to meet future requirements for general practitioners and consultants.

**Mr. McWalter:** I thank my hon. Friend for that answer and I welcome the Government's commitments. Is my hon. Friend aware that many district general hospitals need new doctors and trainee staff to function properly? If the new doctors being trained are consolidated in existing centres of excellence, many district general hospitals will not have access to new doctor trainees because of the Calman report's recommendations. I hope that my hon. Friend will ensure that hospitals throughout the country, and particularly in Hemel Hempstead, have the opportunity of having trainee doctors associated with medical schools so that they can take full advantage of their expertise.

**Mr. Denham:** Doctors in specialist training and, to a lesser extent, medical students benefit from the experience of a range of provision, including large teaching centres, smaller acute trusts and community care trusts. How that experience is provided is for local decision.

# Uganda

3.31 pm

**The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook):** With permission, I shall make a statement on the recent kidnappings in Uganda.

The events occurred in a remote part of Uganda and we do not yet have official corroboration of the most recent developments. We shall make further public statements as we receive confirmation, but the House will wish to hear what is known so far.

Yesterday morning 14 tourists, including six British nationals, were abducted from Bwindi Impenetrable national park in the Kisoro district of Uganda. In addition to the British nationals, those abducted included United States, New Zealand, Canadian, Australian and Swiss nationals. Several others who were present at the time of the attack, including one British citizen, managed to avoid capture. Those who did so returned to Kampala last night, where they were all debriefed and offered support by the British high commission.

As soon as we learned of the abductions, we were in immediate touch with the Ugandan authorities. Our high commissioner told the Ugandan Foreign Minister that we expected every effort to be made to achieve the rapid and safe return of those abducted. He made it clear that there should be no intervention that might put lives at risk. The Foreign Minister gave us that assurance and undertook to keep us fully informed. Two members of the high commission travelled to the area to liaise with the local authorities.

This morning we received reports that some of the hostages had been killed, but that others had been rescued. I regret to inform the House that our present information is that four of the six British nationals were among those who were killed. The whole House will wish to join me in expressing our deepest sympathies to their relatives and families.

We are seeking urgent clarification from the Ugandan authorities of the circumstances in which the deaths took place. It is not yet clear whether the Ugandan military intervened directly, but if that is confirmed we shall want an immediate explanation of how that happened despite the assurances that we were given yesterday.

From our interviews with those who escaped we believe that the abductors were a rebel group opposed to the present Government of Rwanda, and operating from over the border in the Democratic Republic of Congo. This is the first such incident in Uganda, although last August the same rebel group seized a number of tourists, including one British dual national, who had strayed over the border into the Democratic Republic.

Our travel advice for Uganda was last updated on 19 February. It warned:

> "Rebels are periodically active in Uganda/Rwanda/Congo border areas around Kisoro district. Although the situation is currently peaceful, it can change quickly."

Yesterday, in the light of the kidnaps, we revised our travel advice to warn against all travel to those border areas.

The Minister of State, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), has just returned from an extended trip to nine countries in the region, including Uganda and the other five countries involved in the conflict in the Democratic Republic of the Congo. In each of them he pressed the need for a negotiated settlement and underlined the willingness of the United Kingdom to do all that we can, both in the European Union and in the Security Council, to support such negotiations.

This latest tragedy demonstrates the distressing human cost of the continuing conflict and the urgent need for a settlement.

**Mr. Michael Howard** (Folkestone and Hythe): I am grateful to the Foreign Secretary for that statement. The whole House will be deeply shocked by yet another unprovoked attack on British tourists. Our thoughts and sympathies go to their families, the families of the other tourists who died and the families of those Ugandans who were trying to protect them and whose duty it was to try to release them. They live constantly in the shadow of the conflict engulfing the Great Lakes region.

When was our high commissioner to Uganda made aware of the kidnapping? We are all obviously pleased to hear of the release of the French and some of the Australian hostages. Can the Foreign Secretary shed any light on how the French authorities were able to negotiate their release? Can he confirm that, in addition to the attack to which he referred, last week seven people were killed travelling in a road convoy between Goma, in the Democratic Republic of the Congo, and Rutshuru, on the Ugandan border? If so, what consideration was given to updating the travel advice for the region in the light of that attack? When may we expect a statement from the Minister of State on the prospects for peace in the region?

**Mr. Cook:** My understanding is that the high commission in Kampala heard of the events yesterday, and debriefed yesterday those who had returned from the area. The right hon. and learned Gentleman is not quite right to suggest that the French authorities negotiated a release of their citizens. Our understanding is that the two were not among those who were abducted from the camp. We believe that one of them had an asthma attack at the time of the abduction, and that may have influenced who was selected for kidnapping. I stress that our information is not confirmed and that there is no doubt much yet to be learned about what happened both yesterday and this morning.

I cannot confirm the precise details of the event in the Congo to which the right hon. and learned Gentleman refers, but there are killings there daily, and our travel advice is explicit and clear: we warn firmly against any travel to the Congo. There had been no such event in Uganda, however. We gave a clear warning in our travel advice about the dangers of the Kisoro district, but we had not felt obliged to warn against all travel to it. We have now done so.

I join in the right hon. and learned Gentleman's condolences both to the families and to those others whose lives have been put at risk. I agree absolutely about the importance of tackling at source the root problem of the instability and insecurity in the Democratic Republic of Congo. My hon. Friend the Minister of State has already issued a press notice following his visit, and I am sure that he will look for an early opportunity to brief the House or the Foreign Affairs Committee.

**Mr. Donald Anderson** (Swansea, East): Does my right hon. Friend agree that the prime focus of our concern and

attention must be the victims of the tragedy? Events are still unclear, but will he confirm that those Hutu rebels operating from the Democratic Republic of Congo are indeed the remnants of a number who took part in the genocide in Rwanda in 1994? They are a ferocious group, so it may have been difficult to negotiate with them. Will my right hon. Friend further confirm that Uganda, after its troubled past, is a relatively stable and friendly Commonwealth country and deserves our fullest co-operation in its problems at the border?

**Mr. Cook:** I agree absolutely on that last point. My hon. Friend the Minister of State discussed the problems of the Great Lakes region when he met President Museveni only last week.

I cannot confirm whether those of the rebel group who were involved in the abduction yesterday were necessarily the same people who were involved in the genocide of 1994. In substance, however, my hon. Friend the Member for Swansea, East (Mr. Anderson) is right—many of those who took part in the genocide in 1994 fled to the Congo, and have been there ever since. For the past four years, they have been seeking to destabilise the Government of Rwanda by repeated raids across the border. They are a serious part of the insecurity of the region, and achieving their disarmament must be important for security in the region.

**Mr. Menzies Campbell** (North-East Fife): May I associate myself and my right hon. and hon. Friends with the Foreign Secretary's expressions of sympathy? Although it may be too early to reach final conclusions in the absence of all the information, does he accept that as people more and more seek unusual holidays off the beaten track, the chance of incidents of this kind occurring in future will be much increased? In considering the nature of the travel advice that the Government now make available, would it be right to consider expressing that advice in the most blunt terms, even if that meant causing some offence to otherwise friendly countries? And in the aftermath of this tragedy, may we give some consideration to the role and responsibility of travel companies in these matters?

**Mr. Cook:** I agree with the right hon. and learned Gentleman's last point. It is important that travel companies do not treat Foreign Office advice as some kind of indemnity against their own responsibility to use their discretion and judgment and to provide frank and clear warnings to those who travel with them. Our duty is to the public, and it is one that we seek to discharge by making sure that advice is as widely available as possible.

One of the issues on which we seek agreement with the travel agencies is on making sure that they disseminate to all their clients up-to-date Foreign Office advice, which is widely available on the internet and websites. We seek to provide frank and candid advice. In the case of Uganda, we did so—I have read it to the House. At the same time, we must be careful that we do not so err on the side of caution that the validity of our advice is discounted by people who may think that we are exaggerating. We must strike a balance between being cautious and being realistic, and our advice on Uganda did that.

**Mr. Kerry Pollard** (St. Albans): It has been confirmed that one of my constituents, Mark, a 23-year-old, is one of those who has been killed in this terrible tragedy. I have just spoken to his father, who is devastated by the news. However, he sends his thanks to the Foreign Office for its help throughout the night when the family was kept in touch with events as they developed. The family is looking forward to receiving the body back on Friday, when a proper funeral will take place so they can grieve properly.

**Mr. Cook:** The whole House will share the distress of my hon. Friend's constituents and will wish him to convey the condolences and sympathy of the House to them. We have tried to maintain contact with the families and relatives. It has been a matter of deep regret to us that we have been unable to obtain confirmation faster, but we have sought to share all we know—at the point where we can be confident of what we know—with relatives, and we will continue to do so.

**Mr. William Cash** (Stone): Will the Secretary of State accept the condolences of the all-party Uganda group following this terrible tragedy? Does he further accept that the all-party group is aware that the Government have taken such steps as possible in the circumstances—vague as they are—to try to find out as much as possible? Does he accept that the all-party group hopes that this matter is resolved as quickly as possible, and that the stability of the region can be achieved as quickly as possible in the interests of people on both sides of the border?

**Mr. Cook:** I am grateful for the hon. Gentleman's comments. There are two separate issues here. The first is the present tragedy, on which we are seeking to obtain as much information as possible as quickly as we can, which we will continue to share with relatives and the public. The other is the longer-term issue, and I can assure the hon. Gentleman that the Government remain committed to working with the Governments of Uganda and the other countries of the region to try to establish security which could, hopefully, tackle at source such tragedies.

**Mr. Nigel Griffiths** (Edinburgh, South): I share my right hon. Friend's sense of outrage and deep sadness over the deaths in Uganda. Will he confirm that where there is an extreme threat to life, the Foreign Office will give firm advice which should be taken, and where there is not such an extreme threat but a risk, the advice will be proportionate to the risk?

**Mr. Cook:** I can give my hon. Friend exactly that assurance. I believe that the Foreign Office travel advice in this case was absolutely correct. We have updated it since, and we shall continue to do so. It is, of course, only advice. It is for British citizens to decide for themselves whether they accept that advice, but our strong view is that it would be wise for them, like us, to err on the side of caution.

**Dr. Julian Lewis** (New Forest, East): In recent months there have been violent outcomes to kidnappings in Chechnya, Yemen and now in Uganda. Although I agree with the Foreign Secretary that it would have been infinitely preferable if today's case could have been resolved by negotiation, will he confirm that it is unwise to rush to condemn the Governments of these countries

*[Dr. Julian Lewis]*

when they think it necessary to try to stand up to terrorist kidnappings by taking firm action if there is a chance of rescuing the hostages? We often took similar firm action when faced with terrorism, although fortunately more successfully on most occasions.

**Mr. Cook:** I would agree with the hon. Gentleman that we should not rush to judgment on other Governments, and I am certainly not doing so in this case, because we do not have the facts of what happened this morning in the Kisoro district. The hon. Gentleman is right to draw attention to the fact that the situation in the Great Lakes region is different from anything that we encountered.

We are anxious to share our own expertise and experience with Governments who are faced with a situation in which British citizens have been taken hostage. For that reason, as I announced to the House in January, we will be seeking the appointment of a part-time consultant with experience in police negotiations during hostage taking. I am pleased to tell the House that the advertisement for that post will be placed next week.

## Peter Bleach

3.47 pm

**Sir Teddy Taylor** (Rochford and Southend, East): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 24, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

the conduct of the Home Secretary and of the Metropolitan police in the case of Mr. Peter Bleach, whose trial on a charge that involves a hanging penalty is nearing completion in Calcutta.

Although I do not wish to interfere in any way with the respected Indian courts, there is clear evidence that the Home Secretary, whose presence I greatly welcome, has misinterpreted some evidence that is crucial to the case, and that the Metropolitan police have acted improperly and illegally in producing evidence to the courts in India. The evidence is so specific and so clear that I believe the House has a duty to consider the issues, and to ensure that the courts in India are told the truth.

In a nutshell, Mr. Bleach and several others are accused of conspiring to drop ammunition and weapons in West Bengal in an endeavour to create armed conflict in India. Mr. Bleach has contended throughout that he advised the authorities of the approach made to him to participate in the arms drop and of every step that he took in the organisation of the venture. To that extent, the recording of the contacts between Mr. Bleach and the security and other authorities are crucial.

One vital piece of evidence given to the court by the Government, which I have, is a handwritten report of a meeting between Mr. Bleach and the North Yorkshire police in September 1995. However, the copy of the document that was given to the Indian court, which I also have, has significant parts removed from it at the beginning and the end.

Mr. Bleach believed that the document had been deliberately tampered with and altered, so I took up the issue with the Home Secretary in a letter of 20 April. On 14 May I received a reply from the right hon. Gentleman stating that, having reviewed the whole situation, he had come to the conclusion that it was nothing more than a clerical error by the police.

I was therefore horrified to hear last night that a police officer, Sergeant Elcock, giving evidence in Calcutta on 18 February, which I have in my possession, stated that he had altered the document on the instruction of MI5. Such an alteration requires a PII certificate, but none was sought. It is obvious that the Home Secretary and Sergeant Elcock cannot both be correct. We have a duty to Mr. Bleach to clarify the situation.

To protect himself during the preparations for the arms drop, Mr. Bleach prudently recorded every word said to him on the telephone by Government officials. However, his home and the home of a disabled lady in London were raided, in one case by 10 constables, and all the tapes except one have disappeared. Most worryingly, when the right to carry out such searches was being secured, sections of the Prevention of Terrorism Act 1989 simply were not adhered to in one case at Bow street magistrates court. Sergeant Elcock not only admitted that, but stated that it was normal practice.

I have abundant evidence of the various endeavours made to prevent the courts in India from knowing of the close contact between Mr. Bleach and British authorities

in this business. It is vital for justice for a British citizen that the facts be clarified and transmitted to the courts in India. Without a debate, and without such clarification, Mr. Bleach will face an Indian court that may not be aware of the facts. That is why I am calling for an emergency debate.

**Madam Speaker:** I have listened carefully and intently to the hon. Gentleman. I must now give my decision without stating any reasons. I am afraid that I do not consider that the matter that the hon. Gentleman has raised is appropriate for discussion under Standing Order No. 24. I cannot therefore submit his application to the House.

## Points of Order

3.51 pm

**Mr. Tam Dalyell** (Linlithgow): On a point of order, Madam Speaker. In view of reports of escalating amounts of ordnance being rained down on Iraq, have you had any request from either the Foreign Office or the Ministry of Defence to offer the House of Commons some explanation of the objectives of that bombing and bombing and bombing?

**Madam Speaker:** I have received no intimation from the Foreign Office or from the Ministry of Defence that any Minister seeks to make a statement on the matter today. Those Ministers on the Government Front Bench will have heard the point raised by the hon. Gentleman today and on various occasions during the past few weeks. No doubt they will note what he has said.

**Mrs. Angela Browning** (Tiverton and Honiton): On a point of order, Madam Speaker. On 9 December, the Minister of State, Foreign and Commonwealth Office, the hon. Member for Manchester, Central (Mr. Lloyd), replied to a private notice question in respect of the reported deaths of four hostages in Chechnya. One hostage, Rudi Petschi, was a constituent of mine. The Minister said that we had had no notice of any attempt to rescue the hostages, and would not have advised such an attempt.

Since then, I have put down a series of named-day written questions to the Foreign Office. On 21 January, the Minister confirmed that an Interfax report of 6 December, flagging up a rescue attempt, was received by the British embassy in Moscow and by the Foreign and Commonwealth Office in London, but was not dealt with until the following Monday, 7 December.

On 25 February, the FCO confirmed that it had passed on the Interfax report to Granger Telecom by 1300 hours on Monday 7 December. That was two days before the Minister came to the Dispatch Box to claim that the FCO had had no notice of a rescue attempt.

Have you had any indication, Madam Speaker, of whether the Foreign Office has carried out an investigation into how that chain of events occurred? Is there likely to be a debate or a further statement from the FCO?

**Madam Speaker:** I have not heard that there is to be a statement on those matters, but the hon. Lady will appreciate that how Ministers answer questions is a matter for them, not for me.

## BILL PRESENTED

### Hare Coursing

Mrs. Claire Curtis-Thomas, supported by Mr. Colin Pickthall, Mr. Michael J. Foster, Maria Eagle, Mr. Joe Benton, Mr. Gwyn Prosser and Helen Jones, presented a Bill to make hare coursing illegal: And the same was read the First time; and ordered to be read a Second time on 26 March 1999, and to be printed [Bill 53].

## Use of Antibiotics in Farm Animals

3.53 pm

**Mr. Bill Etherington** (Sunderland, North): I beg to move,

That leave be given to bring in a Bill to require Ministers to lay before Parliament proposals for ending the use in farm animals of antibiotics as growth promoters and for restricting the routine use of antibiotics in such animals for prophylactic purposes.

It will be difficult in only 10 minutes to cover the complications and ramifications of this subject. Almost a year ago, I attended a meeting organised by the agricultural sub-committee of the Council of Europe, which lasted two days and which dealt solely with this matter. I was quite alarmed by some of the things I learned at that conference. It started an interest in the subject which I intend to continue until some progress is made.

The most alarming aspect, and one that eminent scientists are extremely concerned about, is the way in which the resistance to antibiotics of certain infections is becoming stronger and stronger. One scientist said that we are near the point where only the very strongest antibiotics that we have developed are capable of dealing with some of the virulent strains of infection now occurring around the world. His fear is that, if we lose that battle, the consequences will be horrendous.

One of the reasons for the increase in such superbugs—if I may use that term, even though it carries other connotations—is that, many years ago, antibiotics were given out too readily to human beings. I can remember when they were given out to children with colds and sore throats almost as a matter of course. I remember not being pleased when, 30 years ago, I went to the doctor because I was suffering an attack of boils. I asked for antibiotics, but he refused and explained why; I accepted the explanation, but it did not help the pain.

A few words of explanation about the Bill are needed, because there are two distinct threads in it. The main one is that the Bill would help to eliminate the danger of people having too much antibiotic substance within their system. Secondly, an animal welfare aspect is involved.

The animal welfare aspect can be divided into two strands. The first is that more than 15 per cent. of all antibiotics used on animals are used routinely, as a form of growth enhancer—a food additive. That is totally indefensible. In an unguarded moment, a scientist who was in favour of that use candidly admitted to me that the only reason those antibiotics are used is so that an animal can be fattened with less food. In simple terms, it is a commercial matter, motivated by profit.

The second strand is not quite as simple. I can best put it by saying that, when animals are kept in close proximity to one another in inhumane and poor conditions, infection and the spread of infection are rife and always likely to occur spontaneously. So antibiotics are used in much the same way as we would immunise a child against diphtheria. That was never the intention behind antibiotics: going right back to the time of penicillin, antibiotics were meant to deal with an existing infection.

On the animal welfare aspects of the Bill, there can be no argument to justify the so-called food enhancers. That use is merely a commercial operation; ending it would make little difference to the livestock industry in this country, but it would reduce by 15 per cent. the amount of antibiotics used on animals. The prophylactic argument is more intense, because that use represents more than 35 per cent. of antibiotics that are given to animals, but it could be ended straight away.

Two categories of animal come to mind in that respect. The first is broiler chickens. It is almost a year since I presented a Bill on that subject and I shall not go over the same ground, save to point out that those chickens live in overcrowded conditions where infection is rife. Secondly, pigs are intensively reared, meaning that there are far too many pigs in any given area, often indoors and without proper bedding. All the time, those animals suffer from being given antibiotics as a matter of course, almost as though they were a course of treatment.

Consider that, in this country, 50 per cent. of antibiotics are used by humans and 50 per cent. in animals. We can reduce the 50 per cent. that is used in animals by 50 per cent., making animal use only 25 per cent. of the current total. That would be a significant improvement. The European Union has already banned four antibiotics used for these purposes. While that move is welcome, it does not go far enough because other antibiotics will simply be used instead. I do not wish to frighten people, but I stress that this is an extremely serious problem that may be rectified relatively simply.

I have received support from many groups, including Compassion in World Farming and the Soil Association. I have experienced no outright opposition, although the Pfizer pharmaceuticals company has expressed concern. It recognises that there must be changes in this area, but it does not necessarily want to follow the path that I advocate. I have received supportive phone calls and letters from various people that have greatly encouraged me in my efforts. I am also grateful to hon. Members who have sponsored the Bill.

There is only one black cloud on the horizon, Madam Speaker—and you are certainly no stranger to this problem. I was not very impressed to be told by a journalist that the Ministry of Agriculture, Fisheries and Food opposes my Bill. I expected those concerned to have the common decency at least to telephone me to tell me of their opposition. If I oppose any measure, I try to make my views known to those involved. It is not even about the principles of this place: it is about good manners and decency.

I commend my Bill to the House and hope that my right hon. and hon. Friends on the Front Bench will support it. I see that my hon. Friend the Minister of State, Ministry of Agriculture, Fisheries and Food, is in the Chamber. He is quite an expert on such matters, and he and I have often chatted about the vitamin B6 issue. His views are progressive and I know that he will treat this matter with the seriousness it deserves. We can do something about this problem, and there is no reason why we should not act now.

4.2 pm

**Dr. Stephen Ladyman** (South Thanet): I notified my hon. Friend the Member for Sunderland, North (Mr. Etherington) of my intention to oppose the Bill today, so I hope that he does not include me in his criticisms. As the House is under time pressure, I shall try to put the alternative argument as quickly as possible.

I must state at the outset that the largest employer in my constituency is Pfizer, the pharmaceuticals company mentioned by my hon. Friend. It is best known for

manufacturing human medicines, but it is also the largest producer of animal health medicines in the world. I stress that I speak today only as a constituency Member of Parliament: I have no declarable interest in the company. It has not asked me to speak and it has not briefed me for this debate—although I shall draw on some material that the company has provided in recent months.

My hon. Friend makes a strong case, but one, I am afraid, that ignores much of the current and emerging evidence. I will argue that the case that antibiotic growth promoters are unsafe is far from conclusive and that their withdrawal would have serious environmental consequences and a significant economic impact.

It is claimed that antibiotic growth promoters are unsafe mainly because of the possible development of resistant strains of microbes that could infect human beings and prove resistant to human antibiotics. Antibiotic growth promoters have no mutagenic capacity: they cannot change the genetic make-up of microbes. Resistant microbes exist in the environment already, usually at a low frequency because they have a selective disadvantage compared with other organisms.

When an animal is treated with antibiotic growth promoters, the other non-resistant organisms are sometimes removed and, as a consequence, the resistant strain is allowed to flourish. However, the strain is resistant only to that type of antibiotic or family of antibiotics, not to all antibiotics; and can flourish only while the strain is in the animal that is being treated with antibiotics that are removing its competitors.

In other words, as long as there is proper control over which antibiotics are used in humans and which are used in animals, there is very little likelihood that human bacteria will develop resistance to human antibiotics as a result of using animal antibiotics to treat animals. In France, a chemical called virginiamycin has been used to treat animals for over 26 years and a related human compound has been used to treat humans for a similar period, and there is no evidence that resistance to the human bacteria has developed in humans.

The truth is that resistance to human bacteria arises from treating human beings with human antibiotics. It does not arise as a result of farmers treating farm animals. The case for a ban on safety grounds is therefore far from clear.

On environmental grounds, I was told by my hon. Friend the Minister of State, in answer to a written question, that a ban on antibiotic growth promoters in the UK, Germany and France alone would increase the output of nitrates by 78,000 tonnes a year and phosphates by 15,000 tonnes a year. In Sweden, where there is a ban on these products, farmers have had to start adding zinc oxide to feed to deal with the diarrhoea that was previously dealt with by the antibiotics. As a consequence, the Swedes now have a zinc pollution problem and are considering banning zinc oxide, and have no idea about what they will use as a replacement.

Farmers in Sweden have also had to start using therapeutic antibiotics to treat their animals, when previously they would not have had to do so. If potency equivalents are measured, the use of antibiotics has increased as a result of the ban.

On the economic front, the ban would cost farmers in the European Union an additional 2.5 billion ecu a year. It would increase the cost to British consumers by £137 a year each.

For all those reasons, I do not believe that a ban can currently be justified. If we want to err on the side of caution and phase out the products, we should do so only as alternatives become available. Alternatives are being tested and will probably be available in the not-too-distant future. The way forward is not to ban the products but strictly to control the antibiotics used in humans and in animals, to begin more circumspect prescribing of antibiotics in humans, and to increase the research and surveillance carried out.

Unless the balance of evidence changes substantially, there is no justification for a ban that will hurt farmers, consumers and my constituents and add nothing to public safety.

*Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business), and agreed to.*

Bill ordered to be brought in by Mr. Bill Etherington, Mr. John Austin, Jackie Ballard, Mr. Peter Bottomley, Mr. Vernon Coaker, Mr. Harry Cohen, Dr. Lynne Jones, Mr. Nigel Jones, Mr. Chris Mullin, Dr. Nick Palmer, Mr. Gwyn Prosser and Angela Smith.

### Use of Antibiotics in Farm Animals

Mr. Bill Etherington accordingly presented a Bill to require Ministers to lay before Parliament proposals for ending the use in farm animals of antibiotics as growth promoters and for restricting the routine use of antibiotics in such animals for prophylactic purposes: And the same was read the First time; and ordered to be read a Second time on Friday 16 April, and to be printed [Bill 54].

# Opposition Day

[6TH ALLOTTED DAY]

## Sierra Leone

*[Relevant documents: The Second Report from the Foreign Affairs Committee on Sierra Leone, Session 1998–99 (HC 116), and the Report of the Sierra Leone Arms Investigation, Session 1997–98 (HC 1016).]*

**Madam Speaker:** We now come to the main business. I remind the House that the terms of the motion and the amendment before us do not cover the events on which the Foreign Secretary made a statement to the House last Wednesday—the leak of the draft report. For that reason, and because the House's settled procedure for examining and reporting on such leaks is now under way, I am prepared to permit only passing reference to those matters. I have selected the amendment in the name of the Prime Minister.

4.10 pm

**Mr. Michael Howard** (Folkestone and Hythe): I beg to move,

That this House endorses the criticisms made of Ministers in the Second Report of Session 1998–99 (HC 116) of the Foreign Affairs Committee on Sierra Leone and the Report of the Legg Inquiry; deplores the conduct of Ministers which led to such criticism; and calls on the Ministers concerned to accept responsibility for their conduct.

It is almost two years since a military coup in Sierra Leone ousted the democratically elected Government of President Kabbah. We shared the Government's dismay at that event. Indeed, the previous Government had helped to finance the elections which led to President Kabbah's accession. We share too, as will the whole House, the dismay that the current situation in Sierra Leone evokes. Conflict in that country continues. More than 10,000 people are believed to have been killed in the wave of rebel attacks since December alone. Many more have been very seriously injured. Freetown has been left in ruins. What should be one of the richest countries in Africa is one of the poorest and most miserable. The situation has rightly been described as desperate.

The ability of the British Government to influence events in that tragic country may be limited. It is right to pay tribute to those in the diplomatic service and the armed forces, who have done what they can—and are doing what they can—to try to relieve suffering and end the conflict. But, however limited their influence, the Government are accountable to this House for their policies and action. We are here to ensure and enforce that accountability. We cannot do so unless we are told the truth—the whole truth—about the Government's policies and action. When we discover that we have not been told the whole truth, it is our duty to bring to account those responsible for that failure.

One of the ways in which we exercise such accountability is through Select Committees. I pay tribute to the Foreign Affairs Committee, under the chairmanship of the hon. Member for Swansea, East (Mr. Anderson), for its report on Sierra Leone. It is, of course, an all-party Committee; the majority of its members, however, come from the Labour party. Its report has rightly and widely been described as one of the most scathing of a Department, ever. It is certainly devastating in its criticism of officials. It is also devastating, however, in its criticism of Ministers, and it is that aspect on which I intend to concentrate. In the light of your observations, Madam Speaker, I shall not deal at all with the revelations of last week. I shall focus on the specific criticism of Ministers in the Select Committee report and in the Legg report.

If one listens to what Ministers have said, one could be forgiven for believing that there was no such criticism in either report. The Foreign Secretary said of the Legg report:

"I would perfectly happily accept any criticisms of myself in the report, but there are none."—[*Official Report*, 27 July 1998; Vol. 317, c. 28.]

Very, very shortly after the publication of the Select Committee report, the Prime Minister said on the Jimmy Young show:

"The criticisms are made of civil servants and not Government Ministers."

He also said that there was nothing new in the report—a claim described as "absolutely absurd" by the Chairman of the Select Committee. One reference in volume I of the Select Committee report seems to offer some succour to the Foreign Secretary. On page LXXXII, we find the following sentence:

"As far as Ministers were concerned, there is not a scintilla of evidence to suggest that they deliberately misled Parliament."

Unfortunately for Ministers, that sentence appears in a paragraph to which the Committee did not agree. It was excised from the report; not even the hon. Member for Dundee, West (Mr. Ross) was prepared to vote for it. That attempt to exculpate Ministers comprehensively failed. In fact, both reports contain serious criticism of Ministers. I shall begin with the Select Committee's criticism of the Foreign Secretary's failure to co-operate with it.

**Mr. Mike Gapes** (Ilford, South): May I draw the right hon. and learned Gentleman's attention to paragraph 112 of volume I of the report—the postscript? Is he saying that the Committee did not agree to that paragraph before it was published? That paragraph, which contains the words that he is disputing, states:

"We commend the resolute support which the British Government is giving to the restoration of democracy and to the alleviation of suffering."

Is not that in the report?

**Mr. Howard:** I do not know what that has to do with the points that I am making. If the hon. Gentleman will bear with me for a moment, he will understand the criticisms. At paragraph 7 of the report, the Committee records how its work was impeded by the Government's refusal to release to it

"firstly telegrams concerning Sierra Leone, and secondly . . . information which fell within the ambit of the Legg inquiry."

At paragraph 8, the Committee sets out what it describes as further "frustrations" that it encountered. It asked to hear three of the officials involved in the affair; it was allowed to see only two. It was not allowed to see relevant

intelligence reports. Its requests to take evidence in private from the head of the Secret Intelligence Service, or to be briefed by him in private, were also refused. At paragraph 101, the Committee says:

"it would be quite wrong and an unacceptable precedent for a Government in the future to be able to argue that any select committee inquiry could be superseded, or perhaps blocked for a considerable period of time, by a whistled-up departmental inquiry."

The Committee recommends

"that the Government undertake in future to respect select committees' requirements for information, irrespective of any departmental inquiry on related matters which might have been established."

At paragraph 107, the Committee says:

"We greatly regret that we were not given access to intelligence material and that we were refused the opportunity to take evidence from the Director of the SIS."

It notes:

"We cannot now say that we have had access to all the sources of information which would have allowed us to come to unequivocal conclusions."

The Committee condemns what it calls the Government's obduracy and, at paragraph 108, it contrasts

"the reluctance of the Foreign Secretary"

with the helpfulness of other Ministers, including the Defence Secretary. It recommends that the Government reflect, in

"any future inquiry like that into Sandline,"

as to the merit of what it calls

"a more mature attitude towards controlled access for the Foreign Affairs Committee to appropriate intelligence material and to witnesses from the Secret Intelligence Service."

The House will wish to take those observations and recommendations extremely seriously. In relation to the Foreign Secretary, they exemplify and underline the obstructive attitude that he took to the Select Committee's inquiry. They provide yet further evidence of the arrogance with which he and the Government treat Parliament. In my remaining remarks, I shall focus on the substantive failure on the part of Ministers to which both the Select Committee and the Legg inquiry drew attention. The Select Committee put it in this way:

"We conclude that the government policy on individual arms embargoes must never again be stated in a way which could mislead Parliament, the public and even the FCO's own staff."

The Legg inquiry concluded:

"Government has a responsibility to give citizens, and its own officials, reasonable publicity and explanation of the laws it makes under delegated powers, especially laws creating serious criminal offences. That was not done in this case."

Those are very serious charges. They are abundantly justified by the contents of the two reports. As I shall show, Ministers were directly involved.

What happened, in essence, was as follows. Ministers decided, for good reasons, to impose an arms embargo on Sierra Leone after the junta had deposed President Kabbah. For understandable reasons, they made that embargo comprehensive in scope. It had the goal of drying up arms supplies to all the parties in Sierra Leone; that was the objective of Ministers. Yet the embargo was consistently and deliberately described as a partial embargo. It was that misdescription which was misleading—to Parliament, the public and even the Foreign and Commonwealth Office's own staff—and, as we shall see, that misdescription was the responsibility of Ministers. That is the essence of the charge that we make.

The ministerial decision to impose an embargo on Sierra Leone was implemented first by a resolution of the Security Council of the United Nations and subsequently by an Order in Council.

That order made it a criminal offence, punishable by a maximum of seven years' imprisonment, to supply or deliver arms and military equipment to

"any persons connected with Sierra Leone."

As Legg and the Select Committee found, if, indeed, any such finding was necessary, it was the Government's duty to publicise and explain that law. Yet the Government wholly failed to discharge that duty. Every document that they issued which sought to explain it, every statement that they made about it, was, in the words of the Foreign Secretary himself, "plainly wrong".

Those statements included Foreign Office daily bulletins, a telegram to posts in west Africa advising them of the embargo's ambit, an answer to the House from the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd), even a reference to the embargo in the communiqué of the Commonwealth Heads of Government conference at Edinburgh, to which the Prime Minister put his name.

The statements extended it to a letter, written by a senior Foreign Office official to the Foreign Minister of Sierra Leone—I quote verbatim from the Select Committee's report—

"making it clear that the UN sanctions applied to the Junta but without disclosing that, in the British government's view, they also applied to the very government to whose Foreign Minister she was writing."

All that would be bad enough if it had been accidental, but it was deliberate. That is what the Legg inquiry concluded. It stated:

"the British framers of the October 1977 Resolution"—

the Security Council resolution—

"... did not doubt that the arms embargo imposed by the Resolution was comprehensive in its coverage."

It continued:

"However, British officials and Ministers"—

I stress "and Ministers"—

"continued to play this aspect down".

Legg goes on to explain why. It was, the inquiry says, partly because of the sensitivities about the possible role of the Economic Community of West African States, which, unlike Her Majesty's Government, had explicitly contemplated the use of force, and about the role of Nigeria within ECOWAS and the ECOWAS military observer group.

There, in a nutshell, we have it. A deliberate attempt was made to mis-state the scope and effect of the embargo, to play it down, in the words of the Legg report, because British officials and Ministers knew that those on the ground in Africa contemplated the use of force. What was the role of individual Ministers in all this? The Minister of State authorised United Nations Security Council resolutions. He saw and approved the Order in Council which created the criminal offences. He knew that its scope was comprehensive. That, after all, was his policy. Yet on 12 March 1998 he told the House that the sanctions were imposed "on the military junta".

*[Mr. Howard]*

That could have been an oversight. It could have been inadvertent. The Minister of State could have done what "Questions of Procedure for Ministers" require him to do, which is to

"correct any inadvertent error at the earliest opportunity."

But he has not done that. The Minister of State and the Foreign Secretary persisted for months in their attempt to justify their mis-statement of the effect of the embargo as

"not inconsistent with the fact that it was not only to the Junta to which the arms embargo applied."

It was that explanation to which the Select Committee referred when it gave its damning findings in paragraph 19 of its report that

"half-truths are a dangerous commodity in which to trade."

What an extraordinary thing for a Select Committee to say about the language of a Foreign Secretary and his Department.

**Mr. Dale Campbell-Savours** (Workington): Will the right hon. and learned Gentleman give way?

**Mr. Howard:** Not at the moment. As we know, even the Foreign Secretary was unable to continue with that fiction indefinitely. In the end, on 16 December, the Foreign Secretary gave up. He finally recognised and admitted the truth. The language used in telegram 277, which sought to explain to posts in west Africa, the ambit of the Security Council resolution was, he said, "plainly wrong". He had at last realised that he could no longer carry on the farce of pretending that the language used by his Department was correct but incomplete. It was not: it was plainly wrong. The language used in that telegram describing the ban as a ban on the supply of arms to the junta was the same as the language used in the Foreign Office daily bulletins, in the Commonwealth Heads of Government communiqué and in the Minister of State's answer in the House. If the telegram was plainly wrong, then so were they.

What does the Minister of State intend to do about his answer to the House on 12 March: the answer that the Foreign Secretary has told us was plainly wrong? We look forward to hearing what the Minister of State has to say about that when he winds up the debate. What of the Foreign Secretary? Did he not see the telegram that was plainly wrong, or the FCO daily bulletins? Was he unaware of the Minister's answer to the House on 12 March? Was he not consulted on the communiqué issued at the end of the Commonwealth Heads of Government conference? We know of his well-publicised aversion to finishing his paperwork. If he failed to see any of the documents itemised by the Select Committee, that, in itself, speaks volumes about the way in which he discharges his responsibilities. I call on him to answer each of the specific questions which I have put. The truth of the matter is that, in the words of the Legg report, Ministers deliberately "played down" the scope and effect of the embargo that they had imposed. They deliberately misrepresented the terms of the Order in Council, which created criminal offences that could have led to someone being sent to prison for seven years. They stated their policy in a way in which, in the words of the Select Committee's report, misled

"Parliament, the public and even the FCO's own staff."

It is difficult to imagine a more serious charge. This is the Government who the Prime Minister said must be purer than pure. This is the Foreign Secretary who purported to introduce an ethical foreign policy. This is also the Foreign Secretary who said:

"Tonight Parliament has the opportunity to insist that Ministers must accept responsibility for their conduct in office and to assert that the health of our democracy depends on the honesty of Government to Parliament."—[*Official Report*, 26 February 1996; Vol. 272, c. 617.]

I invite him to live up to those words today.

4.27 pm

**The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook):** I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

'welcomes the decision of the Foreign Affairs Committee in its Second Report of Session 1998-99 (HC 116) on Sierra Leone to commend the resolute support which the British Government is giving to the restoration of democracy in Sierra Leone and endorses the conclusion of the Legg Inquiry that no Minister had given encouragement or approval to any breach of the arms embargo on Sierra Leone; notes that the inquiry on Sierra Leone of the Foreign Affairs Committee has found no evidence of Ministerial encouragement or approval; and congratulates Her Majesty's Government on accepting all the recommendations of the Report of the Legg Inquiry and on the steps it has since taken to modernise management in the FCO.'.

I found myself agreeing with the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) for one minute at the beginning of his speech. That was the one minute in which he dealt with the plight of the people of Sierra Leone. I fully share his dismay at their plight. If the House will allow me, I intend to take more than one minute to respond to that plight. The right hon. and learned Gentleman says that he wants to talk about the conduct of Ministers. All right, let us talk about the conduct of Ministers on policy towards Sierra Leone.

Last night, a special report at the top of the BBC news exposed the evil that the rebels in Sierra Leone represent. In their brief occupation of Freetown in January, the rebel forces vividly lived up to their reputation for brutality and butchery. They murdered politicians, humanitarian staff, religious workers, journalists and lawyers. They carried out repeated acts of arson, even when they knew that the consequence would be to burn alive elderly and disabled men and women.

From the first day of the rebel forces' entry into Freetown, local hospitals admitted a growing stream of civilians with arms amputated, including children as young as six. A large number of children who were abducted by the rebel forces are still missing. In at least one case, their father was forced to watch his female children raped before they were taken away.

What should concern the House most of all is how we can prevent such evil from gaining power by force of arms in Sierra Leone.

**Mr. Nigel Jones** (Cheltenham): The Foreign Secretary will know that the violence has spread outside the capital, Freetown. My constituency has a link with the town of Kambia, which is north-east of the capital. I am a patron of the Kambia hospital appeal, which seeks to support doctors and nurses providing health care in the area.

At the weekend, I received unconfirmed reports that the hospital had been hit by the rebels, looted and perhaps set on fire. Has the Foreign Secretary heard any further news about what is going on in the region, and can he assure us that our Government will provide whatever assistance is necessary to get the hospital up and running again?

**Mr. Cook:** I can confirm that the hospital has been looted, and has been badly damaged by arson. I can also confirm that the Department for International Development will be ready to try to make good some of the damage. First, however, we must regain the territory in which the hospital is situated. We must work with ECOMOG to push the rebels further back in the country.

The right hon. and learned Member for Folkestone and Hythe said that our influence in the country was limited. That is true; nevertheless, the fact is that no nation on the globe outside the region has done more than we have to prevent the rebel forces from gaining power, or more to support the legitimate Government of Sierra Leone. As my hon. Friend the Member for Ilford, South (Mr. Gapes) pointed out, the Foreign Affairs Committee itself commends

"the resolute support which the British Government is giving to the restoration of democracy and the alleviation of suffering"

in Sierra Leone.

First, we have provided a wealth of practical support for the ECOMOG forces who are doing the fighting. Since the start of this year alone, we have provided more than £1 million-worth of trucks and communication equipment. We have organised and paid for the airlift of the Ghanaian battalion to join the Nigerian forces in Sierra Leone. Even the maps used by the ECOMOG operation have been supplied by Britain. Partly as a result of that help, ECOMOG has been able successfully to clear the rebels from Freetown. The support that we gave helped to preserve the legitimate Government of Sierra Leone, and, more immediately, saved the lives of thousands who might otherwise have perished at the hands of the rebels.

Secondly, Britain is far the largest national donor of development aid to Sierra Leone. Since the restoration of President Kabbah a year ago, Britain has committed more than £20 million, which has been vital in supplying food, promoting security and providing medical aid to help the victims of the rebels' brutality. It has also helped in the longer-term task of recreating the basic institutions of government in Sierra Leone.

Thirdly, Britain has led international pressure on Liberia to end its support for the rebels. The real tragedy of Sierra Leone is that its people are among the poorest in the world, while their country is among the richest in diamonds. There are too many outside forces whose sole interest is in seizing and retaining control of the diamond fields.

The situation on the ground in Sierra Leone remains very worrying. The rebels retain control of much of the countryside, and have successfully launched counter-offensives on some provincial towns. The struggle for control of Sierra Leone is not over, and there is no guarantee that the forces of democracy and stability will prevail. We have therefore been reviewing what further support Britain can provide, and I am pleased to say that the Government have decided to commit up to an additional £10 million from the reserve to promote stability in Sierra Leone.

That substantial investment will have three objectives. The first objective is to help the ECOMOG forces to roll back the rebels. We shall use those resources to meet the most pressing needs of ECOMOG to transport its troops, communicate with them and feed them. The second objective is to encourage the rebels to lay down their arms, and to offer them a future in a civilian life. We shall use part of our funds to underwrite initiatives in demilitarisation, and to integrate the rebels into the civilian economy. The third objective is to create a professional and democratically accountable army for the Government. We shall fund a British military training team to supervise a programme for a professional army and for its civilian management.

We are asking our partners around the world to make similar contributions, and I am pleased to say that the Administrations of the United States, Canada and several of our European partners are already considering how they can follow our lead.

Britain's support is well known and well appreciated in the region. Last month, President Abubakar of Nigeria rang my right hon. Friend the Prime Minister to thank him for Britain's invaluable support for ECOMOG. Last night, I spoke to President Kabbah by telephone to inform him of our new programme of support. He also recorded his gratitude to the UK for its continued support and assistance.

President Kabbah and the people of Sierra Leone would regard with disbelief the partisan speech of the right hon. and learned Member for Folkestone and Hythe. They know that the conduct of Ministers has provided them with more help than any other western country. In the past two months, throughout the crisis in Freetown and the many measures that we have taken in response to it, the right hon. and learned Gentleman and his team have shown no interest in the problems of the people of Sierra Leone; nor have they made a single proposal as to how to help their plight. They remain utterly obsessed with Sandline International.

Let us at least agree on one point. Sandline International's activities from start to finish have been totally irrelevant to the military balance on the ground and even more irrelevant to the needs of the people of Sierra Leone. The main interest of Sandline International and its sister group of companies has been not democracy, but diamonds.

The first finding of the Legg report was that Sandline International's supply of arms played "little or no part" in the restoration of President Kabbah. That is not surprising as the arms did not even arrive until the rebels had been cleared out of Freetown for the first time.

**Mr. Crispin Blunt** (Reigate): The Foreign Secretary is probably correct to say that the arms were not key, but what was absolutely essential was the military advice and co-ordination of the air cell that was provided by Sandline International to ECOMOG forces. Those forces had been repulsed in December. It was President Kabbah's assessment that he needed good military advice and advisers to enable ECOMOG to succeed, which is what it did when he got them.

**Mr. Cook:** As I recall, the air cell to which the hon. Gentleman refers was one rather ancient eastern European helicopter, which, famously, required repair by a British

*[Mr. Cook]*

naval ship. It is that sort of enormous self-obsession with what Sandline International may have contributed that creates fury in Nigeria, where thousands of troops have died fighting to restore the legitimate Government of Sierra Leone.

The Legg inquiry did find a number of misjudgments by officials and cultural failings in the Foreign Office. I accepted those findings. I accepted all the inquiry's recommendations. Since I presented the Legg report to Parliament seven months ago, I have acted on those recommendations.

**Mr. Oliver Heald** (North-East Hertfordshire): Will the right hon. Gentleman give way on that point?

**Mr. Cook:** I will, but then I must make progress.

**Mr. Heald:** The right hon. Gentleman says that he has put things right by following the recommendations of the Legg report. How then can he possibly explain why he connived in the leaking of the Select Committee report? Surely that is something that he should—

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Order. I do not think that the term "connive" is one that hon. Members should use. *[Interruption.]* Order. Please let me speak. In addition, I understand that Madam Speaker has made a ruling about the matter. The hon. Gentleman knows about it.

**Mr. Cook:** Thank you, Mr. Deputy Speaker. For what it is worth, there were two leaks of the Select Committee report, one in *The Independent* and one in *The Times*. Neither came from the Foreign Office. The source of those leaks is elsewhere, but the hon. Member for North-East Hertfordshire (Mr. Heald) said that he was rising on the point that I was addressing. Let me then tell him what we have done to put right what the Legg inquiry identified.

I have restored the central unit for the enforcement of sanctions, which the previous Government had abolished. I have taken steps to ensure that all intelligence reports are properly logged and distributed. I have issued new guidance that there should be no contact with private military firms without clearance or a written record.

I have initiated a programme of modernisation in the management of the Foreign Office, which is increasing the number of specialists and professional managers in our administration. We are able to afford that programme of modernisation only because last year's spending review produced the best settlement for the Foreign Office for half a dozen years. *[Interruption.]* I honestly do not know what the hon. Member for Chesham and Amersham (Mrs. Gillan) finds funny about that. She belongs to a party that, in the previous Parliament, cut the Foreign Office budget by a sixth. The number of diplomatic staff dealing with Africa fell by a quarter during a decade in which her party was in office. It is no wonder that the Legg report concluded that one of the reasons that mistakes were made was that officials had an impossible overload.

In the spending increase, I have secured the Department's budget. I have doubled the number of staff in the West Africa section covering Sierra Leone— *[Interruption.]* It is true.

**Dr. Norman A. Godman** (Greenock and Inverclyde): May I tell my right hon. Friend that one of the concerns I had as a member of the Foreign Affairs Committee was the appallingly long hours worked by middle and junior-ranking officials. Will he confirm that they are no longer working 70 or 80-hour-weeks?

**Mr. Cook:** I cannot confirm to the House that there are not officials in that section, or in other sections in the Foreign Office, who may occasionally be required in emergencies to work 70 or 80 hours a week. I am confident, however, that the pressure on the section has been greatly eased by the doubling of its numbers.

The sharp reduction—100 staff in the Africa command—in the past decade has to be placed in the context that, in the same decade, there were in Africa more conflicts and crises, which had to be handled by a dwindling number of staff. If Conservative Members wish to debate the conduct of Ministers, vital to the debate is the way in which we are repairing the damage done by their conduct of the Foreign Office.

The Legg inquiry concluded that the officials involved were "loyal and conscientious". The inquiry recognised that the officials had had to

"endure an anxious period of criticism and uncertainty",

and expressed the hope that its report would

"close the chapter as far as they are concerned."

I have never made any secret of my view that it was wrong that the same officials were then put on trial, for a second time, by the Foreign Affairs Committee. Nevertheless, contrary to the comments of the right hon. and learned Member for Folkestone and Hythe, the Foreign Office fully co-operated with the Select Committee inquiry. With the sole exception of secret intelligence reports, the Select Committee was given access to every document that the Legg inquiry saw.

The right hon. and learned Member for Folkestone and Hythe said that we had obstructed the Select Committee's work—*[Interruption.]* Perhaps I should refer him to paragraph 99 of the report, in which the Committee welcomed the documents that I released. The report states:

"It was a quantum leap in extending the capacity of committees to hold the Executive to account. As the Foreign Secretary himself said, the 'committee has had more access to official documents than any of its predecessors or indeed any of its parallels.' We welcome the Government's decision to allow the Select Committee access to most of the key official documents in the Sandline affair."

That is the view of the Committee itself.

As I said, I accept all of the recommendations of the Legg report. I shall respond later formally to the Select Committee's report, but I tell the House now that it is my intention to accept many of its recommendations.

I agree with the Select Committee, for example, that any change to arms embargoes should be announced to Parliament and placed in the Library; it has already been done. I agree that all officials should be doubly careful in contacts with persons under criminal investigation, and I have instructed them to consult first with our legal advisers. I agree with the Select Committee on the need

for action against arms brokering, and the Government are carefully considering responses to proposals in our recent White Paper on the subject.

I believe also that the Committee is right to be concerned about the particular sensitivities in dealing with military companies whose staff include former members of the armed forces or intelligence agencies. I also share its view that Colonel Spicer should have known more about the legal position on the supply of arms, and that he was less than frank with Foreign Office officials about his supply of arms. In its postscript, the Select Committee observes that the aim of lasting peace in Sierra Leone is "hardly likely" to be helped by the activities of mercenary forces. I could not agree more.

I also welcome what the omissions from the Select Committee's report tell us about what the Select Committee found. The report does not raise the slightest doubt about the central findings of the Legg inquiry—that there was no connivance in the Foreign Office at a breach of the arms embargo, and no conspiracy by either officials or Ministers to undermine the publicly stated policy.

The sole ministerial quote that was produced by the right hon. and learned Member for Folkestone and Hythe in his entire speech was that from the speech by the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd) in which he said to the House, correctly, that the embargo applied to the junta.

That speech, made in March, was utterly irrelevant to a breach of the arms embargo by Sandline which had already happened. The right hon. and learned Gentleman has never explained how he imagines that a speech in March could have caused confusion to Sandline when it signed a contract the previous December or when it supplied the arms in the previous February. Not even Colonel Spicer has used the novel line of reasoning that in December 1997 he was confused by a speech that was to be made in March 1998. Yet, after two exhaustive reports, that is the best that the right hon. and learned Gentleman can do to find fault with the conduct of Ministers.

The right hon. and learned Gentleman has spent the past year trying to unearth a political scandal over Sandline. He has not found it because it does not exist. This is not the arms to Iraq affair where Ministers in the previous Government relaxed the rules in order to arm Saddam Hussein, where the same Ministers deliberately resolved not to inform Parliament of the change in policy and where Ministers tried to cover up their own complicity by suppressing the evidence.

In the case of Sierra Leone there was no change in policy, no secret approval of the supply of arms and no cover-up. There are lessons to be learned and that is why I set up the Legg inquiry to establish what went wrong and how we put it right. We have acted on its recommendations.

**Mr. Howard:** I have been waiting patiently. The Foreign Secretary has been speaking for nearly 20 minutes but he has still to deal with the main charge that I made in my speech. Is he suggesting that it is perfectly all right to mislead this House, as the Minister of State did on 12 March, as long as Colonel Spicer was not misled? Will he now deal with all the other documents—every single one of them—in which the policy of Her Majesty's Government was mis-stated in a way that, as the Select Committee report says, misled Parliament, the public and the officials at the Foreign and Commonwealth Office? Will he answer that question?

**Mr. Cook:** There is no question of the House being misled. My hon. Friend the Minister of State said what is absolutely correct and true, which is that the embargo applied to the junta.

**Mr. Howard:** That is precisely the formulation that the Foreign Secretary described as being plainly wrong when he dealt with telegram 277 before the Select Committee. The words are identical.

**Mr. Cook:** The right hon. and learned Gentleman knows perfectly well that I was not saying that about the speech of my hon. Friend the Minister of State. *[Interruption.]* Colonel Spicer and anybody else seeking to supply weapons or arms to Sierra Leone would have known perfectly well, as the Select Committee said, that there was domestic legislation in place. *[Interruption.]*

**Mr. Deputy Speaker:** Order. There is a lot of noise in the Chamber and it is coming particularly from the hon. Member for Buckingham (Mr. Bercow). The hon. Gentleman is trying my patience. I must hear what the Secretary of State is saying.

**Mr. Cook:** The right hon. and learned Member for Folkestone and Hythe complains that I have been speaking for 20 minutes, but I am addressing the House on issues on which he did not address the House—the problem of Sierra Leone. If the right hon. and learned Gentleman wishes to debate the conduct of Ministers on Sierra Leone, he must be prepared to hear about the conduct of Ministers on Sierra Leone.

I go to the region next week. I will visit Nigeria where I will be one of the first Foreign Ministers to congratulate the newly elected president. My visit will be against a background of good will of the people of Nigeria for this Government because they know how strongly we condemned the repression of General Abacha and because they know that we worked harder than any other country to see their democracy restored.

I will go to Ghana and the Ivory Coast with my colleague Hubert Vedrine, the French Foreign Minister, on the first ever joint visit. In the Ivory Coast we will convene a joint conference of British and French Heads of Mission. There is no other European country with as strong a representation as Britain and France. We will be exploring how we can co-operate and use that joint strength in tackling the problems in Africa of violent conflict and the poverty that breeds it.

**Mr. Howard:** Avoiding the issue.

**Mr. Cook:** I am addressing the problems of the region, which the right hon. and learned Gentleman did not. He said nothing about what more the Foreign Office could do about the problems of the region.

*[Mr. Cook]*

I intend to meet President Kabbah while I am in the region. I expect to discuss how we can best use the resources that I have announced today to strengthen his Government and promote stability in Sierra Leone. The visit will underline the Government's commitment to the region and our fresh approach to its problems. That is the conduct of Ministers on Sierra Leone that should concern the House. I am happy to be judged on it.

By contrast, the right hon. and learned Gentleman's speech did not contain a single policy proposal towards Sierra Leone or the region. It is worth restating that, because it remains the flaw in the Conservatives' criticisms of Ministers' conduct. They wish to debate the conduct of Ministers, but not their conduct in relation to Sierra Leone. The debate is motivated not by their support for the people of Sierra Leone, but all too transparently by their desire to wring party advantage from the crisis in that country. That approach would be massively rejected by the people of Sierra Leone and it should be massively rejected by the House.

4.51 pm

**Mr. Menzies Campbell** (North-East Fife): The most important conclusion of the Select Committee's report is the last one, which reminds us that the purpose of the Select Committee system is to ensure that

"officials and Ministers are aware that the beam of the select committee searchlight may one day swing in their direction, and they may have to justify their action—or inaction—when subject to intense scrutiny".

I cannot avoid making some reference to the speech of the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) before I deal with the Committee's conclusions. He is right to be concerned about half-truths. If he remembers the Scott inquiry report, he will know that a distinguished civil servant, who has but recently left the Foreign Office, said that half a truth could still be the truth. That comment attracted some of Sir Richard Scott's most damaging criticism. The Cabinet of which the right hon. and learned Gentleman was a member declined to accept the report.

The centrepiece of the Scott inquiry report was the fact that the House had been deceived, because, while the statement of policy remained the same, the method of application of that policy had changed in a material way. The right hon. and learned Gentleman is correct to be indignant if the House has been misled, but he would also be right to remember that the Government of which he was a member did not have a distinguished record in such matters. It gives me no pleasure to say that some of the conduct of this Government has been eerily reminiscent of that of the previous Government. We were entitled to better, and we expected better.

The Foreign Secretary sought to distance the Foreign Office from Sandline. That is a legitimate argument, but it does not sit with the extent to which Colonel Spicer was in contact with the Foreign Office at material moments of the narrative with which the Select Committee is concerned. After the Legg inquiry and the report of the Select Committee, which was couched in terms as strong as any of us can remember a Select Committee using, no one is responsible, no one is at fault and no one has been disciplined.

One issue above all lay at the heart of the mismanagement of the affair: the misunderstanding or misinterpretation of the United Nations resolution limiting arms exports. The Select Committee report reveals that, for months collectively, the Foreign Office did not appreciate the contents of that resolution; for months collectively, it did not understand the effect of that resolution when it was incorporated into domestic law. In my judgment, that lack of understanding was culpable and cannot be excused.

The Select Committee report contains a catalogue of failures, outlined either expressly or by implication, including the failure of officials to brief Ministers, which is described as appalling; the failure of officials to advise Ministers of material developments, including even a raid by Customs and Excise on the Foreign Office; and the failure to advise of the possibility of the prosecution of a Foreign Office official on an indictable offence.

How often does Customs and Excise knock on the door of the Foreign Office with a warrant in its hand, that it should not rate the immediate notification of Ministers? How often are Foreign Office officials at risk of prosecution for indictable offences, that the Foreign Secretary should not be instantly advised?

There was a failure to respond to the article in the Toronto *Globe and Mail* of 1 August 1997, which said that Sandline was involved in plans to overthrow the junta; and a failure to respond to Colonel Tim Spicer's phone call of 5 January 1998, saying that he had signed an agreement to give $10 million of support to President Kabbah. How on earth could it be, as the Committee rightly asks, that no one thought that the support might involve the supply of arms? Was not that a reasonable inference from the size of the sum involved?

There was a failure to understand the significance of, and to act on, the letter of 5 February 1998 from my noble Friend Lord Avebury drawing attention to the Toronto *Globe and Mail* article and a new article in *US News and World Report*, which contained accurate information about the supply of arms. That failure was described by the Foreign Secretary, in his evidence to the Committee, as

"one of the gravest errors and misjudgments".

There was a failure to brief Ministers properly and, as a result, the House was misled, but still no one is responsible or at fault and no one has been disciplined.

The truth is that both Legg, in rather more sedate language, and the Select Committee report, in rather more blunt and direct language, reveal an embarrassing litany of incompetence that is all the more significant if we recall that Sierra Leone was the subject of direct prime ministerial interest, as the Prime Minister extended to the deposed President Kabbah an invitation to attend the Commonwealth Heads of Government meeting in Edinburgh as his personal guest.

Neither Sir Thomas Legg nor the Committee held Ministers personally to blame, but Ministers should feel some sense of discomfort about the fact that such things were going on in a Department for which they had responsibility. I want to read a passage that reflects the kind of responsibility that ought to be taken on such occasions.

In the Scott report debate, the Foreign Secretary, who was then shadow Foreign Secretary, said:

"The Government are fond of lecturing the rest of the nation on its need to accept responsibility. Parents are held responsible for actions; teachers are held responsible for the performance of their pupils; local councillors are held legally and financially responsible; yet, when it comes to themselves, suddenly not a single Minister can be found to accept responsibility for what went wrong."—[*Official Report*, 26 February 1996; Vol. 272, c. 606.]

That was approximately three years ago—it is as apposite today as it was then.

I am bound by Madam Speaker's ruling that there can be no reference to the events with regard to the obtaining of the Select Committee draft report, except in passing. In passing, all I can say is that I would have expected Ministers to have some sense of discomfort about the sudden and unheralded appearance in the Foreign and Commonwealth Office of a draft of the report. I am bound to say that, judging by its previous performance, I am almost surprised that the Foreign and Commonwealth Office realised the significance of the document that had been sent to it.

Last week, the Foreign Secretary responded to a question from me as to why the document simply had not been sent back by saying that no one would have believed him if he had sent it back and said that he had not read it. He may, with time, care to reflect on that self-assessment of his credibility.

**Mr. Keith Simpson** (Mid-Norfolk): Following that line of logic, can the right hon. and learned Gentleman explain how it is that, with a permanent under-secretary of considerable experience, probity and efficiency—as witnessed by Ministers from the previous Government and other observers—the Foreign Office is such a toy-town organisation? I find that incredible, and it seems that the permanent under-secretary is acting as an air-raid shelter for Ministers.

**Mr. Deputy Speaker:** Order. I remind right hon. and hon. Members that we should not debate the leak. That is for another time.

**Mr. Campbell:** That was a timely and helpful intervention, Mr. Deputy Speaker, but the Committee addresses that matter, and has views on it. The Committee considered the evidence in detail and reached a conclusion. I was not present throughout the consideration by the Committee and, therefore, I am not willing to substitute my judgment for that of the Committee.

It is time to blow away the fog of obscurity surrounding arms exports. It is time to have a Select Committee of the House to monitor arms export policy and, if necessary, to scrutinise individual transactions. It is time to provide for an international means of dealing with arms brokering in defiance of UN resolutions. It is time to provide that a transaction involving a transfer from anywhere in the world to anywhere else in the world would be illegal if it would be illegal for those arms to be transferred from the UK.

We ought to be willing to consider extra-territorial jurisdiction in this matter, because it makes a nonsense of UN resolutions—and the way in which they are imported into our domestic law—if, as in the present case, arms transferred from Bulgaria to Sierra Leone at the instigation of a broker based in the UK would not, apparently, constitute a breach of criminal law.

**Mr. John Bercow** (Buckingham): The right hon. and learned Gentleman said that the reports had not directly criticised Ministers. Does he agree with the verdict of the Select Committee report that

"many of problems which occurred would not have occurred . . . If ministers had made their policy on dealings with mercenaries clearer to officials".

Does he agree that, in that sense, Ministers are culpable?

**Mr. Campbell:** That is the conclusion of the Committee, and I see no reason to substitute my judgment for its judgment. I go further—one would have expected Ministers to be on their inquiry. I go back to the fact that Sierra Leone was not some country of which we knew little. It was a country in which No. 10 Downing street was taking an express interest, at the instigation, quite rightly, of the Prime Minister—all the more reason for Ministers to be on their inquiry.

All of that produced for the people of Sierra Leone nothing but the lasting horrors of a civil war of utmost brutality, which is still being visited upon the population of that benighted country. That is why I have urged the Government before today to ensure that they continue to provide logistical assistance to President Kabbah, following the statement that the Secretary of State made in the House on 19 January.

The Government should work with the Commonwealth and the United Nations to ensure that Nigeria does not become so disillusioned with its role in Sierra Leone that it pulls its personnel out of the ECOMOG forces. The recent election in Nigeria must surely throw that matter into sharp focus. The Government should bring all possible pressure to bear on the Government in Liberia to cause them to cease to interfere in the internal affairs of Sierra Leone. We should be making plans now for the rebuilding of Freetown's damaged infrastructure, and providing support for development programmes in the region and emergency relief.

Coincidentally, the Foreign Secretary came today with £10 million in his pocket. I am delighted that he brought that money. It is only a little more than the $10 million that Sandline was to gain for providing support to President Kabbah. Of course £10 million is better than nothing, but what effect will it have on the devastation from which we now know Sierra Leone is suffering?

That is a proper commitment, but we will want to see that it is fully implemented. Only if the Government fully implement the commitments announced and reinforced today by the Foreign Secretary will they have a chance to salvage something from a period in their history that has done no credit to the Foreign and Commonwealth Office, and even less to the Government themselves.

5.6 pm

**Mr. Donald Anderson** (Swansea, East): I have three initial reflections. First, the backcloth is the agony and suffering of the people of Sierra Leone. That should be our main concern. Against that agony and suffering, the ambit of the Foreign Affairs Committee report is relatively insignificant. The people of Sierra Leone and the friends of that Commonwealth country would be

*[Mr. Anderson]*

appalled if the debate turned into just another party game. That is why I welcome the £10 million which my right hon. Friend said in his statement today would be committed to Sierra Leone.

Secondly, the prospect of the debate becoming a party game is part of the problem that we face in a Select Committee in a highly partisan and personalised political structure. Select Committees act as Committees of the legislature monitoring the Executive. There is clearly great pressure on Committee members not to score own goals and to support their own side, particularly on a matter such as this. Since May last year, the debate in the Chamber has become highly partisan, and it seemed that those on the Opposition Front Bench were trying to dress it up as if it were a replay of the arms to Iraq scandal.

However, as the right hon. and learned Member for North-East Fife (Mr. Campbell) said, that was light years away. The Government at that time deliberately misled the House on a change of policy and were even prepared to countenance the imprisonment of business men to cover up their own failings.

**Mr. Blunt:** That is not true.

**Mr. Anderson:** It is true. I invite the hon. Gentleman to examine the history of the Scott report and the conduct of the Conservative Government at that time.

The highest the charge can be put in this case is that the Government allowed, or connived at, the action of a British company to supply a quantity of arms to an elected and internationally recognised head of state of a friendly Commonwealth country who had been ousted in a coup by a motley group of rebels.

The House hardly needs to be reminded of the arms to Iraq scandal and of the role played by my right hon. Friend the Foreign Secretary at that time. I suspect that the Opposition thought that they had struck gold with Sierra Leone, and that they would be able to find the Foreign Secretary's fingerprints on some form of conspiracy. Those who had not been conspicuous in their concern for Sierra Leone, either before or after the sad events and the suffering there, seized on an apparent opportunity to embarrass the Secretary of State as he sought to help to stabilise that benighted country.

My final preliminary point relates to the leak. The Select Committee on Foreign Affairs this morning agreed its first special report on the premature disclosure of the report on Sierra Leone. I congratulate the Committee's staff on ensuring that the special report is available in the Vote Office so that hon. Members may peruse it.

There is sadness that there was a leak. I trust that the Select Committee on Standards and Privileges will consider the substantial mitigation offered after the event by my hon. Friend the Member for Dundee, West (Mr. Ross). The leak is a warning to every hon. Member of the seriousness of those matters, particularly when it comes to the leaking of a draft report on which a Government who were so inclined might seek to pressurise members of a Select Committee to moderate their views.

I commend the work of the Foreign Affairs Committee's staff on the original report. They worked long and hard in difficult circumstances. Hon. Members will know that two thirds or more of the report deals with the substance of the arms to Sierra Leone affair. The last part of the report deals more generally with relations between the Executive and the legislature which, in my judgment, are of general importance to Select Committees.

I shall outline the background of the events relating to the supply of arms. The terms of reference of the Foreign Affairs Committee were: first, to examine whether

"actions by Government personnel in relation to Sierra Leone after"

the ousting of President Kabbah on

"25 May 1997 were consistent with implementation of the Government's policy that"

President Kabbah should be restored only

"by peaceful means; and, whether deficiencies have been revealed in the arrangements in the FCO for passing information to Ministers and implementing their instructions."

Was there a conspiracy? There is not, in the phrase initially used in the report, a scintilla of evidence to suggest that the Foreign Secretary knew that there was a potential breach of the arms embargo. Try as anyone might to find the fingerprints of the Foreign Secretary, or any knowledge on his part, there is no evidence to that end.

Nor can any reasonable person conclude that the Foreign Secretary should have had such knowledge or made inquiries. Is it seriously suggested that the Foreign Secretary should scurry around the corridors of the Foreign and Commonwealth Office, looking in at the doors of relevant sections to say, "Is there anything untoward in Sierra Leone that I should know about?" That is not a counsel of perfection, but an absurd proposition. However much one tries to pin blame on the Foreign Secretary, it is clear that he did not know about what was happening in Sierra Leone, and there was no reasonable way for him to have found out about it by his own means.

**Mr. Keith Simpson:** The hon. Gentleman may intend to develop his argument on those lines, but will he say who is to blame? As I said when I intervened on the right hon. and learned Member for North-East Fife (Mr. Campbell), the permanent under secretary at the Foreign Office is a highly efficient and competent senior official. It is to be expected that the Foreign Secretary would have asked questions about the matter, and that his officials would report to him on it. There appears to be an enormous credibility gap at the centre of the hon. Gentleman's exposition.

**Mr. Anderson:** The hon. Gentleman asks who is to blame. Does he seriously suggest that the Foreign Secretary should go around asking people whether anything is wrong in Sierra Leone? It cannot seriously be suggested that my right hon. Friend knew what was going on. As for blaming anyone, as the Legg report and our Committee pointed out, serious deficiencies in the conduct of officials were revealed during the course of our inquiries. I invite people to read the Committee's report and to let it speak for itself in terms of the actions—or, rather, the inactions—of several key players in the machine.

I believe that I speak for all members of the Select Committee in expressing our enormous admiration for the quality and efficiency of Foreign Office personnel in our dealings with Foreign Office officials in this country and

when we travel abroad. However, in this episode, we conclude that the officials concerned failed badly, and that is where the blame lies.

**Mr. Simpson:** I thank the hon. Gentleman for giving way again. I do not suggest that the Foreign Secretary—to use the hon. Gentleman's emotive words—should scuttle around seeking information. However, the Foreign Secretary has senior officials, who report to him, and special advisers. Speaking as a special adviser to a previous Administration, I can say that one would immediately recognise that, if something like that was going on, one had to act as the eyes and ears of the Foreign Secretary. Indeed, I understand that, in this case, it was the special adviser—

**Mr. Deputy Speaker:** Order. The hon. Gentleman seems to be making a speech.

**Mr. Anderson:** The fact is that those officials did not inform the Foreign Secretary. The hon. Gentleman takes a rather classical view of ministerial responsibility. The last time that the view was taken that Ministers should be responsible for everything that happens in their Department was the Crichel Down affair in 1954 and the doctrine was obsolete even then. Given the complexity of modern government, no Minister can seriously be expected to be responsible for everything that happens in his Department. If the hon. Gentleman still holds that strict classical view of ministerial responsibility, I suggest that he has a quiet word with the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), who has previous form on that matter from his time at the Home Office.

**Mr. Andrew Mackinlay** (Thurrock): The $64,000 question is why the Foreign Secretary thinks that our criticism of officials is disproportionate and unfair. Unfortunately, my right hon. Friend is not in the Chamber; he should be here to listen to the speech of the Chairman of the Foreign Affairs Committee.

**Mr. Anderson:** I am not a psychiatrist, merely a politician. I can only suggest that the Foreign Secretary was showing an excess of misguided loyalty. Initially, he said that the Committee was unfair to civil servants. However, I invite hon. Members to read the report and let its words on the conduct of the officials speak for themselves.

**Dr. Godman:** Will my hon. Friend give way?

**Mr. Anderson:** Let me first go through the Foreign Secretary's three criticisms. Secondly, he said that the Legg committee set out what went wrong and that the Foreign and Commonwealth Office had put it right. That is partially correct, but the Select Committee's recommendations went substantially beyond those of the Legg report. Indeed, the Foreign Secretary very properly said today that the Foreign Office was responding positively to a number of our recommendations—recommendations that were not part of the Legg report.

Finally, the Foreign Secretary said:

"Seven months later the Select Committee has not come up with a single significant fact that was not already in the Legg Report."

I would respond as follows. First, Sir Thomas Legg is an establishment figure—a fact reflected in his report—and he clearly pulled his punches unnecessarily in many instances. Secondly, the Legg report was conducted in private, while the Foreign Affairs Committee held meetings in the full glare of the press, television cameras and the public. We are accountable to the public and the people can draw their own conclusions.

Paragraph 72 of the report refers to a clear instance when the Committee uncovered more than the Legg report in relation to minutes of a meeting of 3 December 1997. The Legg report proceeded on the basis of a certain assumption that was revealed only in January this year to be incorrect. I am pleased that the Foreign Secretary has said that he will respond positively to a number of our recommendations.

I shall now deal with the final part of the report about Executive-legislative relations, which is of general interest to the House.

**Dr. Godman:** I am most grateful to my hon. Friend for giving way. My intervention is prompted by the comments of the hon. Member for Mid-Norfolk (Mr. Simpson) about the permanent under-secretary who, in my opinion, is a very fine civil servant. I remind my hon. Friend that the permanent under-secretary was astonishingly and refreshingly candid whenever he appeared before the Committee, and readily admitted that he and his officials had made mistakes. Is that not so?

**Mr. Anderson:** Indeed. The Committee can have only the highest admiration for the permanent under-secretary in all his relations with it. The main charge against the permanent under-secretary is that, at the end of March 1998, he became aware of a raid on the Foreign Office and four weeks elapsed before he informed the Foreign Secretary about a highly sensitive matter. That information reached the Foreign Secretary only as a result of a letter from solicitors acting on behalf of Sandline. The four weeks of inaction and the failure to inform a Minister form the gravamen of the charge against the permanent under-secretary.

**Ms Diane Abbott** (Hackney, North and Stoke Newington): I am sure that my hon. Friend would not want the House to run away with the idea that he is trying to talk down our report, which was widely acclaimed in the media upon publication. Sadly, all the detailed criticisms of the internal workings of the Foreign Office fall squarely at the door of Sir John Kerr. Is that not correct?

**Mr. Anderson:** Far from talking down the work of the Committee, I believe that it has played a major role on behalf of Parliament and enhanced the credibility of Committees as a whole. If we had rolled over and done nothing, we would have remained very limp and lame for the rest of the Parliament. The Executive—if it were so inclined—could have easily ignored Select Committees.

In our system, Select Committees are a relatively new and weak creation. We have Executive-led Government, and that is particularly true in foreign affairs, where there is the Crown prerogative. If the Government are committed to the distribution of power—I am confident that they are—they should distribute power between

*[Mr. Anderson]*

Parliament and the Executive with the same zeal that they have shown in distributing it within the United Kingdom to the Scottish Parliament and the Welsh Assembly. Select Committees are the main instrument available to Parliament for keeping the Executive in check.

The Foreign Secretary can claim with justification that he has appeared before the Foreign Affairs Committee more frequently than any of his predecessors. He is also justified in claiming that he has allowed greater access to official documents than did any of his predecessors, including Conservative Ministers. However, those concessions were given reluctantly, tardily and only following protracted argument. We believe that the Foreign Secretary should have been far more willing to be open with the Committee and to provide us with the tools that we needed to do our job. That is particularly true of intelligence. We believe that Committees should have controlled access to the intelligence community and must be trusted by the Executive. Why should Sir Thomas Legg have greater access than hon. Members? We point that out forcefully.

The last part of our report deals with access to information and what is relevant to the work of other Committees. That was discussed last Thursday in the Liaison Committee, which brings together the Chairmen of all Select Committees. Since the leak has been made, I can say only that there is widespread dissatisfaction among the Chairmen not only with this Government but with all Governments and their co-operation with Select Committees. A dossier will be compiled by the Chairman of the Liaison Committee, and I hope that it will be not only debated in the House but taken seriously by the Government.

I hope that the Government will take seriously all our recommendations and that the House will recognise that we have done an effective job on behalf of Parliament. We concluded our report by using the searchlight analogy mentioned by the right hon. and learned Member for North-East Fife, who speaks for the Liberal Democrats.

Had there been a simple Opposition motion asking the House to agree with the conclusions of the Foreign Affairs Committee, it would have been extremely difficult for us to oppose that motion. Of course the Opposition have tried to be too clever and could not resist the temptation to go too far. The motion has three legs. The first

"endorses the criticisms made of Ministers"

in the report. No conclusions in the report directly criticise Ministers, and many seek to strengthen Ministers in their relations with officials. The high point, as the right hon. and learned Member for North-East Fife pointed out, is paragraph 19, but that recommendation is to the Foreign and Commonwealth Office as a whole.

The motion's second leg

"deplores the conduct of Ministers which led to such criticism".

I have already covered that point in my remarks on the doctrine of ministerial responsibility. Finally, the motion

"calls on the Ministers concerned to accept responsibility for their conduct."

That fails because, in general, Ministers' conduct in substantive matters was not criticised.

On the relations between the Executive and the legislature, the criticism is mild. In paragraph 99, we welcome the increased access to documents. In paragraph 101, we urge the Government to accede to the Select Committee's request for information, irrespective of the existence of a departmental inquiry. In paragraph 109, we deal with intelligence. The Government gave more information and access than any of their predecessors, but that was not enough. It is possible, particularly because of the failure to grant access to intelligence material, that the focus of the report is not what it should have been. The Government should have been more open and co-operative.

Thus, the motion misses the point of the report: in this instance, the Foreign and Commonwealth Office machine, which is normally efficient and highly admired by the public and, indeed, by the Committee, failed to perform and to give Ministers the quality of advice that they needed. The Opposition's attempt to distil the report into criticism of individual Ministers is therefore surely a partisan distortion. I shall oppose the motion.

5.29 pm

**Sir Peter Emery** (East Devon): I am sorry that the debate is not called "The conduct of Ministers and their relationships with a Select Committee", because those are the most imperative matters to come out of the report.

I shall make, I hope, only one remark that will be viewed as incredibly political. I honestly believe that Ministers have to ask questions and that those with responsibility for dealing with Sierra Leone in Parliament had enough external evidence to make more inquiries of their officials in the equatorial African department in the Foreign Office, which is concerned with Sierra Leone. If they had done so, much of the fiasco would not have arisen. I shall deal with the relationship between the Select Committee and this House, and the Government, which the report has highlighted.

I have been concerned with Select Committees since their inception under the then Leader of the House, Lord St. John-Stevas, and have twice chaired the Procedure Committee when it has monitored the work of Select Committees—first in the 1980s, and then in the 1990s. It is important to me that the work of Select Committees should be able to proceed properly and fully. I believe that this is the first time that the Executive, by their action, have frustrated or attempted to frustrate the examination of one of their Departments. If I am to make that claim, I must substantiate it—and I shall.

I accept immediately the right of Ministers to ask certain appointees to examine an internal problem in their Department. That cannot be denied, but it should not be a means of frustrating or delaying the work of a House of Commons Select Committee. In this case, we were told time and again during the Committee's proceedings that details on matters, witnesses and papers could not be made available until the Legg inquiry had reported. That massively delayed the Committee, and extended the time that it took to produce its report. The Foreign Secretary criticised that delay but he was responsible for it.

Ministers and Departments should readily and willingly release papers that are necessary for an inquiry, when requested by a Select Committee. The Foreign Secretary claimed that never had more papers been made available to a Foreign Office inquiry. That may be so, but let it be understood that those papers had to be dragged out of the

Department. A request was made, and refused; a further request was also refused. Finally, following another request, the Committee was offered the option of just three of its members being allowed to go to the Foreign Office to inspect certain of the papers. The Committee grudgingly accepted that, although, following the publication of the Legg Report, all such papers had to be made available.

When the permanent secretary was first cross-examined before the Committee on 14 May 1998, he agreed to the existence of one set of papers and promised that he would do something about the matter. We did not receive the papers until five months later. That is hardly the sort of co-operation with the Committee that the Department has suggested has occurred.

Departments should not set out actively to mislead; surely that is imperative. There were several illustrations in the giving of evidence of activities which, in the kindest terms, can only be described as deliberate obfuscation. Perhaps the prime example of that was only recently, when my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) asked the Secretary of State for Foreign and Commonwealth Affairs

"who was the first person in his Department to have sight of a copy of the Foreign Affairs Committee report on Sierra Leone; and at what time and on what day it was seen."

The Minister of State, Foreign and Commonwealth Office replied:

"Copies of the report were collected from the Foreign Affairs Committee office . . . on 9 February by the Head of Parliamentary Relations Department and the Parliamentary Clerk."—[*Official Report*, 16 February 1999; Vol. 325, c. *751*.]

That is factually correct, but is misleading to the nth degree. The Minister must have known that the Foreign Secretary had had sight of the report at another time. Ministers and the Government must not give a Select Committee such misleading information.

Instead of misleading, the Government should ensure that the Minister volunteers all necessary information to a Select Committee engaged in an inquiry. I believed that that point had been established—I had something to do with it—when the Conservative Government were criticised by the Trade and Industry Committee, of which I was a member. Towards the end of our inquiry on Concorde we stumbled on several papers—accounts—that had not been presented to the Committee, and which considerably affected our inquiry. The outcome brought an assurance by the Leader of the House that it was the Government's job to help, not frustrate, the working of Select Committees, and that they should be willing to provide any documents that they knew about concerning a Committee's inquiry. I believe that that must be established absolutely in any consideration given by the House or any of its Committees, because that must be the proper way for the Executive to be held to account.

Lastly, I return to the subject of the Foreign Secretary's refusal to meet the request of the head of the Secret Intelligence Service to be seen by the Committee. The Foreign Secretary's constant refusal of any of the Committee's requests is in direct contrast to the behaviour of the Secretary of State for Defence, who was willing for the Committee to see the Chief of Defence Intelligence, Vice-Admiral Alan West. We did so very satisfactorily. The Foreign Office's refusal of our requests seems even stranger in light of the fact that it said that there was very little that "C", the head of the Secret Intelligence Service, could say. If that was the case, why prevent his appearance? Surely that made it more likely that people would ask, "Why, oh why?" and suggest that there must be something to hide.

Today's Foreign Affairs Committee report is before the House. I hope that, in dealing with these matters, the Standards and Privileges Committee, which will have to take up the matter, will be certain to ask the right question. If documents were in the hands of a political adviser to a Government, surely no one would believe that that official would not try to ensure that Ministers, when they were preparing to make their statements, really understood what had been in the Committee's report, although that report had not been published until a few minutes before the statements were made. If the Committee's recommendations were given to the Secretary of State's political assistant, it is beyond credibility that that had no influence on the fact that Ministers, after the report was published, set out to rubbish the report merely so as to subvert the Committee's recommendations. That must not be allowed to happen again.

I make this speech in defence of the House because if we cannot, as Select Committees of the House, hold the Executive fully to account, we are failing in our duty, and I believe that Governments, whatever their complexion, must try to ensure that we can achieve that. I believe that the Government are open to severe criticism on that basis.

5.39 pm

**Mr. Ted Rowlands** (Merthyr Tydfil and Rhymney): I shall not follow the right hon. Member for East Devon (Sir P. Emery) in much of what he said because, in some respects, there is common ground between us on a Select Committee's role and functions and, in particular, on the powerful reaffirmation of that role which is contained in our report.

In that context, I particularly underline those conclusions and paragraphs which state that we had every right to hold an inquiry of the kind that we did. If, every time a Select Committee considered undertaking such an inquiry, it was within the gift of the Executive to set up an alternative inquiry, the Select Committee would be neutered and that would be wrong. I am sure that we have common ground in that regard, and I hope that we would gain the support of the majority of hon. Members—at least, those on the Back Benches.

However, the Opposition motion, which seeks to lay special emphasis upon ministerial responsibility, is unjustified and unjustifiable, given the totality of the Legg report and of the Select Committee's report, and the mountain of evidence that was collected. For such an emphasis to be laid by the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) in his speech and in the Opposition motion is, in a curious way, an addition to the catalogue of misleading elements that have dogged the affair.

That is because that emphasis distracts from the most extraordinary feature that emerges from all the evidence and inquiries, which is that Ministers were kept in the dark about sensitive political issues that were going on and being discussed, initially within the bowels of the Foreign and Commonwealth Office, but which gradually rose to the top, to the level of permanent secretary.

*[Mr. Ted Rowlands]*

I, like everybody else, have found that one of the most mystifying and mysterious aspects of the whole affair was that, despite all the Select Committee's efforts to discover quite what had happened and why, the central feature of all the evidence that emerged, which jumps out at one, which screams at one, was that Ministers were kept completely in the dark about quite fundamental aspects. That is why I do not agree with the emphasis of the Opposition motion. However, it is a question that we must try to answer, or at least address.

I need not illustrate that too much because the Select Committee's report is a detailed catalogue, as in some respects is the Legg report—I agree with the muted criticisms of that report by my hon. Friend the Member for Swansea, East (Mr. Anderson)—although it does not bring out the matter to the same extent.

The high commissioner, as a result of the most wonderful and commendable contact with President Kabbah, obtained "priceless" information about an arms contract, but did not initially effectively convey the nature of that information to officials in the Foreign Office.

However, Foreign Office officials dealing with the matter in London, in addition eventually to receiving from Mr. Penfold the minute of 2 February saying that this was a contract dealing with the purchase of arms had, by this time, also received, through their connections and contacts with Sandline, details of Operation Python—a detailed blow-by-blow account of how the contract was to be delivered and executed.

**Sir John Stanley** (Tonbridge and Malling): To be clear on that point, the Foreign Office officials received that critical document from the British high commissioner who had previously received it from Sandline; and the British high commissioner, Mr. Penfold, passed it to the Foreign Office the day after he received it from Sandline.

**Mr. Rowlands:** Yes, that is a factual statement. It is commendable that Foreign Office officials obtained that information with such speed.

The officials, however, did absolutely nothing. They did not inform their senior officials, and they certainly did not inform the Foreign Secretary's private office, let alone the Minister of State responsible. I hope that the Minister of State will confirm that he did not know that the document on Operation Python was available in the Department. It was an extraordinary state of affairs.

As the right hon. and learned Member for North-East Fife (Mr. Campbell) said, and as we know from the television programme, the Customs office knocked on the FCO's doors and raided the files, but the permanent under-secretary did not feel it sufficiently important to write even the simplest of minutes to tell the Foreign Secretary that he should be aware of what had occurred. This conjunction is incredible, and requires explanation.

**Mr. Mackinlay:** My hon. Friend puts his finger on the bulk of our criticism. The Foreign Secretary did not tell us, but perhaps the Minister of State will, why the Government consider the Committee's criticism to be disproportionate and unfair. Why do they take that view, given the points made by my hon. Friend?

**Mr. Rowlands:** My hon. Friend asks the question, and we await an answer from the Minister.

Given the circumstances that I have described, I do not believe that my right hon. Friend the Secretary of State was fair in claiming that by holding our inquiry we were putting officials in double jeopardy, and that officials could not speak for themselves. Anyone reading the burden of our evidence in the lengthy transcripts will see that many members of the Committee—it was certainly the burden of my questions—were almost pleading and begging officials to explain what had happened. We did not want to reach those conclusions: it was the last thing we wanted. We tried as hard as we could to discover why this failure to pass information through officials to Ministers had occurred.

I am not a natural critic of the FCO: one of the greatest privileges in my parliamentary and political life was to serve in that Department. I have enormous respect for the FCO, and I understand and appreciate the excitement of serving in such a post. I have tried, therefore, to search for an explanation. Initially, I thought that it might be a structural problem. There have been considerable changes in the way in which the FCO is organised and administered. There has been a growth of command structures: the autonomous, self-financing portions of the FCO. I have once or twice wondered aloud whether the decision-making process had been affected by that autonomy, and whether the chain of communication had been broken, because I had thought that information was passed on quickly. I found no evidence for that explanation, and no support for it when I asked about it. I am as mystified and as dumbfounded about what happened as are other members of the Committee and many others, including Sir Thomas Legg.

The most important thing is that this failure of communication should never happen again. We cannot write a code or a manual on ministerial-civil service relations. All the textbooks in the world cannot describe the curious chemistry of the working relationship between a Secretary of State, a Minister of State, the private office and officials. It cannot be laid down in tablets of stone. I criticise the Opposition motion, because if there is one message that should go out from the House tonight it is that we must not allow such a total breach of communication between officials and Ministers as occurred in this case to happen again.

**Mr. Malcolm Savidge** (Aberdeen, North): Do not paragraphs 10.56 and 10.57 of the report imply that criticism should be levelled less at individuals in the Department—who are described as loyal and conscientious—than at the institution that had been inherited from the last Government?

**Mr. Rowlands:** I think that we all understand the incredible pressures experienced by a small, understaffed Department dealing with west Africa. We must remember that the arrival of all this vital information coincided with the beginning of the Nigerian assault—the assault by ECOMOG—on Sierra Leone. There are mitigating circumstances, which are mentioned in the Legg report; but they cannot explain, or erase, the breach of communication that our report demonstrates so vividly—and, in my view, not inaccurately, unfairly or unjustly.

Let me mention two other aspects of the matter. One is the whole issue of the use of force. I believe that the Government experienced a genuine dilemma in that regard. If they were to restore President Kabbah by some

form of military means, they had two options. They could accept support from a Nigerian regime that was a pariah in the international community, including the Commonwealth; or—and this option was undoubtedly bound up with the Sandline contract—they could arm the Kamajors in Sierra Leone.

Understandably, that second option was queasily opposed by those in the Foreign Office—rightly, in my view. I believe, and document after document states, that it would have been wrong to arm, or rearm, the Kamajors, because that would have inflamed and accentuated the civil war. That is made clear by a number of statements, and by documents from the Cabinet Office. The Sandline contract, however, was designed to do precisely that: arm the Kamajors . Whether or not there was a breach of the UN embargo, the Sandline contract certainly constituted a breach of Government policy in every meaningful sense, and that is one of the saddest aspects of the affair.

In his evidence to the Committee, Mr. Spicer of Sandline pleaded ignorance of the UN arms embargo. That is curious. On 2 March, in a letter to President Kabbah describing the difficulty that he had experienced in delivering the contract, Mr. Spicer invoked the embargo as the obstacle. That was before any Customs raid had taken place. I view some of the pleas of total ignorance with a degree of incredulity.

Like everyone else, however, I feel that the issues must be seen in the broader context of the terrible tragedy of Sierra Leone itself. Diamonds and mercenaries have not proved to be Sierra Leone's best friends, in any sense. If there is another lesson that we can learn, it is that we should act on the whole question of arms brokerage and mercenary activity. It worries me that the idea that mercenaries could or should be used legitimately in certain circumstances is being mooted in fashionable quarters. Experts have said as much on television. It is being suggested that we should return to an earlier age of privatised warfare. If the privatisation of war is to be the bequest of the late 20th century to the 21st, that will constitute an horrific illustration of how little we have learned from our history.

I hope that, when the arguments are over, my right hon. Friend the Foreign Secretary, and the Government, will find time to promote, wherever possible, a broader international consensus on how mercenary activity should be dealt with. The position is extraordinary. How in the name of heaven did Ukrainian mercenaries manage to reach Sierra Leone? We know, or suspect, how they were paid—they were paid in diamonds, in one way or another—but how did they get there? What was the chain, and what international connivance allowed it to happen? In the answer to those questions lies one of the important lessons that can be learned from the whole affair.

I hope that my right hon. Friend will not mind my making a final observation about the mild irony of the conjunction of certain circumstances. One of his early acts in government was to commission the FCO historian to write a definitive account of an earlier Foreign Office mystery, the mystery of the Zinoviev letter; and one of the most interesting aspects of that paper, which makes fascinating reading, is the title chosen by that chief historian in the FCO to describe the 1924 mystery—"A Most Extraordinary and Mysterious Business". It is not a bad epitaph for Sierra Leone.

5.56 pm

**Sir John Stanley** (Tonbridge and Malling): I am pleased to be able to follow the pertinent and experienced speech of the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), with much of which I agreed. I shall devote most of my own speech to what I regard as the most neglected aspect of the affair: the Government's overall policy on Sierra Leone.

I want to make two observations relating to the Select Committee report. One concerns officials, the other Ministers. When the Foreign Secretary made his statement about the Legg report on 27 July last year, he said at the outset that he was making it on the first available sitting day following his receipt of the report. He is to be commended on his promptness in coming to the House.

I do not know whether the right hon. Gentleman had time to read the report from cover to cover, but I would not be surprised—I do not say this in any spirit of criticism—if he had been unable to read in full the Legg key documents, 1 to 123. The Committee, of course, had the benefit of access to those documents. I think it most unlikely that, if the Foreign Secretary had had time to read them in full, he would have chosen to single out in his statement one official in the Foreign Office, the British high commissioner Mr. Peter Penfold, and to name him in the House for public reprimand—a naming that was carried extensively in that evening's television bulletins.

A valuable aspect of the Select Committee's report is the fact that the Committee managed to rebalance, at official level, the issue of where responsibility lay. It is patent that, where there were failures, they were not exclusively the responsibility of Mr. Peter Penfold; there were serious official failures elsewhere in the Department, going right up to the permanent under-secretary. It is important to note that a greater degree of justice has been done to Mr. Penfold in that respect.

**Mr. Eric Illsley** (Barnsley, Central): I think that the right hon. Gentleman and I will disagree on this point. What was Mr. Penfold doing when he was holding meetings with mercenaries throughout the Christmas holiday, when he was back in the United Kingdom? That is the $64,000 question: why was he negotiating, or dealing, with mercenaries?

**Sir John Stanley:** The answer to that question will be clear when I turn to my second point—the responsibility of Ministers—but Mr. Peter Penfold was by no means alone among Foreign Office officials in having contacts with Sandline International.

It is abundantly clear, indeed indisputable, that what impaled the Foreign Office on the Sandline International affair was the decision, which was conscious and deliberate, to misdescribe the arms embargo policy. I am in no doubt that all the diplomatic service officials who have been before us are men and women of integrity, and that, if all the officials concerned had been clear that the arms embargo applied to all the parties to the Sierra Leone crisis, including the Government of President Kabbah in exile in Guinea, the Foreign Office would not have become involved in Sandline International's activities. It was the misdescription of the policy that lay at the heart of the Foreign Office's difficulties.

The misdescription started at an early stage and continued from the autumn of 1997 through the rest of that year to the time when President Kabbah was restored.

*[Sir John Stanley]*

It is not adequate to say that officials were responsible for the misdescription of the policy. Ministers are responsible for policy and its presentation. It was not simply an external matter. The misdescription was carried through into the internal communications of the Foreign Office.

Three Ministers were associated with the misdescription: the Prime Minister, the Foreign Secretary, and the Minister of State, Foreign and Commonwealth Office, the hon. Member for Manchester, Central (Mr. Lloyd). As chair of the Commonwealth Heads of Government conference in October, the Prime Minister must take responsibility to a degree for the fact that the communiqué of 27 October misdescribed the arms embargo policy. Indeed, if that communiqué had correctly described the policy—if President Kabbah had known what the real policy of the British Government was—I am certain that President Kabbah, who had attended the conference by invitation, even though he was no longer in government in Freetown, and had been delighted to be at that conference, would have been furious. As Foreign Secretary, the right hon. Gentleman must, without question, have been associated with and played a role in approving the communiqué at the end of the conference.

I found extraordinary the way in which the Foreign Secretary sought to dismiss the Minister of State's description of the arms embargo on 12 March last year. Far from being irrelevant, 12 March was a critical date in relation to making it clear to whom the arms embargo applied because, two days previously, on 10 March, President Kabbah had been restored to Freetown. The arms embargo applied to the very Government who were now in post in Freetown. Therefore, if there had been a time in Parliament when it was necessary to make it clear that the arms embargo applied to President Kabbah, it was precisely that moment on 12 March.

I find it singularly unattractive and somewhat distasteful that throughout, Ministers have sought, on the Floor of the House and in evidence before the Foreign Affairs Committee, to lay the blame for the misdescription of the policy at the door of officials. It is unacceptable that, on such a central issue, Ministers have not accepted their responsibility for the misdescription.

**Mr. Gapes:** The right hon. Gentleman has long experience of being a member of the Foreign Affairs Committee. Indeed, he and I served on the Committee for five years in the previous Parliament. It is in that context that I want to ask him to confirm that the conclusions of the Foreign Affairs Committee report on Sierra Leone do not criticise Ministers, whereas he, my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) and I were on the Committee in 1994, when, with a Conservative majority, it produced a report on the Pergau dam that explicitly condemned Ministers, including the former Secretary of State for Defence, for their behaviour with regard to the House and for the way in which they had dealt with that matter. Will he confirm that the latest Select Committee report does not specifically condemn Ministers?

**Sir John Stanley:** I am delighted to agree with the hon. Gentleman that, in the previous Parliament—and I do not wish to be called out of order—the Conservative Members on the Foreign Affairs Committee, who were in a substantial majority, unshakeably did their duty to criticise the then Executive. As for Ministers and the latest report, he will see from the proceedings section that a number of amendments were tabled. They were voted down in some circumstances, but, even with the report as published, it is far from true to say that it is free of criticism of Ministers. The Select Committee makes it clear that half-truths are unacceptable and that half-truths are one of the central issues.

**Mr. Illsley:** Will the right hon. Gentleman give way?

**Sir John Stanley:** I know that other hon. Members want to speak in the debate and I am anxious to help them, but I will give way once more.

**Mr. Illsley:** The right hon. Gentleman referred to misdescription, as has the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), who refused to give way earlier on the same point. Following parliamentary questions that were tabled by me and by one of my colleagues, it became apparent that, from 1979 to the present, Orders in Council confirming United Nations embargoes in relation to various countries had described policy and been circulated in exactly the same manner as they have been by the present Government. Therefore, in terms of misdescription, the Government appear to be doing nothing different from previous Governments.

**Sir John Stanley:** Based on a written answer that the Select Committee received, I agree with the hon. Gentleman. The practice had always been to circulate United Nations Security Council resolutions in toto, rather than the Orders in Council themselves. That policy has been stated by Ministers. It has, apparently, been a long-standing practice. However, I am not aware of a previous occasion when Ministers have described, as they need to do in a single sentence or two, the ambit of the criminal law on arms embargo conspicuously inaccurately.

I move to my central point: the issue of Sierra Leone policy, which has been seriously neglected. The Foreign Secretary spoke as if the British Government's policy was the most committed of any country towards the restoration of the democratic regime of President Kabbah. The right hon. Gentleman, perhaps not for the first time, was highly selective in his description. It applied to the period from March 1998 onwards, after President Kabbah was restored to power.

The following question is central to the debate: what was the British Government's policy between May 1997, when President Kabbah was ousted, and March 1998, when he was restored to power? That is the critical period for the purposes of the report.

The policy was established within a matter of weeks of the ousting of President Kabbah. As far as I am aware, the policy was stated for the very first time in the written answer that the Minister of State gave me on 11 July 1997, at column *625*. It was the first time on which it was explained that the Government's policy was based on a peaceful solution to the crisis. That policy, having been stated, became set in stone. It was, of course, reflected in the terms of the United Nations Security Council resolution, and continued to be repeated right up to the point at which President Kabbah was restored to power.

The question that I have to ask is how realistic was that policy? Military juntas—particularly an extremely nasty military junta like the one in Sierra Leone—do not have a very good track record of going peacefully out of power, and that junta was absolutely no exception. After going through all the Legg documentation, I have seen not one piece of evidence that the British Government's policy of peaceful solution had any impact on the junta's policy. I do not believe that the policy ever had any chance of success. It was doomed to failure from the outset, and fail it did. President Kabbah was restored not because of British Government policy but in spite of British Government policy.

Some officials, of course, became increasingly concerned about whether the policy could be sustained. However, it was what Ministers decided to do. It was their policy; it was a cul-de-sac, leading nowhere.

If I make those criticisms, hon. Members are perfectly entitled to come back at me and ask, "What should the policy have been?" I do not agree with the hon. Member for Merthyr Tydfil and Rhymney that there were only two options—either continue the policy of peaceful solution, or arm the Kamajors. The third option, which I believe is the one that should have been followed, was not to send in British troops—as I believe that there was absolutely no case for putting at risk in that particular theatre the lives of British service men and service women—but to give logistical and intelligence support to ECOMOG. It is the very policy that is now being followed.

As the hon. Member for Merthyr Tydfil and Rhymney made it clear, there was a significant point of difficulty in that policy. As we know, the difficulty was that ECOMOG was Nigerian-forces led. Moreover, we are talking now about the Nigeria of Abacha.

We have a Government who are committed to an ethical foreign policy. I say that with absolutely no disparagement. Ethical considerations are a very important dimension to all foreign policy, and formed part of the previous Government's foreign policy. Two ethical issues were in conflict in the matter. The Government had the option either of continuing with a policy that led nowhere, or of "swallowing the pill" in giving logistical and military support to ECOMOG and achieving their prime ethical objective: restoration of the democratically elected Government of President Kabbah. I believe that the latter option is the one that should have been followed.

Sadly beyond doubt is the fact that, in Sierra Leone, between May 1997 and March 1998, we saw—certainly not for the first time this century—something that has happened previously under both Conservative and Labour Governments: foreign policy being driven by wishful thinking, rather than by recognition of the harsh realities. Once again, it resulted in failure.

6.14 pm

**Ms Diane Abbott** (Hackney, North and Stoke Newington): I should like to touch on what the Select Committee's report reveals about issues in the relationship between Government and Select Committees. Although the debate has so far been more about implementation of policy rather than its substance—for which we might be criticised—policy implementation is key both to government and to the reality of government. A three-hour debate spent in examining those issues is therefore warranted.

Obscured by all the sound and fury surrounding the Select Committee's report is the fact that it was a Labour report, which every Labour member of the Committee, and our Liberal Democrat colleague on it, signed. Despite all the talk about partisanship and party political interests, the fact is that it was a Labour report—making it all the more remarkable that there was such fear of it, such a need to have sight of it before the embargo was lifted, and such a need to rubbish it precipitately. It really is extraordinary that a Labour report should excite so much antagonism from a Labour Government.

There never was a golden era in the relationship between Select Committees and Government. For eight years, I served on the Treasury Committee, under the distinguished chairmanship of a series of Tory Chairmen. Let us be quite clear that the previous Government could be just as ruthless and manipulative in their relationship with Select Committees as the Government have been in the past 18 months.

There never was a golden era in the relationship. None the less, when a Government have the majority that my Government have, and when—with the greatest respect to my colleagues—an Opposition are as weak as the current one, the role of Select Committees, as part of the system of checks and balances and of scrutiny, deserves, and perhaps currently is, receiving, far greater emphasis than before.

When a Government have a large majority and a command and control attitude to governance, Select Committees should play a key role in acting as a check and a balance, and in enabling Government policy to be subject to proper scrutiny and examination.

One criticism of the Foreign Affairs Committee was that it produced its report with the benefit of hindsight. I tell Ministers that producing reports in that manner is the exact role of Select Committees. They should consider past events and draw conclusions—which is what the Foreign Affairs Committee quite correctly did in its report.

In the Treasury Committee, we had our fair share of gut-wrenchingly sycophantic Government questioners of Ministers. We had our fair share of reports containing rather bland recommendations, because party political conflicts could not be resolved. We had our fair share also of Chairmen who turned up on the "Today" programme to act as apologists for the Government. However, in that Committee, certainly in the eight years that I served on it, we were always clear about the fact that we were a Committee of the House. We were not an arm of Government.

I should add that, although some things happened in that Select Committee that should not have happened, I served under several Tory Chairmen who were scrupulous in not using their chairmanship to act as apologists for the Government. As a Committee—which included some interesting characters—we were always clear that we were our own Committee, that we were a Committee of the House and that we chose our own agenda. Although some of the recommendations in our reports were fudged, they were always—throughout the Parliaments in which we served—substantial reports in which we made clear arguments.

At the beginning of this Parliament, I was removed from the Treasury Committee. Why? I do not know. Perhaps it was felt that, as I had served on it for eight

*[Ms Diane Abbott]*

years, I might just be capable of making a speech on Treasury matters without a brief from Millbank. Of course, that would never do.

**Mr. Mackinlay:** It will be the Catering Committee for you next.

**Ms Abbott:** Perhaps, if I am here after the next general election. However, as long as I am an hon. Member, I intend to fulfil my role as an independent Back Bencher.

I was removed from the Treasury Committee and appointed to the Foreign Affairs Committee, under the very distinguished chairmanship of my hon. Friend the Member for Swansea, East (Mr. Anderson). However, as soon as I was appointed to the Foreign Affairs Committee—despite the manifold experience, expertise and brilliance of my colleagues—I sensed in the air something that was very different from the atmosphere in which the Treasury Committee had operated. It was the notion that, in some sense, the Foreign Affairs Committee was a branch of the Foreign Office. During my first few weeks on the Select Committee I was charmed and delighted that the entire Committee was called to lunch with the Foreign Secretary. In my eight years on the Treasury Committee we had never been called to lunch with a Treasury Minister. We all trooped into lunch and the Foreign Secretary gave us the benefit of his views on what we should be doing. It turned out that he thought that we should be travelling to far-flung corners of the globe and staying there and building good personal relationships with obscure Wisconsin Congressmen.

I was interested to hear the Foreign Secretary's views on what the Select Committee should be doing, but I was not entirely clear what business it was of his. I am afraid that it was my voice that piped up at that lunch, as it has at many subsequent Committee meetings, to say to the Foreign Secretary, "We are a Committee of the House and it is not clear to me why you are giving us the benefit of your thoughts on what we should be doing."

That is not a criticism of any colleagues or even of any Ministers, but I just caught in the air a sense that the Committee was some sort of branch of the Foreign Office and that we were good for entertaining 10th ranking dignitaries from obscure central European states and that was about it. Having served for eight years on a different sort of Select Committee, I came to the Foreign Affairs Committee with the clear notion that, above all, we had to struggle for our independence and to be taken seriously.

It is not enough for colleagues to wail about the Sierra Leone affair and about the fact that the Tories are making political capital out of it. What on earth are we to expect Tories to do? It is their job. Ministers must understand why they are back on the Floor of the House two years after the event having to answer for their activities.

Some unkind members on the committee—not me or my colleagues—refer to some of the Ministers' aides-de-camp as Haldeman and Erlichman. I will not do that today. If one asks Ministers—even if one were to ask Haldeman and Erlichman—they will say that this issue has run on because the Tories are making political capital. Hello, what are the Opposition supposed to do? If they are asked again, they might say that someone is a troublemaker or that someone is bitter because he or she is not a Minister. The one thing that Ministers and their aides-de-camp will not address is the very real issue about the relationship between the Executive and the legislature that has been raised in the long-running battle between the Select Committee and the Government.

For as long as they content themselves with ad hominem attacks, things will not change. I was telephoned by a journalist yesterday who told me that people at the Foreign Office have an arsenal of personal information that they want to release about me as part of a fight-back against the Foreign Affairs Committee. I must tell the House—it is no big secret—that, since having my son seven years ago, I have led a private life of stupefying dullness, but I wish them luck in their attempt. *[Interruption.]* My hon. Friend the Member for Rotherham (Mr. MacShane) may laugh.

The problem that Ministers have with the Select Committee does not concern individuals, and it is not about bad luck or about the Opposition wilfully doing what they are supposed to do, which is to oppose. It is their own unwillingness to recognise that Select Committees have a right, an obligation and a duty to act independently. They have a duty to determine their own agenda. On Sierra Leone, the Select Committee had a duty to produce the report that it did. It was wrong and provocative of Ministers to imply that we did not need to produce the report, that we discovered nothing new and that the report was in some sense worthless. That is not the way to build a constructive relationship with the Select Committee.

Much has been said about the content of the report, which is important, but my argument to the House and to Labour colleagues is that if Ministers learn nothing by having to turn up and answer for themselves so long after the event, they must learn something about the right way to conduct relationships with the legislature. Select Committees are not an arm of Government. I shall touch on some of the pressure points of the relationship between Select Committees and the Government on which it is worth my right hon. and hon. Friends on the Treasury Bench reflecting.

Under this Government—it is not a new phenomenon, but it is intensified—we have seen an attempt to make the Whips Office writ run inside Select Committee meetings. We have had undue interference—it is passed now but I want to put it on the record—about who should be the Chair of Select Committees. I served on the Treasury Committee for eight years. During every Parliament we got winks and nods about who the usual channels had agreed should be the Chair. Twice running, my Select Committee ignored those winks and nods and we made our own choice. The Whips knew that they could advise, hint and suggest, but they could not make us appoint a Chair whom we did not want. I know of a Select Committee—it was not mine—where the Labour Whips went as far as holding a meeting inside the Committee Room prior to the Committee's first meeting. They had a vote on who should be Chairman and bound Labour Members to it in order to ram through the Chair of their choice.

Another issue—I have mentioned it but I will raise it again—is the notion that the Government can determine what Select Committees can or should investigate. It is for Select Committees to decide what to investigate. It is not proper for Ministers to maintain pressure on Select Committees saying, "We do not think that you should be

investigating this. Anybody who votes for investigating this is an enemy of the regime". That is not proper and it is not an aid to good government.

**Sir John Stanley:** I am listening carefully to the hon. Lady. Does she agree that, on this occasion, the Chairmen designate of Select Committees were announced by her party before the Select Committees had even met?

**Ms Abbott:** I am always very careful about what I say on the Floor of the House. I was not present at the meeting of the parliamentary Labour party where that was done. Labour colleagues who were present might want to comment.

I have talked about a concerted effort to make the Whips writ run in the Select Committee. That is wholly improper and undermines the basis on which Select Committees operate. I have talked about an attempt to determine what Select Committees can inquire into. Finally, the Foreign Affairs Committee suffered ad nauseam from people, presumably loyal to their Government, seeking to advance the Government's cause not by engaging in the arguments that the Select Committee is making, but by rubbishing the work of the Select Committee and the individuals who serve on it. Where has it got people? It has meant that two years later individuals are having to account for themselves on the Floor of the House.

It was a privilege to serve on the Treasury Committee and it is a privilege to serve on the Foreign Affairs Committee. I have had the honour of serving under a number of distinguished Chairs, including the current Chairman of the Foreign Affairs Committee. The Government see Select Committees as an irritant, an obstacle and a problem that must somehow be brought under the command and control structure. I believe that Select Committees can enhance the work of the Government. I believe that they can help to make government more transparent and more accountable and be a factor in producing better government. After all, is not better government what we are all about?

6.29 pm

**Mr. Crispin Blunt** (Reigate): The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) and my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley) have made clear the effective role of Select Committees under the previous Government.

Before I begin my remarks I want to follow a hare that was set running by the Chairman of the Foreign Affairs Committee, the hon. Member for Swansea, East (Mr. Anderson). He made a disgraceful allegation that has wide currency in the Scott affair and the arms to Iraq affair. He said that Ministers under the previous Government were prepared to see innocent business men go to prison. That is absolutely and totally untrue. When the defence in a criminal trial have discovery of documents, if those documents are classified, it is the duty of Ministers to sign public interest immunity certificates, in the knowledge that the judge in the case will see the documents and reach a conclusion as to whether they are pertinent to the defence. If they are, they will be given to the defence. I hope that the hon. Gentleman, who is a fair man, does not believe that Ministers for whom I worked—I have direct knowledge of the issue—would have contemplated putting themselves in such a position.

Last Wednesday, when the Foreign Secretary made his latest statement on Sierra Leone, I did not catch Madam Speaker's eye. The right hon. Gentleman challenged Ministers from the previous Government to say that they had not seen early copies of Select Committee reports.

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Order. Madam Speaker has made a ruling that I have reiterated: we should not talk about the leak. It has been mentioned in passing, but we should not talk about it. We should just talk about the motion and the amendment before us.

**Mr. Blunt:** I wanted to refer to it in passing, simply to say that under the—

**Mr. Deputy Speaker:** Order. The hon. Gentleman should take my advice and deal with the motion. The House knows what to do.

**Mr. Blunt:** Under the tenure of the previous Foreign Secretary, a Rolls-Royce Department performed as a Rolls-Royce. It did not stagger from one own goal to the next. The permanent under-secretary was generally happy in the discharge of his duties. There were no rumours of Sir John Coles saying that he would not go before a Committee of the House again to cover up for his ministerial masters after yet another mauling from the Foreign Affairs Committee.

**Mr. Illsley:** There have already been two or three references during the debate to the Scott report and the Pergau dam inquiry. How can the hon. Gentleman say that under the previous Government the Foreign Office did not have problems and crises?

**Mr. Blunt:** Let us make the comparison. The Foreign Secretary has been in office for as long as his predecessor was. Under his predecessor, the Foreign Office dealt with issues such as the Hong Kong handover, the intergovernmental conference and the Bosnia Dayton accord, to name but three. It did not stagger from one crisis to the next. There were not controversies week after week over foreign affairs.

Why has the conduct of foreign policy changed? Why has the Rolls-Royce of a Department been reduced to an old banger, in the words of the Chairman of the Select Committee? The answer is ministerial leadership. That goes to the heart of the objective of new Labour—to be all things to all men. As soon as he came to office, the Foreign Secretary launched his ethical dimension to foreign policy. The contradictions were immediately and cruelly exposed on exports to Indonesia and on Kashmir. There was no suggestion under the previous Foreign Secretary of a state visit becoming a foreign policy disaster.

Even in opposition, when the right hon. Gentleman addressed a meeting of largely Indian British citizens in Southall he told them that Kashmir was part of India. He was received with cheers. When the point was put to him afterwards, he denied it. Unfortunately—

**Mr. Gapes:** On a point of order, Mr. Deputy Speaker. I have been looking at the Select Committee report, but I

*[Mr. Gapes]*

cannot see any reference to Kashmir. Is it in order to have a debate on Kashmir when we are supposed to be debating Sierra Leone?

**Mr. Deputy Speaker (Mr. Michael Lord):** It is the responsibility of the hon. Member who is speaking to debate the motion that is before the House.

**Mr. Blunt:** As the hon. Gentleman knows, I am debating the conduct of foreign policy that has led to this shambles over Sierra Leone and goodness knows how many others. Policy towards Kashmir is a classic example of the Government's desire to be all things to all men. That is why they are incapable of giving leadership and why a Rolls-Royce of a Department has ended up as an old banger. Kashmir is a good example. The Foreign Secretary had to backtrack from what he said to an Indian audience in Southall. The Pakistani high commissioner then had to go to the Labour party conference in Blackpool to write Labour's policy statement.

**Mr. Deputy Speaker:** I should be grateful if the hon. Gentleman returned to the subject of Sierra Leone.

**Mr. Blunt:** In returning to the subject of Sierra Leone, perhaps I could touch on other areas, such as the Gulf and Kosovo, on which the Government do not have means and ends aligned in a way that will result in the execution of British foreign policy. Sierra Leone is a classic example of the Government willing the ends but not the means. The Government's policy was the peaceful restoration of the Kabbah Government. My right hon. Friend the Member for Tonbridge and Malling elegantly explained why that policy could not succeed. Peter Penfold knew that. Tim Spicer knew that. President Kabbah knew that. The United Nations legal secretariat knew that when it interpreted Security Council resolution 1132.

The first failure of ministerial leadership was the fact that resolution 1132 sought to be all things to all men and could be interpreted differently by United Nations legal advisers in New York and legal advisers for the Foreign Office. The problem was drafted into an international text because the Government attempted to be all things to all men.

The practitioners knew the harsh truth that only military force would remove an unpleasant military junta from rule in Sierra Leone. The Minister denied that reality. His repeatedly expressed visceral distaste for private military companies spoke volumes about his inability to face the facts about what was required to restore the situation in Sierra Leone.

The irony is that Sandline was central to President Kabbah's restoration to power in early 1998. The December attack by ECOMOG failed. Only when ECOMOG had the benefit of the decent military advice and staff planning supplied by Sandline under contract from President Kabbah was its subsequent attack on Freetown a success.

There was confusion throughout the Government about the objectives. The Under-Secretary of State for International Development is on the Front Bench at the moment. His Department gave £250,000 for communications equipment to President Kabbah during his exile. That equipment was used to broadcast invitations to the Kamajors in Sierra Leone to rise up in military revolt, in contradiction of the stated British policy of peaceful restoration of the Government. The confusion sown by ministerial leadership had the absurd result of a company that had briefed Ministers in London and the high commissioner on the ground being investigated by other officials of the Crown.

**Mr. Mackinlay:** Will the hon. Gentleman give way?

**Mr. Blunt:** I do not have time.

The cavilling, confused language in Security Council resolution 1132, typical of policy pursued by the Government, started them on the road to trouble. The hand-wringing, stuttering uncertainty in dealing with that difficult, bloody situation that has been characteristic of the Minister's handling has led to the problems. The delivery of the humanitarian, democratic and British interest was obstructed by the Government's agonies over the means that they needed to adopt to secure the ends.

The Government endorsed the end, but they were not prepared to face up to the means. No wonder Peter Penfold and Sandline were confused about the Government's position. They were the heroes of the shambles—people who were prepared to act to achieve the agreed and desirable objective. The Prime Minister endorsed Peter Penfold when he first became aware of the affair.

Peter Penfold and Sandline pursued their goals through a sea of cavilling Ministers and officials, few of whom acted with courage and decisiveness, or accepted responsibility. The primary objective of Ministers and many officials has been to cover their backs. That characterised the Foreign Secretary's handling of the reports. The horrifying harshness of what was happening in Sierra Leone was accompanied by Ministers trying to face in all directions at once.

Since 1 May 1997, the Foreign Office has had disastrous personal leadership from Ministers. That is why the Rolls-Royce has been reduced to the status of an old banger. The Foreign Secretary and the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd), should consider their positions.

6.40 pm

**Mrs. Cheryl Gillan** (Chesham and Amersham): I in no way underestimate the cycle of violence in Sierra Leone. Some hon. Members have sought to diminish our interest in the plight of the people in that country. We say that the situation is desperate, and any effort to relieve the suffering of the people of Sierra Leone will be supported by Conservative Members.

The contributions to this debate have been well-informed and have shown care and diligence. We have heard distinguished contributions from my right hon. Friends the Members for East Devon (Sir P. Emery) and for Tonbridge and Malling (Sir J. Stanley) and from my hon. Friend the Member for Reigate (Mr. Blunt). My right hon. Friend the Member for Tonbridge and Malling made a superb speech and went into the details of the Government's contortions and the flaws in their policy towards Sierra Leone.

Even more telling, though, were the contributions from Government Members. The hon. Members for Swansea, East (Mr. Anderson) and for Merthyr Tydfil and Rhymney

(Mr. Rowlands)—distinguished members of the Select Committee—seemed very willing to wound the beast but not to deliver the coup de grace; but the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) proved once again her superb independence. If she will permit me, I will pay her a compliment: she is charming but lethal.

I am sorry that we did not have more time to accommodate all the hon. Members who wanted to contribute. We have spent three hours debating one of the most scathing reports ever published by a Select Committee on the workings of a Department.

**The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes):** The hon. Lady has not been here very long.

**Mrs. Gillan:** I have been here long enough to know a Government who are a shambles when I see one, and in the past two years my eyes have certainly been opened by the Labour Government.

The Select Committee report was compiled in what could almost be described as a hostile environment. It says:

"Our inquiry has given a unique insight into the working, or lack of working in this case, of the FCO machine."

The report goes on to say:

"It has exposed even further a story which the FCO would have preferred not to have had besmirch its reputation."

The Foreign Secretary did not want the report to see the light of day but, thanks to the Committee's determination, it has been published and the whole House can draw its conclusions on the sorry affair from both the Select Committee report and the Legg report.

The reputation of the Foreign Office has indeed been besmirched, and the Foreign Secretary and the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd) have betrayed the trust placed in them, that they would at the very least conduct the foreign affairs of this country in a competent fashion, finish the paperwork and deal in whole truths, not half-truths: a trust that we can, sadly, no longer place safely in them.

My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) spelled out the main indictments. Like him, I will not dwell on the serious questions of integrity raised by the revelation that the Foreign Secretary, by foul means rather than fair, received four weeks' advance warning of the content of the Select Committee report—that will be investigated by others, as Madam Speaker said—but I will reiterate the specific criticisms that Ministers have sought to brush off and evade in another fine example of the "Not me, guv" society, as practised to perfection by the Government.

At first, the Government tried to frustrate the work of the Committee, as the hon. Member for Swansea, East and my right hon. Friend the Member for East Devon said. The report says:

"The Committee's interest in Sierra Leone continued, but was impeded"—

yes, impeded—

"by the refusal of the Government to release to the Committee, firstly telegrams concerning Sierra Leone and secondly . . . the information which fell within the ambit of the Legg inquiry."

When the Committee's persistence prevailed, Ministers yet again sought to impede its progress.

The report states:

"We have again encountered some frustrations. Our original request to hear three of the officials involved in the affair was met by a proposal that we should take evidence from only one of them."

In the end, a compromise of taking evidence from two officials was agreed on.

The Committee's request to see relevant intelligence reports and take evidence—in private—from the head of the Secret Intelligence Service was refused. Is that open government, or an ethical position? No. The report says:

"This sounds very much like a Minister determined to defend his own position."

As my right hon. Friend the Member for East Devon said, the contrast with the attitudes of other Departments is striking. The Chief of Defence Intelligence was allowed to appear before the Committee, and the director general of the Security Service was allowed to brief the Home Affairs Committee. Even the hon. Member for Swansea, East condemned the lack of access afforded to his Committee. I leave the House to draw its own inevitable conclusions about the Foreign Secretary's actions and whether they were designed to help or to obstruct the inquiry.

Ministers would prefer to interpret the reports as laying the blame at the door of officials. The Foreign Secretary said:

"I would perfectly happily accept any criticisms of myself . . . but there are none."—[*Official Report*, 27 July 1998; Vol. 317, c. 28.]

That really will not wash. Even the Legg report concludes that

"the officials concerned were working hard and conscientiously, and should not be judged too harshly."

Officials made mistakes, no doubt, but so did Ministers. The Select Committee report concludes that the Government's policy on the arms embargo was stated in a way that could mislead Parliament, the public and even the Foreign Office's own staff into thinking that the arms embargo applied only to one side of the warring factions: the junta.

The Legg report lays the blame squarely at the Government's door, saying that it is the Government's responsibility to give citizens, and even their own officials, a reasonable explanation of the laws that they make under delegated powers, especially when those laws create a serious criminal offence: in this case, an offence punishable by up to seven years' imprisonment.

The Legg report says that no such explanation was given. Instead, the impression was given in communications that the embargo applied only to the junta. As Legg concludes, British officials and Ministers

"continued to play this aspect down."

Ministers patently failed to give a clear and full explanation, preferring to deal in half-truths, not whole truths.

If we need further confirmation of that, we need look only as far as the Foreign Secretary, who said, of the telegram that advised key diplomatic staff of the extent of the arms embargo, that it was

"quite plainly wrong that this telegram did not make it clearer what was the full scope of the resolution."

*[Mrs. Gillan]*

I hope that the Minister will deal with the point raised by my right hon. and learned Friend the Member for Folkestone and Hythe and tell us what his response is to the Foreign Secretary telling us that his answer of 12 March was "quite plainly wrong".

The Committee report reinforces ministerial culpability when it refers to the Foreign Office's dealings with Sandline. By way of a final indictment of ministerial behaviour, it says that

"many of the problems which occurred would not have done so . . . If Ministers had made their policy on dealing with mercenaries clearer to officials."

What picture do we paint of Foreign Office Ministers and their competence? It is a very sorry picture of bungling and buck passing. We have a Foreign Secretary who does not finish the paperwork; a Foreign Secretary who deals in the dangerous commodity of half-truths, and is quite content to do so; a Foreign Secretary who should hang his head in shame, but who could not even come to the Dispatch Box today to utter one word of apology for the mess over which he has presided. As his own permanent under-secretary put it:

"The revelation of this mess, which is not a pretty sight, has not been a very enjoyable experience."

He is a master of understatement.

The Foreign Secretary and his Ministers are, and should be, accountable to this House for their policies and their Department's actions. The Foreign Secretary has shown today that he is too arrogant to accept that responsibility, and that "sorry" is a word sadly lacking from his vocabulary. That should be a matter of grave concern in all quarters of this House.

What a shambles—our once-proud foreign service has been brought to its knees after less than two years by a group of incompetent and arrogant Ministers. We are supposed to have an ethical foreign policy, yet by the handling of the Select Committee report and its endeavours to inquire into the facts surrounding the Sierra Leone affair, and through the lack of respect for the responsibilities of this House, the Foreign Secretary has shown that he does not know the meaning of the word ethical.

The Foreign Secretary is a man with a mindset; a man who believes that nothing is his fault; who says that if there is fault, it is not his; a man who obstructs investigation and resists all criticism so that he fails completely to see the chaos that he leaves around him. Tonight we are, first, asking Ministers to take responsibility for their actions—and I hope that the Minister will use the word "sorry" in his speech tonight—and, secondly, demonstrating our support for the Select Committee and its report. I ask all right-minded hon. Members to do the same, and to demonstrate their belief in the Select Committee system and it scrutinising role by voting with us tonight. We believe that the Select Committee was right, and its report catalogues an extended episode of incompetence by the Government. By this report, the Government stand rightly condemned.

6.52 pm

**The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd):** Into my constituency advice bureau a couple of weeks ago came a woman—a British resident, who is from Sierra Leone. She told me a story about her husband, who had custody of their two children and was living in Sierra Leone. It was reported that he had been found on the streets of Freetown with his stomach shot out. He was alive and taken to hospital, but subsequently died. Obviously, her concern was a human one, and my concern for her, as my constituent, was a human one.

Another constituent received news recently of his two daughters in Sierra Leone. One, aged 15, and her aunt—who was looking after her—were the victims of a mass rape by members of the junta. She was then physically abused. The other sister is now missing in that country, and there is no trace of her. I can tell the House many stories of similar atrocities.

The Opposition claimed to talk about Sierra Leone today. However, the shadow Foreign Secretary—in a speech of nearly 20 minutes—spent a little over one minute on the issue of Sierra Leone. That is simply not doing justice to this House, or to any concept of British foreign policy.

The hon. Member for Chesham and Amersham (Mrs. Gillan) said that the Opposition would support the Government on those occasions when our policy was designed to relieve human suffering. However, in the years between the coup taking place in Sierra Leone and President Kabbah moving back to Sierra Leone, no questions were tabled by the official Opposition—except for one, tabled by the right hon. Member for Tonbridge and Malling (Sir J. Stanley). I congratulate the right hon. Gentleman on speaking for the whole Conservative party for all that time.

As no party politics were involved, the shadow Foreign Secretary had no policy at all. That is the reality. I invite the right hon. and learned Gentleman to come to the Dispatch Box any time during my speech—but with this proviso. Will he make clear why his party tabled one question relating to policy specific to Sierra Leone, and many questions on matters of purely party political interest? Will he also say whether he endorses the views of the hon. Member for Reigate (Mr. Blunt)—who, at least, spoke a little about Sierra Leone?

Sadly, the hon. Member for Reigate talked entirely about supporting the role of mercenaries. Does the policy of the Conservative party, now it is in opposition, depend on the espousal of the use of mercenaries—people who have destroyed Sierra Leone and parts of west Africa; ripped the diamonds out of that area; killed those whom they are paid to kill; and worked on either side?

**Mr. Keith Simpson:** Disgraceful!

**Mr. Lloyd:** The hon. Gentleman is quite right—it is disgraceful. It is disgraceful that the hon. Member for Reigate could make such a speech in this House.

During their period of control of Sierra Leone the rebels received no condemnation from the Opposition. Now, when they have been fighting a bitter campaign—abusing and maiming citizens—no criticism has been made in public by the Opposition. Does that not matter to the shadow Foreign Secretary? Does it not matter to the Opposition? During this debate, Conservative Members have, in total, spoken for well over an hour. Comments relating to Sierra Leone have totalled a little over seven minutes. That is what they are reduced to.

I normally admire the right hon. and learned Member for North-East Fife (Mr. Campbell), but he dwelt very little on the substantive issues of Sierra Leone. I shall remember that in future when he wants to take a high moral tone.

**Mr. Menzies Campbell:** I am not concerned with taking a high moral tone. I repeat what I said in my speech; I have already written to the Foreign Secretary, making exactly the point about the need to deal with Sierra Leone, both now and in the future.

**Mr. Tony Lloyd:** I look forward to that letter and to support from, at least, the Liberal Democrats, for our policy.

The right hon. Member for Tonbridge and Malling said that our policy could not succeed. When President Kabbah returned to Freetown last year, he spoke about three countries in particular which had given exemplary support to his regime, kept him going through the dark days and allowed him to return to his own country and lead a democratic Government. Britain was one of those countries—and, I must say, Nigeria was another.

When General Abacha was the military dictator in Nigeria—doing things that we could not or would not want to work alongside—there was no question of our supporting Nigerian military intervention in Sierra Leone. That ought to have been unthinkable. I make no apology for that. I make no apology for the fact that our objectives were the restoration of democracy in Sierra Leone and to secure the return of the democratically elected President to Sierra Leone.

I make no apology for the fact that we did not seek to do that with the intervention of Sandline. Sandline, as numerous people have said, is an irrelevance to the issue. Sandline—quite literally—was a sideline; a political convenience for the shadow Foreign Secretary, but a total irrelevance.

**Mr. Howard:** The Minister of State has told us what he is not apologising for. Will he now apologise for the answer that he gave the House on 12 March using precisely the same language as that which was described by the Foreign Secretary as quite "plainly wrong"?

**Mr. Lloyd:** The shadow Foreign Secretary is hardly the person to speak about half-truths, even in his last comments. Let me make two things clear. First, I answered no questions; I made a speech. I did so when President Kabbah's Government were already reinstated in Freetown. I spoke about the role that Britain had played. I spoke, rightly, about the way in which we helped to restrict arms to the rebels. For that, I make no apology.

Secondly, let me tell the shadow Foreign Secretary something that he did not mention, although the right hon. Member for Tonbridge and Malling seemed to know this. Not long afterwards, we were instrumental in having the Security Council resolution changed to allow the supply to the legal and democratic Government. I make no apology for that.

**Mr. Howard:** Before the Security Council resolution was changed, the embargo applied to everyone connected with Sierra Leone, including President Kabbah's regime. On 12 March the Minister told the House that the embargo was aimed at the junta—precisely the language that the Foreign Secretary said was quite "plainly wrong".

Will the Minister of State address that point and apologise to the House for the quite plainly wrong answer that he gave on 12 March?

**Mr. Lloyd:** That has obviously been a year's work for the shadow Foreign Secretary. I know that he is a talented lawyer, but he is not a very talented shadow Foreign Secretary. Let me help him a little. He got no support from his hon. Friends in the debate, except for one other Conservative speaker.

The real question is whether the Government at any stage misled in a way that was germane. I quote the conclusion of the Foreign Affairs Committee, which stated:

> "It is the view of the Committee that Mr. Spicer should have known the law about arms sales to Sierra Leone."

The Select Committee is quite clear about that. The central charge of the shadow Foreign Secretary's case is not sustained by the report that he is praying in aid in the motion against the Government. That is how little credibility he has.

**Mr. Howard:** I shall try again, for the third or fourth time. It is a perfectly simple, straightforward question. The Minister of State told the House on 12 March that the embargo was aimed at the junta. The Foreign Secretary said that that language was quite "plainly wrong". He said that of language that was identical to that used by the Minister of State. Will the Minister now deal with the matter and apologise for the fact that the answer that he gave the House on 12 March was quite plainly wrong?

**Mr. Lloyd:** Let me remind the shadow Foreign Secretary that I asked him to undertake to make certain comments of his own if he rose to speak at the Dispatch Box, which he signally failed to do. Nevertheless, I shall answer the question.

That statement was not wrong. My right hon. Friend the Foreign Secretary has already made it clear once today that his comment was made in an entirely different context. That is the point. The shadow Foreign Secretary knows that he is dealing in half-truths. He is dealing in lawyers' words. He knows that he has no credibility outside the House when he speaks about Sierra Leone.

**Mr. Mackinlay** *rose—*

**Mr. Lloyd:** I shall say a little about what the British Government have been trying to achieve over recent months. [HON. MEMBERS: "Give way."] Let me tell the right hon. and learned Gentleman what we have been trying to achieve in the context of Sierra Leone.

The right hon. and learned Member for North-East Fife said that the extra £10 million was comparable to the sum that Sandline was prepared to provide. I remind the right hon. and learned Gentleman that Sandline had no moneys of its own—it would have been paid through the mineral wealth of Sierra Leone. That was no act of grace by a military organisation, but a commercial transaction to steal that country's diamonds. We had no intention of dealing with mercenaries or with the expropriation of the mineral wealth of a poor country such as Sierra Leone.

*[Mr. Lloyd]*

The £10 million for Sierra Leone announced by the Foreign Secretary today is on top of the £24 million that has already been committed, and the £20 million that has been given for emergency aid, health care, education and to rebuild the shattered infrastructure of that country. It is on top of the £2 million given before Christmas and a further £2 million given since that time to ECOMOG for logistical support to make sure that Ghanaian troops are there fighting with Nigerian troops, and to make sure that they have the intelligence and communications to prosecute the war properly. We have partners in ECOMOG in whom we have trust.

That is why we have made that commitment. That is why, if President Kabbah were to comment on the Governments from whom he has received support, Britain would rank high on the list. Britain has been pulling its weight and wants Sierra Leone to be secure. Britain is committed to the restoration of democracy. The Government have been responsible for that.

**Mr. Mackinlay** *rose—*

**Mr. Lloyd:** This has been an interesting debate. [HON. MEMBERS: "Give way."] It has revealed to us a shadow Foreign Secretary who has plenty of personal animus, but no policy whatever, and who cannot take the trouble to debate the real issues associated with Sierra Leone, beyond the party political debate.

The Government will not apologise. We believe in democracy in Africa and seek to build that process. Along with our partners, we seek to ensure that the values of human rights—an ethical dimension to foreign policy—is at the core. The House will consider carefully the speeches that we have heard from the Opposition, and the Opposition motion, and will reject it.

**Mr. Mackinlay** *rose—*

**Mr. Deputy Speaker:** Does the hon. Gentleman wish to raise a point of order? I understand that he does not. The Question is, That the original words stand part of the Question.

**Sir Peter Emery:** On a point of order, Mr. Deputy Speaker. Will you inform me what time limit there is on the debate? If an hon. Member rises, it seems to me that he has the right to speak. There is no time limit, and he ought to be recognised.

**Mr. Deputy Speaker:** It is customary in the House, when we have had a full debate and hon. Members on both Front Benches have wound up, to put the Question to the House. That is what I intend to do.

**Sir Peter Emery:** I understand only too well, Mr. Deputy Speaker, that certain procedures in the House are agreed by both sides. However, on an Opposition Day, it is for the Opposition to choose when the Division is to be called. If an hon. Member wants to speak, I believe that under Standing Orders he has the right so to do. He should be given that right, which is the right of any Back Bencher.

**Mr. Deputy Speaker:** Mr. Mackinlay, are you insistent that you wish to speak?

**Mr. Mackinlay:** In view of the adversarial nature of the debate, I wanted to ask the Minister, and perhaps he might respond, about recommendation 29 of the report, which urges the British Government to take initiatives at the United Nations, in the European Union and in Parliament to outlaw mercenaries operating from this country. I listened carefully to the Foreign Secretary and I do not think he said that that recommendation had been adopted. It would have been welcome if the Minister had said that the United Kingdom would take initiatives on the strength of that recommendation.

*Question put,* That the original words stand part of the Question:—

*The House divided:* Ayes 171, Noes 336.

**Division No. 83]** **[7.10 pm**

**AYES**

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John

Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Webb, Steve
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

**Tellers for the Ayes:**
**Mr. Stephen Day and**
**Mrs. Caroline Spelman.**

**NOES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Brinton, Mrs Helen
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*

O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Noes:**
**Mr. Mike Hall and**
**Mr. David Clelland.**

*Question accordingly negatived.*

*Question,* That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

*Resolved,*

That this House welcomes the decision of the Foreign Affairs Committee in its Second Report of Session 1998–99 (HC 116) on Sierra Leone to commend the resolute support which the British Government is giving to the restoration of democracy in Sierra Leone and endorses the conclusion of the Legg Inquiry that no Minister had given encouragement or approval to any breach of the arms embargo on Sierra Leone; notes that the inquiry on Sierra Leone of the Foreign Affairs Committee has found no evidence of Ministerial encouragement or approval; and congratulates Her Majesty's Government on accepting all the recommendations of the Report of the Legg Inquiry and on the steps it has since taken to modernise management in the FCO.

## Burdens on Schools

**Mr. Deputy Speaker (Mr. Michael Lord):** I have to inform the House that Madam Speaker has selected the amendment in the name of the Prime Minister.

7.23 pm

**Mr. David Willetts** (Havant): I beg to move,

That this House deplores the bureaucratic burdens placed on schools by the Government which are seriously undermining schools' ability to run their own affairs; condemns the pursuit of uniformity at the expense of diversity; considers the Government's proposals for performance-related pay for teachers to be cumbersome and unworkable; believes the complicated process of bidding for centralised initiatives is fragmenting budgetary responsibility and has caused unacceptable delays in setting indicative budgets; and further believes that the Government's ceaseless flow of directives to schools and LEAs has become a significant obstacle to raising educational standards.

I begin by acknowledging the letter that I received yesterday from the Secretary of State, in which he explained that he would be unable to attend the debate because he is abroad on Government business. I accept that explanation and appreciate his having written to explain his absence.

We have tabled the motion because of the extraordinary shift in the mood of teachers, parents and pupils in the two years since the Labour Government were elected. When they were elected nearly two years ago, the Government undoubtedly had in their favour a fund of good will.

**Mr. David Jamieson** (Lord Commissioner to the Treasury): We still have it.

**Mr. Willetts:** I hear the education Whip.

There were many people in education who believed that things could indeed only get better, but, in slightly less than two years, there has been a shift, from good will, to giving the Government the benefit of the doubt, to what can only be described as frustration and anger. According to the latest research—an independent survey for the National Association of Schoolmasters/Union of Women Teachers—only 17 per cent. of teachers now support the Government's education policies, 58 per cent. are very dissatisfied, and 94 per cent. believe that teaching is becoming a less attractive profession to enter because of the Government's policies.

The problem is not only one for teachers—it is not as if some heroic battle is being fought in which, at the cost of teachers' good will, the Government are at least raising standards in schools. For the first time this year, we can see standards starting to fall: the pass rate in maths in primary schools fell from 62 per cent. reaching the average expected standard to 59 per cent.; and, in English, the increase from 62 to 64 per cent. is the smallest since tests began four years ago. There is widespread scepticism in the world of education about whether the Secretary of State will be able to achieve his targets for literacy and numeracy in 2002.

**Mr. Nick Hawkins** (Surrey Heath): Does my hon. Friend think that the fact—which he so graphically demonstrated—that the teaching profession has lost faith in the Government might have something to do with the presence of so few Government Members here tonight,

which demonstrates that the Government do not really care about education, education, education, as they said before the election they did? Look how empty the Government Benches are.

**Mr. Willetts:** My hon. Friend is quite right. It is not education, education, education; the problem is regulation, regulation, regulation. That is why schools already doubt that they will be able to achieve the Government's targets for literacy and numeracy. Perhaps the Minister for School Standards will show solidarity with her boss tonight by making it clear that she, too, will resign if the Government do not achieve their targets for literacy and numeracy by 2002.

**Mr. James Paice** (South–East Cambridgeshire): Has my hon. Friend had a chance to read today's Order Paper? Not only does the motion rightly condemn the Government for over-regulation, but, to demonstrate the validity of that, there are five delegated legislation regulations, all to do with education, to be dealt with by the House at 10 o'clock tonight, without debate. If that does not demonstrate the validity of his case, I do not know what does.

**Mr. Willetts:** The burden of regulation and legislation which the Government are imposing on schools is quite simply unacceptable.

**Mr. Michael Fabricant** (Lichfield): On a point of order, Mr. Deputy Speaker. Is it in order, in the middle of a debate, for a Government Whip to be going from row to row, handing out speeches to Government Members? Is that Government—

**Mr. Deputy Speaker:** Order. The movements of Government Whips are not a matter for the occupant of the Chair.

**Mr. Willetts:** Last year, the Government sent 322 documents and directives to schools and local education authorities. The reason why they are unable to raise standards in our schools was put to me very simply by one head teacher who said, "I believe that David Blunkett is sincere when he talks about raising standards," but added, "The only way that I can raise standards in my school is by ignoring all the letters and instructions that I get sent by him and the Department for Education and Employment." Teachers and head teachers throughout the land are saying that that is the problem that they have to overcome.

The Government's interventions and initiatives, supposedly to raise education standards, are not part of the solution, but part of the problem. Look at what is happening in four crucial education areas. First, there was the class size pledge: no doubt, focus groups told the Labour party that small classes were popular, and said, "Why not make a pledge to reduce class sizes?" Once elected, the Labour Government set about implementing that pledge in the only way they know—by passing a law making it illegal to carry out an act of education in a class of more than 30 five, six or seven-year-olds.

That is the Government's approach to education issues—they do not think about the real world of education. They did not think of the increase in mixed-age classes that has resulted from the way in which the class size pledge has been implemented; nor of the successful schools that happily educate classes of more than 30 and deliver high standards. I hope that the Minister for School Standards will confirm that there are schools that achieve 100 per cent. success in literacy and numeracy while teaching five, six and seven-year-olds in classes of more than 30, and that those schools are willing to carry on doing that as long as they believe that they can deliver high-quality education.

**Mrs. Angela Browning** (Tiverton and Honiton): My hon. Friend is correct to say that the Government did not think about issues such as vertical streaming and the effect on those in key stage 2 when they put the measure before the House in the School Standards and Framework Bill. I assure my hon. Friend that Opposition Members warned the Government time and time again in Committee—but they did not listen.

**Mr. Willetts:** My hon. Friend is quite right, and has been eloquent in exploring that point in Committee and subsequently. I think that the penny is beginning to drop. I refer to an account of the Prime Minister's first visit to one of the education roadshows following the launch of the Green Paper on teachers' pay. The article, which appeared in the journal of the NAS/UWT reports the Prime Minister as follows:

> "He said that it may be better to introduce a class assistant to a large class rather than reduce class size to below 30 with a single teacher".

That is a crucial point that we have put to Ministers time and time again. When there is per capita funding, if schools are forced to turn away children who would increase class sizes beyond 30, they must also turn away the accompanying funding. Schools are having to make teaching and classroom assistants redundant because of the Government's class size pledge. The Prime Minister has acknowledged that.

**Mrs. Louise Ellman** (Liverpool, Riverside): Does the hon. Gentleman believe that the previous Government's record was sufficient when 40 per cent. of 11-year-olds did not attain adequate standards in English and maths? Does he believe that that was a good performance by the Conservatives, who now oppose this Government's efforts to put matters right?

**Mr. Willetts:** If that is a question from the Government Whip, I think that he could have done a little better. We support raising standards in schools. The problem is that the Government are getting in the way of that objective by imposing bureaucratic burdens on schools. Look at the way in which the Government implemented the literacy strategy. I shall quote from a letter from the chairman of the governing body of a school describing that school's experience in delivering the literacy strategy. He said:

> "The recent OFSTED inspection in January confirmed the high attainments in English, Maths and Science but showed concern that our rigid adherence to the literacy hour at Key Stage 1 may have contributed to the reduced level of challenge in English experienced by the more able pupils."

He continued—

**Mr. Christopher Leslie** (Shipley) *rose*—

**Mr. Willetts:** I am quoting the comments of the chairman of a school's governing body and I hope that the hon. Gentleman will listen. He said:

"We are . . . placed in the difficult position of having to question the extent to which our schemes of work should comply with the demands of the regulations when our previous approach generated clear benefits for our children, whatever their ability."

**Mr. Leslie:** Does the hon. Gentleman wish to scrap the literacy hour?

**Mr. Willetts:** I shall tell the hon. Gentleman exactly what our policy is. Instead of applying another indiscriminate initiative to all schools—however well they are doing—the Government should instead target the literacy strategy on schools that clearly have a problem. We do not believe in imposing an indiscriminate compulsory literacy hour that takes no account of how a school is performing in that area. If schools are delivering high literacy standards, it is not the role of the House or of politicians to go nosing into the classroom saying that those schools must stop teaching reading in a way that works simply because they have passed a regulation stating that it should be done differently. That is no way to raise standards in the classroom.

Let us look not just at the class size pledge or the literacy strategy, but at performance-related pay. The Government pride themselves on their public relations skills, but the debate on performance-related pay, initiated in the past few weeks, has been a shambles. The Government have been trying a hard cop, soft cop act—the trouble is that the Secretary of State and the Prime Minister cannot seem to decide who is the hard cop and who is the soft cop. The Secretary of State described teachers as "snivelling cynics" while the Prime Minister praised their "awe-inspiring dedication". This is yet another intrusive, bureaucratic and heavy-handed method of trying to increase pay for teachers in the classroom.

**Helen Jones** (Warrington, North): In light of the hon. Gentleman's remarks, would he care to comment on a recent opinion poll conducted for the NAS/UWT which revealed that 57 per cent. of teachers are in favour of linking pay to appraisal? Is the hon. Gentleman saying that teachers working in our schools are wrong?

**Mr. Willetts:** The hon. Lady knows very well—or she ought to know—that not one single representative body for teachers supports the Government's proposals for introducing performance-related pay. It does not matter what it says in the crib note from the Government Whip, the fact is that no teacher in the land will support a proposal that will cost £250 million in administration and in appointing external assessors before a single pound reaches the pay packet of a single teacher. That is the cost of the bureaucracy involved in the Government's proposals.

**Mr. Julian Brazier** (Canterbury): Did my hon. Friend note that the point raised by the hon. Member for Warrington, North (Helen Jones) was completely irrelevant? It was very general and did not refer to the performance-related pay proposal. Under any system, pay is ultimately related to performance in some way.

**Mr. Willetts:** My hon. Friend is absolutely right: the fact is that neither the NAS/UWT nor anyone else supports the proposal. We oppose it because it is cumbersome, bureaucratic and wasteful.

**Mr. Derek Twigg** (Halton): If the system is so wasteful and wrong, why did the previous Government introduce performance-related pay into the civil service, including the Department for Education and Employment?

**Mr. Willetts:** We are talking about the largest single performance-related pay scheme to be introduced anywhere in the world. Its scope and its intricacy go way beyond any arrangements that we introduced into the civil service or elsewhere. The fact is that it simply will not work. As the Government are so proud of the 16,000 responses that they have received to their consultation document—there are doubtless many more to come—will the Minister concede that it will clearly be impossible to introduce the first stage of performance-related pay this autumn? The Government should at least delay implementation in order to consider the legitimate criticisms levelled by teachers who say that the measure will be an extraordinary waste of time for teachers and head teachers.

It has been estimated that, in a large secondary school with perhaps more than 100 teachers, a head teacher could spend half a day a week simply doing the external appraisals that will be required by the Government's cumbersome and complicated scheme. What about finance? *[Interruption.]*

**Mr. Deputy Speaker:** Order. Government Front Benchers must not keep interrupting the debate with remarks from a sedentary position.

**Mr. Willetts:** I have referred to the class size pledge, the literacy strategy and to performance-related pay. I must mention also the way in which the Government are changing the financing of schools and education in this country. The story is the same: it is about heavy-handed bureaucracy and centralised control from Whitehall.

We know what the Government are like: it is very convenient to pop up on the "Today" programme and announce another initiative and another little pot of money that is supposed to finance it. The Prime Minister and the Secretary of State are always announcing another little gimmick that they hope will get them 48 hours of good publicity. However, schools up and down the country must then waste time and effort submitting bids for penny packets of money when the administrative costs involved in preparing the bids often exceed the amount that schools may receive at the end of the day.

The Minister set up a task force on bureaucracy, and one of its first recommendations was that bidding could be used as a selective basis for encouraging initiative in education. However, it cannot be used time after time as a means of supposedly delivering national policy objectives because it will end up undermining the ability of head teachers to manage their budgets. We must trust head teachers to decide whether it would be best to spend

money on more books for the school library, on increasing the maths teacher's pay in order to retain him or on refurbishing school buildings. There is no point in saying that, if schools want to achieve those desirable aims, they must apply to the Secretary of State for a personal cheque from the Department for Education and Employment before they can do anything. That is no way to run a school.

**Mr. James Plaskitt** (Warwick and Leamington): Will the hon. Gentleman give way?

**Mr. Willetts:** No, I want to make progress.

If the Minister is honest, she will accept that head teachers refer again and again to the problems in their schools caused by the Government's policies.

**Mrs. Anne Campbell** (Cambridge): Will the hon. Gentleman give way?

**Mr. Willetts:** No, I shall make progress.

That is why the Government keep announcing that they are trying to cut bureaucracy. The process began on 21 May 1997, within three weeks of the Government arriving in office, when they announced: "Blunkett cuts red tape." Just like every other initiative from the Government, that was relaunched and repeated, so that, by the end of July 1997, red tape was to get a "caning", according to the Minister of State.

By 16 January 1998, the Government were announcing:

"Morris cuts through the red tape".

We might have hoped that the hon. Lady was making progress by then, but, instead, the Government realised that they needed someone else to blame and announced a month later:

"Government orders investigation into £142 million taken from schools for local authority red tape".

Much of the time, local authorities are simply having to comply with the instructions and demands sent by the Government.

**Mrs. Campbell:** Will the hon. Gentleman give way?

**Mr. Willetts:** No, I want to make progress.

All that I am doing is quoting press notices from the Minister's Department, which has claimed again and again that it is taking action to reduce bureaucracy.

On 13 April 1998, the announcement was:

"Government takes action to cut bureaucracy".

One might have thought that at least that was the end of story, but on 1 June, the Department announced:

"Blunkett pledges action to tackle needless red tape".

It became a pledge for the future. Only last week, the Minister announced that the Government were

"keeping performance red tape to a minimum".

However, seven press notices and six relaunches later, we are still nowhere near tackling the problem.

The reason is to be found in the terms of reference for the working party on bureaucracy set up by the Government. The first paragraph of the working party's report makes it clear what was the problem. It says:

"This report reflects the agreed conclusions that the Group reached within the constraints it was advised that its remit imposed. Inevitably, some individual members would wish to go beyond that and change the statutory framework in ways which reduce teachers' workloads."

That is the crucial point—the working party was not even allowed to consider the real source of the problem, which is the primary and secondary legislation that the Government have passed. They set up a working party on bureaucracy, but did not allow it to consider the real problem. That would be like a Home Office leak inquiry that could not interview Home Office Ministers. There is no point setting up an inquiry on bureaucracy and then refusing to allow it to consider legislation.

**Mrs. Campbell:** Will the hon. Gentleman give way?

**Mr. Willetts:** I have a soft spot for the hon. Lady, so I shall give way.

**Mrs. Campbell:** Will the hon. Gentleman join me in condemning Tory-controlled Cambridgeshire county council, which, for the second year running, has not passported the increase in the standard spending assessment made by the Government? That upsets teachers in my constituency.

**Mr. Paice:** Cambridgeshire already spends over the SSA.

**Mr. Willetts:** I have been reliably reformed by my hon. Friend that the council is already spending above the SSA level, and that is relevant.

We do not need to use the Government's method to raise standards in schools. There are better alternatives—Conservative ways of raising standards. As an absolute minimum, every time the Government introduce regulations, instructions and directives to the House and impose them on schools and local education authorities, they should publish their estimate of how much teacher time and financial resources would be necessary simply to comply with them. We could then have a rational debate about the extent to which the costs that were being imposed would be matched by the benefits that were being claimed.

**Miss Melanie Johnson** (Welwyn Hatfield): Will the hon. Gentleman give way?

**Mr. Willetts:** No, I am reaching my conclusion.

I am trying to explain to Labour Members that they and their party are responsible for a catastrophic collapse of confidence in schools and teachers caused by the very initiatives that they boast about in the House. Conservative Members believe in setting schools free, and giving them a break from the tiresome, tedious flow of instructions and directives from the Labour party is the single best way of raising standards in our schools.

7.45 pm

**The Minister for School Standards (Ms Estelle Morris):** I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"commends the Government for the introduction of vital measures to improve standards, particularly in literacy and numeracy; applauds the extra flexibility it has introduced in the national curriculum for primary pupils and support for work-related learning for 14-16 year olds; welcomes the Government's support for greater diversity through specialist schools and education action zones; believes that the extra £19 billion for schools will underpin the drive for higher standards and welcomes plans to reward good teachers well; congratulates Ministers for introducing much greater clarity to mailings for schools with a view to keeping paperwork to a minimum; recognises the huge benefits which the National Grid for Learning and voluntary schemes of work bring in reducing unnecessary paperwork; and notes that the Opposition has no proposals to raise standards in schools."

The Opposition tend to use Opposition day debates as a way of announcing a U-turn on policy, which I do not mind. What is interesting tonight is that we have heard the second U-turn on class sizes in the past 18 months. The right hon. Member for Charnwood (Mr. Dorrell), who led for the Opposition in the Standing Committee considering the School Standards and Framework Act 1998, seemed to have been converted to the view that class sizes matter. The hon. Member for Tiverton and Honiton (Mrs. Browning), who backed the right hon. Gentleman up in Committee, has said tonight that class sizes do not matter and we should not be addressing the issue.

**Mrs. Browning:** The Minister and I served on that Committee and she knows only too well that the Conservatives made it clear what effect the regulation limiting infant classes to 30 pupils would have, particularly in rural schools, where there would be vertical streaming and pupils at key stage 2 would be in larger classes. We were disputing not the principle but the Government's regulatory method and their adamancy that there would be no flexibility. The hon. Lady knows that that was the Opposition's position, not the one that she has just stated.

**Ms Morris:** That is exactly my point. The hon. Lady cannot have it both ways. One cannot say that class sizes matter and then deny the means of achieving smaller classes, but that is exactly what she and her colleagues sought to do throughout the Bill's passage through Committee.

I do not mind the hon. Member for Havant (Mr. Willetts) using Supply days to say that he has reversed the Opposition's policy, but I object to him trying to rewrite history, as he has done today. When he was speaking, I had to remind myself that, on education, the previous Government were the most centralising Government since the war. The Tory Government introduced an education Bill each year for 18 years, but their average on education quangos was even better—they managed to set up nine in eight years. In his speech and his press release today, the hon. Gentleman complained about 322 edicts and directives issued by the Government within a year. I shall return to that point later. With 322 directives, we are far behind the number that he managed to achieve when he was in government.

The Education Reform Act 1988 produced not 322, not 500, not 700, not 800, but 1,066 statutory instruments, 670 of which were introduced in the two years following the legislation's passage through the House. Have the Conservatives forgotten—I have not because I was in school at the time—the mountain of paperwork caused by the introduction of the national curriculum? That was caused not by a concerted effort to raise standards, but by the fact that they kept getting it wrong and having to change their mind. They did not run trials; they did not consult; they did not provide resources to back up the policy, and their errors in introducing the national curriculum cost £744 million. There is no comparison between that figure and the amount that we have spent on introducing the literacy curriculum.

Let us be clear—the Opposition are entitled to change their mind, but they are not entitled to kid us or anyone else that their past actions can be wiped clean from the slate. The passion and enthusiasm displayed by the hon. Member for Havant today was that of the convert.

**Mr. Fabricant:** The Minister comes from the west midlands, so she will understand my point. She talks about history; can she not understand the sense of betrayal felt by people in Staffordshire, where Labour candidates promised during the general election that a Labour Government would initiate wholesale reform of funding, including that for Staffordshire, which, as the hon. Lady knows, is at the very bottom of shire county funding? The Minister has now told us in answer to written questions that there will be a review in three years' time, after the next election, and even then Labour may not meet its promises. How dare she talk to the House about history—she has broken the rules of history.

**Ms Morris:** There is another hon. Gentleman who wants to wipe the slate clean. Let me remind him that Staffordshire was at the bottom of the table for money under his Government. What action did they take?

**Mr. Fabricant:** Will the Minister give way?

**Ms Morris:** No, not again; it was bad enough the first time. What action did the hon. Gentleman's Government take to change or review Staffordshire's SSA? Staffordshire can now welcome a 6.5 per cent. increase in SSA. For the first time in years, it will be able to celebrate an increase in SSA and grant compared with that received under the hon. Gentleman's Government. I will take no lectures from him, given that, for 18 years, the Conservative Government failed to address the problems of SSAs. In comparison with that, three years, in which to do it well and get it right, is but a short time to wait.

**Mr. Jonathan Shaw** (Chatham and Aylesford): What has my hon. Friend to say to Medway parents, teachers and schoolchildren, given that Liberal Democrats and Tories voted down the Labour budget, cutting £250,000 that was earmarked to go straight to primary schools, despite £28 million reserves? Does that not show that only the Labour party is interested in investing in education, and that the Tories and Liberal Democrats are interested only in cutting budgets?

**Ms Morris:** My hon. Friend is right. I have met many head teachers in his constituency. They will have learned

the lesson from that decision that only Labour can be trusted to put more money into education. That is so throughout the country.

**Mrs. Theresa May** (Maidenhead): Will the Minister give way?

**Ms Morris:** Yes, but then I shall not give way for a considerable time.

**Mrs. May:** On precisely the assertion that only Labour can be trusted to put money into education, what would the Minister say to Labour councillors in Leicestershire, who, with Liberal councillors, voted against a Conservative proposal that money from the Government for increased education spending should be passported to education, and instead voted for a lower amount to be spent on education? What does she say to the Labour leader of Hertfordshire council, who has received a letter from the Secretary of State expressing his regret that Labour Hertfordshire will not passport money to the education budget?

**Ms Morris:** I would say exactly what my right hon. Friend the Secretary of State has said: passport the money. We have secured money from the Treasury, and it should be passported to education. The record of Labour local authorities stands in stark contrast to that of Conservative authorities.

**Mr. Don Foster** (Bath): Will the Minister give way on that point?

**Ms Morris:** I cannot resist giving way to the hon. Gentleman.

**Mr. Foster:** As everybody is asking how the Minister would respond to particular things, may I ask how she would respond to the simple fact that Liberal Democrat-run authorities provide more money per capita than Labour-run authorities?

**Mr. Jamieson:** Not in Devon.

**Ms Morris:** It is not that I distrust the hon. Member for Bath (Mr. Foster), but I would look at the figures. As my hon. Friend the Whip says, it is not so in Devon. If the hon. Gentleman wants a longer debate on the point, I would be happy to return to it in an Adjournment debate.

The Conservative motion says that we are placing burdens on schools that represent

"a significant obstacle to raising educational standards."

We know from the speech of the hon. Member for Havant his exact definition of a burden. He thinks that the literacy hour is a burden. He told us that he thinks that it is over-prescriptive and too rigid. His hon. Friend the Member for Maidenhead (Mrs. May) thinks, strangely enough, that 60 minutes is too long for the literacy hour. When the numeracy hour comes along next year, she will probably be able to correct that comment.

If we had taken notice of Conservative Members' comments about the literacy hour, everything that this Government have done on literacy in the past 18 months would not have happened. There would have been no literacy hour, no retraining of primary school teachers in best practice and no new emphasis on phonics and teaching grammar. There would have been no pressure on schools to teach best practice, no research into different strategies and no spreading of what we know works. It goes without saying that, had matters been left to the Tories, there would also have been no £44 million—which has bought 10 million extra books for our schools—and probably no national year of reading.

The Tories would have carried on doing exactly what they did in power. As a result, in five years' time, four out of 10 11-year-old children still would not be able to read, write or use numbers effectively. It is no good the hon. Member for Havant quoting last year's national curriculum test results, because they were the last such tests before the introduction of the literacy hour. They are therefore a sad indictment of his Government. We will reach our targets, and a generation of children will rejoice as a result.

I agree with the comments of the hon. Member for Havant not in his speech but in *The Sun* earlier this month, when he said:

"Children who are not taught to read or do basic arithmetic are being betrayed".

By his admission, four out of 10 children were betrayed by his Government, which is exactly why we have introduced the literacy hour.

**Mr. Willetts:** Will the Minister commit herself to the Secretary of State's pledge to resign if the Government do not reach their literacy and numeracy targets by 2002?

**Ms Morris:** Of course I will; I have already done so. Indeed, I generously commit the Under-Secretary, my hon. Friend the Member for Norwich, South (Mr. Clarke), too. We speak with one voice. The hon. Gentleman's question is a reflection of what life was like under teams of Conservative Ministers, when a Secretary of State would promise to resign but the rest of the team would not go too. I will tell the hon. Gentleman another thing: there will be a team celebration when we achieve those targets—because achieve those targets we certainly will.

It is interesting that the hon. Gentleman's understanding of the literacy hour is shallower than that of any teacher and of most parents whom I have met. As Mr. Woodhead said when he presented his annual report earlier in the month, the literacy hour is a

"serious attempt to draw together, from inspection and research evidence, approaches which are known to work. There is always, moreover, room for professional manoeuvre: the idea that teachers must minute by minute adhere to each prescribed step in the programme is a myth promulgated by those who reject any attempt to provide practical assistance to teachers as an onslaught on professional autonomy."

We have learned in this debate that the hon. Gentleman is on the side of the myth promulgators. This Government are on the side of those who want to provide practical assistance to teachers doing a difficult task. We have provided in the literacy hour—this is what the hon. Gentleman has missed—training in best practice and materials to do the job. We have asked teachers to exercise their professional judgment within a framework of best practice which we know works. That is what the literacy hour is; that is what teachers are doing; and that is what the numeracy hour will be, too.

The hon. Member for Havant did not once mention whether the literacy hour works. It is no good his scowling. He would sooner count the bits of paper that

*[Ms Morris]*

are sent to schools to support the literacy hour than he would consider evidence of whether it works. He is entitled to count bits of paper and ignore evidence. I admit that we could have avoided sending 40 bits of paper to schools by not introducing the literacy hour. But a generation of children would have been betrayed—to use the hon. Gentleman's words—had we not done so.

The same can be said for a range of other initiatives on those bits of paper that the hon. Member for Havant has been busy counting and weighing. Let us take home-school agreements, which get parents involved in schools. Is he against or for such agreements? What about target setting? By not introducing that, we could have avoided sending nine letters to schools. Is he against or for it? What of homework policy? I think we could have avoided sending two or three more letters by not encouraging schools to set homework, but that would have meant that half the children still were not set homework, and we know that homework makes a difference to standards.

We could have saved bits of paper by not launching the national year of reading or education action zones, and we could have saved two letters by not letting schools know that they were getting £1,000 to spend on books. Unlike the letters, missives and directives sent to schools when the Conservatives were in office, our paperwork did not say, "We have changed our mind, or got it wrong last time, so here is another letter"; instead, it was part of a coherent package and a standards agenda.

**Mr. Owen Paterson** (North Shropshire): On the subject of target setting, today I received a letter from Grahame Arnold, head teacher of the Adams school in Wem—one of the most successful Shropshire schools—and chairman of the Shropshire secondary heads. He said:

"The government's new target-setting agenda for schools, teachers and governors often produces huge amounts of information for the government that is irrelevant to individual pupil performance."

**Ms Morris:** I will just have to disagree with the hon. Gentleman and the head whom he quotes. I would sooner cite the Ofsted evidence and the research evidence, which show that clear target setting in schools raises standards. It seems to be an absolute matter of fact that teachers set targets and support their children's learning in order to achieve those targets. Target setting is a good thing.

**Mr. Paterson:** So Mr. Arnold is wrong, is he?

**Ms Morris:** I disagree with him; I do not know how many times the hon. Gentleman wants me to say that. Target setting is important to the agenda of raising standards.

The Opposition motion mentions diversity. It is becoming increasingly clear—it emerged again from the speech of the hon. Member for Havant—what the Tories now mean by diversity. *The Daily Telegraph* tells us that the Leader of the Opposition is poised to ditch the national curriculum that the Conservatives introduced 10 years ago. I read in the *New Statesman* that the regular Willetts lunches at the Centre for Policy Studies speculate about trusting groups such as teachers to get on with their job as they think best. Most interesting, however, was the *Daily Mail* report that told us that the hon. Member for Havant wanted schools to be run by workers' co-operatives.

That sounds to me like turning the clock back. I do not mind that, but let us be clear that that is now the Opposition's idea of diversity—a return to "teach what you want, how you want." That would be diversity at the expense of standards, and we want no part of it.

There is a growing difference between the Opposition's definition of diversity and ours. The form of diversity that we have introduced supports standards and does not detract from them. We have expanded the specialist schools programme by 50 per cent. We have given those schools money to develop links with local schools—each will be different and reflect the flavour of the partnership within schools.

We have freed up key stages 1 and 2 so that teachers can concentrate on the basics but still teach a broad range of subjects. We have offered flexibility at key stage 4. We have allowed schools to forge links with further education colleges. We have introduced advanced skills teachers so that schools can develop ways of using the skills of their best teachers. We have introduced and financed education action zones, giving them the freedom on the curriculum and on teachers' contracts that was denied by the previous Government.

We have introduced a new lighter-touch inspection framework for our most successful schools. We have delegated up to £1 billion so that schools now have the freedom to spend money in the way that they want. The key difference here is that delegation under the Tories always meant freedom as to which cuts to make, whereas delegation under the Government means freedom to decide how to spend a growing amount of money in the education budget, year after year.

I do agree with the only serious point in the speech of the hon. Member for Havant—that there is a constant need to ensure that our dealings with schools are as efficient as possible. That is why we have introduced stringent new measures to keep the paper in check. Since September 1998, a typical primary school has received just eight mailings, containing a total of 42 items. Only 13 required action from heads; the rest were for information. We have introduced a new system of clearly identifying, on every mailing, whether it is for action or for information.

Let me give the House an example of a typical mailing—our most recent, which was sent to schools on 11 February. It contained, for primary schools, two items about teaching literacy to those students in greatest need of help. It contained the pay review body's recommended teachers pay scales and a list of new DfEE information available on request. A typical secondary school would not have received the information about the literacy items, but would have received information to be distributed to its students about financial support in higher education. Five hundred secondary schools would also have received a consultation paper about the practical implications of data protection in schools. Under the Conservative Government, that consultation paper would have been sent to all 24,000 schools. We have introduced a system of sending the consultation papers to a cross-section of schools, so that they are not a burden on schools.

Which one of those documents should we not have sent? Should we not have sent the pay scales? Should we not have sent the information about how to help children

who are behind with literacy? Should we not have sent secondary schools information to pass to students about financial help with higher education? We are told by the hon. Member for Havant that we have issued 322 edicts and directives in a year. Numeracy lessons cannot come quickly enough: let me tell him that 179 of those were sent for consultation or action, and not to schools but to local education authorities. They included distance learning material, guidance in tackling truancy, information to help schools raise standards and guidance on early-years development.

Which should we not send? Do you not want to tackle truancy? Do you not want to raise standards in the early years? Do you not want to let the local authorities—

**Mr. Deputy Speaker:** Order. The hon. Lady must use the correct parliamentary form of address.

**Ms Morris:** Please accept my apologies, Mr. Deputy Speaker. The hon. Member for Havant must decide which of those initiatives he is not prepared to pursue.

**Mr. Graham Brady** (Altrincham and Sale, West): Will the Minister give way?

**Ms Morris:** No, I will not.

What was noticeable about the Opposition motion and the speech of the hon. Member for Havant was that, throughout, there was no mention of parents, no mention of high standards, no expectation of what our young people might achieve, no understanding of the partnership between Government and schools that is essential to raising standards and not a flicker of an understanding that part of the role of Government is to show leadership.

If turning the tide of under-achievement for schools means that we send them 30 extra letters a year, so be it. The Conservatives have carped tonight, but I reckon that a generation of children will be on our side, not theirs. I take seriously the issue of paperwork. But do not weigh it or count it. Read it and evaluate it, and take decisions on the basis not of how many words it contains but of whether it contributes to the agenda of raising standards.

The material that we send to schools is part of a coherent package to raise standards. An attack on that is an attack on standards, and the hon. Member for Havant should be ashamed.

8.8 pm

**Mr. Don Foster** (Bath): I am delighted once again to have the opportunity to follow the Minister. Whether the House agreed or disagreed with what she said, the whole House will acknowledge the passion and conviction with which she spoke. It was interesting to hear the absolute sincerity with which she committed herself and the whole of the Front-Bench team to resign, should they fail to meet their targets. That was in sharp contrast to Lord Patten, who, as Secretary of State, when he was John Patten, promised that if he failed to meet his targets in relation to grant-maintained schools, he would eat his hat garnished—which, as far as I am aware, he has so far failed to do.

Because the Minister spoke with such passion, it is important for me to explain to her clearly why the Liberal Democrats will support the Opposition motion tonight. However, in doing so I would enter two caveats.

First, I echo the Minister's words by pointing out that there is a degree of irony in the Opposition's tabling the motion when they were undoubtedly responsible for placing a significant number of burdens and unnecessary bureaucracy on our schools. For example, we need look only at the unbelievably cumbersome and bureaucratic system of nursery vouchers, which I was delighted that the new Government rapidly abolished. There are many other examples, such as the early version of the national curriculum and the burdens created by the Conservative Government's proposals for grant-maintained schools. However, if my hon. Friend the Member for Harrogate and Knaresborough (Mr. Willis) catches your eye later, Mr. Deputy Speaker, I hope that he will pick up some of those, which are clearly illustrated by the Liberal Democrats' amendment.

My second caveat is that I do not accept that the Government should have sat on their hands and done nothing. Under the previous Administration, many people in our schools complained of innovation fatigue, and they desperately wanted to be left alone by the new Administration. But given the state in which the previous Administration left our education service, that was not an option. Therefore a number of changes were necessary, some of which I support, and I accept that they placed burdens on our schools.

The issue for tonight's debate is not about burdens being placed on schools—burdens will always be placed on schools—it is rather, quite properly, about whether the burdens imposed by the Government are necessary: some are not.

The hon. Member for Havant (Mr. Willetts) made a powerful case, so I shall not repeat all his points. But the Minister was right when she said that, in making a judgment on the issue, we should consider the evidence. I want to consider the evidence coming from those who work in our schools—governors, teachers and head teachers.

I cannot help but reflect on a recent quote in *The Times Educational Supplement* from a primary head teacher. He said:

> "A secondary head phoned me a couple of weeks ago. He told me how tired he was of no longer feeling in control of his own establishment. So much was being done to him from the outside, be it by the local authority or the DfEE, that he no longer had the enthusiasm to make it work."

In the past 24 hours, my officers have been in touch with the two major bodies that represent governors and managers in our schools—the National Governors Council and the National Association of Governors and Managers. On hearing about today's debate, the National Governors Council said:

> "We are very concerned about the burdens imposed on schools by the deluge of government directives and new initiatives. Target-setting in particular is causing serious difficulties. Many of our local associations up and down the country are saying 'We don't know how we can cope with this.'"

The National Association of Governors and Managers made similar points.

**Dr. George Turner** (North-West Norfolk): The hon. Gentleman made it clear that he believed that we should be considering the evidence, but at the moment he is examining hearsay. If he is to do what he said he would do, surely he must tell us which of the Government

*[Dr. George Turner]*

initiatives he believes should not have been taken into the classroom. Will he quickly move on to that before he so firmly nails his colours to the Tory mast?

**Mr. Foster:** If the hon. Gentleman is prepared to bide his time a wee while, I promise that I shall address that very point. However, I hope that the hon. Gentleman will accept that it is important to listen to the views of those who work in our schools if we are to determine whether unnecessary burdens have been placed on our schools. The evidence that I have quoted from a head teacher and from the two bodies representing governors and managers is backed up by the evidence that we have from teachers themselves.

The hon. Gentleman is well aware that tens of thousands of teachers are leaving the profession early, demoralised and dispirited, and sadly fewer and fewer people are coming forward to join it. One reason for that which is cited by many of those leaving is the increased burdens being placed on them. It is frightening that more and more teachers are telling me that they are tired of being told by the Government how they should teach and even organise their classrooms.

It is almost as if the Government do not understand the pressures that our teachers already face. Just after Christmas, I received a copy of a circular letter—the sort of thing which many of us receive at Christmas—from a teacher who was the only one remaining of a group of 10 who had joined the profession in 1967. She said:

"I'm absolutely sick of school—it's really hard work and I never know what I'm supposed to be doing! Next term we have an Ofsted inspection which is about the most awful thing that can happen to a school. We are all up to our eyes in paperwork . . . We spend as much time working out of school as we do in school and there's plenty to do at the weekends as well. Housework hardly gets a look-in. I wish we could win the Lottery . . . Luckily I stay healthy and Joe does a lot of things like cooking when he's not working. I don't know how we'd manage otherwise. Isn't it awful to be looking forward to retiring—wishing your life away!"

**Helen Jones:** Ah!

**Mr. Foster:** I hope that the hon. Lady will consider the number of teachers who are leaving the profession early because they, too, feel exactly what this teacher is expressing about the profession. If the hon. Lady is not prepared to acknowledge that those teachers are feeling demoralised and disillusioned, in part because of the burdens that are being placed on them, the crisis in our classrooms, begun under the previous Administration, will continue under her Government.

**Liz Blackman** (Erewash): Has the hon. Gentleman spoken to teachers in his constituency who are delivering the literacy hour about the progress that children are already making? I have throughout my constituency, and the news is positive.

**Mr. Foster:** Of course, the hon. Lady is right. Any hon. Member taking part in an education debate should have spent time talking to many teachers, and I certainly have. Many teachers to whom I have spoken believe that many good ideas are contained within the literacy hour.

**Mr. Plaskitt:** Will the hon. Gentleman give way?

**Mr. Foster:** No, I am in the middle of replying to the hon. Member for Erewash (Liz Blackman). I may give way to the hon. Gentleman in a minute.

No doubt those teachers will also say that there are good ideas in the numeracy hour. But many feel that the literacy hour imposes on them, as will the numeracy hour, a particular way of operating which takes away their opportunity to be professionals: to gather evidence of good practice, rightly provided by the Government, and package it for the benefit of their pupils so as to do what the Government want, which is to raise standards.

**Mr. Plaskitt** *rose—*

**Mr. Foster:** I should like to make a little progress if the hon. Gentleman does not mind.

The Minister was keen to deal with the Green Paper on teachers' pay. The House will be interested to know what she said in a press release issued by the Department on 25 February, just a few days ago:

"Some of the criticism we have heard is that appraisal, as proposed, will be far too bureaucratic. Nothing could be further from the truth. We are proposing a cycle which need not be unwieldy or place an additional burden on school life."

She suggests that the proposals in the Green Paper will not place an additional burden on school life. I do not know where the Minister is living, because she is certainly not living in the real world.

It does not matter whether the proposal is right or wrong, because independent people have done an analysis of the amount of work involved and have found that it will take the head teacher of an 850-strong comprehensive with 45 staff more than 100 hours to carry out the necessary appraisal—assuming 32 per cent. of teachers want to be appraised for the next stage, and excluding the time that governors will have to spend on it. That undoubtedly places an additional burden on schools.

The hon. Member for North-West Norfolk (Dr. Turner) asked me what proposals I would not put into practice. I shall give him a couple of examples. The current bidding system—Labour's long odds education lottery—is a good example of the centralisation of education provision. It has placed enormous burdens on schools, which have to provide all the data that the local education authorities need to make their bids.

I do not know whether the hon. Gentleman is aware that, since the Government came to power, a grand total of over 16,000 bids for funds have been made by local education authorities on behalf of schools up and down the land. Of those 16,000 bids, 10,000 have failed. Think of the enormous amount of bureaucracy, effort and red tape people in our schools and LEAs have had to face to make bids that have not even been successful.

In some parts of the country, the situation is even worse. In Oxfordshire, a grand total of 1,115 bids have been made, and 1,002 of them have failed. The inordinate amount of time spent by officers and people in our schools on that procedure is horrendous. I would get rid of large chunks of the bidding system.

If the hon. Member for North-West Norfolk wants a good example of the penny packets to which the hon. Member for Havant referred, I suggest that he examines the Government's proposal for a children's Parliament. It got wonderful headlines, and everyone thought that the Government were doing wonderful things—until they looked at the figures. Each participating school will receive £10. The paperwork required for the bid costs more than that, let alone the support for schools.

**Dr. George Turner:** The hon. Gentleman seems to be losing sight of the big picture. I spent years on an education committee watching the backlog of building work grow. The schools in my patch have welcomed the opportunity to make their case to have their school buildings renovated, improved and added to. They want to be able to bid, because they do not want bureaucrats in Whitehall telling them where their priorities should lie. With what would the hon. Gentleman replace the bidding system? Would he let civil servants decide which schools get the money?

**Mr. Foster:** If the hon. Gentleman served on a local education authority, surely he should accept that a more appropriate method is for the local education authority to be able to allocate the funds. He does not seem willing to distinguish between some of the good proposals that the Government have introduced and those that impose additional burdens.

Liberal Democrats have praised and welcomed some of the Government's proposals. I have sometimes acknowledged that they are worth while even though they would, in certain circumstances, increase the burden on schools. However, I have also produced evidence from teachers, governors and head teachers to show that some proposals create unnecessary bureaucracy in our schools and are damaging the Government's ability to raise standards.

In their desire to capture the education headlines almost on a daily basis, the Labour Government have failed to recognise that they are deprofessionalising teaching and demoralising governors. Without those teachers and governors, the legitimate standards agenda will not be achieved.

A senior Government education policy adviser, quoted in the latest edition of the *Education Journal*, gave the game away. He was asked why there could not be a let-up in the flow of initiatives. He replied:

"The public will think we have run out of steam."

The problem is that without a let-up from the unnecessary burdens, schools will run out of steam long before the Government do.

8.25 pm

**Mr. Gordon Marsden** (Blackpool, South): There are times when I hear Conservative Members speaking in the House and think that I am in some sort of post-modern "Alice in Wonderland" world where things are getting curiouser and curiouser. I am sad that the hon. Member for Bath (Mr. Foster) seems to have associated himself with that position.

As my hon. Friend the Minister made perfectly clear, what we have heard from the Conservative party bears no relation to its record in government. I am afraid that I am going to take Conservative Members back to that record in government, particularly on centralisation. There were two education Acts: one in 1988 and the other in 1993. The Education Reform Act 1988 had 238 sections, and the Education Act 1993 had 308 sections; 1,000 amendments and 55 new clauses were tabled; and more than 400 new powers were given to Ministers as a consequence of the 1993 Act.

The Conservative party's education policy was in constant turmoil over that period. There were four Secretaries of State for Education between 1989 and 1992. It is well known that the Conservatives brought us mad cow disease in the 1980s, but they also managed to bring mad Maoism—the doctrine of permanent revolution. There was such mad Maoism that, according to the magazine with which I was involved at the time, history teachers were tearing their hair out. HMI inspectors were driven to distraction by the amount of regulation produced by the Conservative Government and by the chopping and changing. Things moved on every time Mrs. Thatcher fished in her handbag for a new draft of the national curriculum, or every time she listened to some barmy, right-wing educationist. Constant changes were made. The only positive result was the introduction of the Baker days, when the poor, hard-pressed teachers were given time to catch up on the paperwork. That was the record of the Conservative party during that period.

The hon. Member for Havant (Mr. Willetts) referred to setting schools free, which is a fairly waffly thing to say. Were the Conservatives setting schools free when the much-vaunted funding agency for grant-maintained schools was directed from Whitehall by John Patten? We had centralisation and Maoism, and I would not have been surprised if they had have sent teachers into the fields to learn how to tithe and to collect the corn.

In that period, we also had the nationalisation of education policy. Bureaucracy was piled upon bureaucracy. To give him credit, the hon. Member for Bath referred to the nursery voucher paperchase. The assisted places scheme helped only 60,000 children out of 7 million. There were even some good ideas, such as local management of schools and governors, but the difficulties were compounded by the lack and training and time provided.

The consequences were there for all to see. The Audit Commission found that, in real terms, there had been a cut of £44 per primary school pupil and of £110 per secondary school pupil between 1994 and 1997. Back-room bureaucrats had a field day under the Tories, while front-line services suffered. The legacy of that bureaucracy was this: 500,000 primary school children in classes of 30 or more, a chronic crisis in recruitment and teaching and unacceptable standards in literacy and numeracy. No wonder Steve Norris, the former Conservative Member of Parliament for Epping Forest, said:

"Our failure to improve the level of public education is one of the areas Conservatives have got to be most concerned about and frankly ashamed of".

**Mr. David Taylor** (North-West Leicestershire): Will my hon. Friend add to his sad list of statistics the fact that 158 members of Her Majesty's Opposition are not present for the debate? That suggests that at least 96 per cent. of Opposition Members are showing, on their own

*[Mr. David Taylor]*

Supply day, the degree of interest in education that was shown by their Government during the years that my hon. Friend is describing so graphically.

**Mr. Marsden:** I agree, but that is amply made up for by the chutzpah and brass neck that we are hearing from the Opposition Front Bench.

**Mr. Christopher Fraser** (Mid-Dorset and North Poole): Given the hon. Gentleman's obvious mastery of the subject, will he concede that, proportionally, the parliamentary Labour party has fewer members present than the Conservatives?

**Mr. Marsden:** If the hon. Gentleman examines the record of Labour Members' attendance of education debates here and, for that matter, in Standing Committees, he will find that our record is far superior to that of members of his party. [HON. MEMBERS: "And this is an Opposition day."] Indeed it is.

Given the background, it is not surprising that the then Conservative education Ministers approached the School Standards and Framework Bill, enacted in 1998, with a certain amount of confusion and schizophrenia. Those of us who served on the Standing Committee witnessed, time after time, confusion over whether they should or should not accept the Bill's basic principles, and we are witnessing the same confusion this evening. What do the Conservatives oppose, and what alternatives do they suggest? Why are they in such difficulty?

It is a shame that the hon. Member for Havant is no longer present. In deference to his interest in philosophy, I was going to say that, essentially, the Conservatives' problem is one of philosophy. They have so mired and encrusted themselves over 18 years in their jaundiced view of the public-service ethos that they are incapable of distinguishing between enabling and empowering—what the present Government are doing for education—and the Stalinist direction of which their own Lady Thatcher was so enamoured.

The Conservatives really have only two models. One is mad market chaos—grant-maintained schools versus the rest; city technology colleges versus the rest; assisted places versus the rest. The other, which we saw in spades when they were in government, is centralisation, stamping out dissent and local education authority initiatives. The Opposition seem to sign up to a Hobbesian view of education—except that, in their case, rather than being nasty, brutish and short, it is nasty, smug and hideously complex. They are incapable of understanding, or unwilling to understand, the models of co-operation and collaboration offered by the present Government through initiatives such as education action zones and beacon schools.

We shall not intervene where it is not necessary. Where schools are working well and raising standards, there will be a light touch. My hon. Friend the Minister has said as much on previous occasions in respect of Ofsted. If there are problems, however, we will act: we will intervene, as the Government intervened over Hackney. That intervention can only be compared with the futile way in which the right hon. Member for South-West Norfolk (Mrs. Shephard), the former Secretary of State, dealt with Calderdale and Nottinghamshire.

We are setting targets for the raising of standards. We are encouraging local education authorities with educational development plans; we are encouraging people to learn from best practice. The results are transparent: a 5 per cent. increase in spending per annum, an extra £200 million for homework centres, 1,200 numeracy and literacy schools this summer, the inclusion of nutritional standards for school meals for the first time in 18 years, and education action zones to tackle under-achievement. I hope that before long there will be one in my constituency.

Those are the burdens that we are laying on schools, teachers, parents and pupils. I can only say that I am delighted that my schools in Blackpool have been burdened by the Government. From September, thousands of pupils will be kept out of classes of more than 30. They have been burdened with a successful capital bid of more than £5 million for 1999-2000 to build additional classrooms and employ extra teachers, to reduce overcrowding in secondary schools. They have been burdened with capital investment to repair and to renew buildings and equipment, with receiving £185,000 for the national literacy strategy, and with more than 1,000 new nursery places for three-year-olds from September 1999, in addition to free places for all four-year-olds. Incidentally, those places are crucial in a town such as Blackpool, where so many parents are in part-time and multiple employment. Those are the "burdens" that the Government are putting on people. They are necessary following the burdens that were put on them by the previous Government.

For the first time in 18 years, the Government are offering parents, teachers and governors a strategic and sensible vision of education for the future. It is challenging and ambitious, but a burden it is not. The Conservative party left us with the torpor of cynicism and an educational graveyard. Despite all its attempts to efface history, it seems to have made no effort to emerge and to learn from that.

8.36 pm

**Mr. Nick St. Aubyn** (Guildford): For someone with a reputation for studying history, the hon. Member for Blackpool, South (Mr. Marsden) shows remarkably little grasp of it when it comes to education. He seems to have forgotten that it was Conservative Members who dominated the debate on last year's School Standards and Framework Bill and who spoke day after day, while Labour Members sat like so many nodding donkeys doing exactly as their Whip required. The two Liberal Democrat Members who are present—the hon. Members for Bath (Mr. Foster) and for Harrogate and Knaresborough (Mr. Willis)—were the honourable exception: as always, they made their unique contribution to the proceedings. The debate follows directly from that Bill and the chapter after chapter of regulations, forms and rules with which the Government try to bind every aspect of education.

The Minister for School Standards put her figure on it, but she did not answer the challenge that she set herself. The question is not whether the Government have placed new burdens on the education system—that is beyond doubt; they have imposed massive burdens on our schools—but where the benefits are.

That is the question that Labour Members cannot answer. They attack the previous Government for their centralising policies, which we must interpret as an attack,

fundamentally, on the national curriculum. We all know that there were problems with implementing that curriculum—there are problems with implementing any bold new strategy—but entrenching into the education system the principle of a national curriculum was one of the previous Government's greatest achievements in their 18 years in office.

When the Minister attacks Government quangos, ultimately, she is attacking Ofsted. Whatever may be said about the implementation of Ofsted's work, I think that its introduction and the change in culture that it has achieved is another great educational achievement of the previous Conservative Government. It underpinned the rise in education standards and improvement in GCSE and A-level results year after year under the previous Government, so the Labour party is all over the place when it tries to attack the principles that underpin the education revolution that the Conservatives achieved in their 18 years in power.

The Government latch on to soundbites and initiatives—anything that sells well in the papers the next day—at the cost of any genuine progress in education attainment.

**Mr. Vernon Coaker** (Gedling): The hon. Gentleman talked about the philosophical direction of the previous Government and, as an example of that, about the achievement at the top end of the academic spectrum and improved GCSE results. Will he talk about what that Government's philosophical commitment was to those at the other end of the spectrum?

**Mr. St. Aubyn:** The previous Government greatly expanded the budget for special educational needs. Even the current Government, after entering office, were obliged to praise the previous Government's efforts in providing for the 3 per cent. who perform worst in school.

Since the current Government came to power, my constituency of Guildford, and the county of Surrey, has experienced one attack after another on our education standards. Our local education authority has one of the United Kingdom's best results in literary standards in primary schools. Nevertheless, our assisted places scheme—the subject was dealt with by the hon. Member for Blackpool, South—has been attacked. In abolishing the scheme, the Government essentially came into my town of Guildford and closed one of our best secondary schools. Overnight, almost 400 places of outstanding worth for local children were abolished.

It is true that, year after year, there has been an increase in Surrey's standard spending assessment, but the increases have come with a real cut in the cash that is supposed to pay for increased education spending in Surrey. That is the reality of our problem.

The Government's amendment to the Opposition motion claims that

"the Opposition has no proposals to raise standards".

When we proposed a genuine new partnership in Surrey between the independent and state sectors, initially, the Minister for School Standards praised it as a great advance and the type of scheme that she would like to be implemented across the country. Subsequently, however, her boss saw the small print. At the last minute, he whipped out an extra provision in the School Standards and Framework Act 1998 to deny us the power to implement that bold Conservative initiative, at least until the introduction of regulations telling us how the Government thought we should implement it. That is exactly what the debate is all about.

A year after the Secretary of State's damning act pre-empting an initiative that would have built bridges between the independent and state sectors, no regulations for such initiatives have been proposed. Why have no such proposals been made? Why will such proposals, even consultative ones, not be made for another month or two? Why are the Government delaying making such proposals? Is the only reason for delay the fact that such proposals would be based on a bold Conservative initiative that would build bridges between the private and the state sectors? Conservative Members fervently believe that building such bridges is one of the ways in which we will raise education standards in the United Kingdom.

Conservative-controlled Surrey has, however, proposed one other initiative. So far, the Minister for School Standards has endorsed it, and the Secretary of State for Education and Employment has not seen fit to shout it down. Month after month, however, there has been only a wall of silence from the Department for Education and Employment when we have sought its guidance and advice on how we should proceed with the initiative.

Under the School Standards and Framework Act 1998, the Secretary of State takes so much power from LEAs. Although Surrey's initiative had to be approved by him, he remained absolutely silent when we asked him to do so. That is characteristic of the burdens placed on counties such as Surrey. Other than the odd statement of political play—such as the one at last year's Labour party conference, when the Secretary of State said that, if he did not like what we were doing, he would step into Guildford and take over running our schools, and other such nonsense; I had to explain to him that that would be against the law, even under the 1998 Act—we have received no guidance on the initiative.

Conservative Members, who want diversity in education, have a real problem. We believe that a broad range of educational talent is available, and that diversity will harness that talent. Diversity cannot be characterised by the uniformity and dead hand of the Secretary of State. An inquiry by the Select Committee on Education and Employment into highly able children described, for example, how the literacy hour is turning off the most able children because it is far too boring for them. It is destroying their education standards, which are just as important as the education standards of other children in the class.

**Mr. Desmond Swayne** (New Forest, West): There is also the issue of imposing on schools something which might not suit their requirements. I can tell my hon. Friend about the experience of my son who came home from school explaining that the vicar would no longer be visiting the school because the literacy hour had left no time. That is a matter for schools and parents to decide, not Ministers.

**Mr. St. Aubyn:** My hon. Friend is absolutely right. With all these initiatives the Government are creating an artificial world for education in this country. Teachers, heads and schools are being given artificial targets that do not answer the real individual needs of the children for

*[Mr. St. Aubyn]*

whom they are responsible. For example—we warned the Government that this would happen—in the first year of this Government and the new initiative for smaller classes in the first three years of primary school, the number of children in classes of over 40 in primary schools in Britain has doubled. Before the Government took office, the figure was on a downward trend. If the Government create an artificial target which says that half the school must have smaller classes, the inevitable consequence of trying to find the teachers necessary for that, other class sizes have to go up.

**Dr. George Turner:** Will the hon. Gentleman give way?

**Mr. St. Aubyn:** I will give way in a moment.

Another example is the spring revision classes for year 6. It is an £18 million scheme, and teachers up and down the country have been complaining that it is a great waste of time. I hope that my hon. Friend the Member for North Shropshire (Mr. Paterson) will forgive me if I use an example from his constituency. In connection with the extra classes for year 6, the head of Belvidere primary school near Shrewsbury said:

"Although I would not wish to miss out on any extra funding, I am seriously concerned that this is far more to do with massaging key stage 2 SATs scores at a national level, than raising standards in levels of achievement."

I could not put it better myself, but I will give the hon. Member for North-West Norfolk (Dr. Turner) an opportunity to do so.

**Dr. Turner:** When £56 million is provided for extra teachers, I am trying to understand the logic of it being inevitable that a reduction in class sizes implies a doubling elsewhere. It sounds like Conservative logic to me—having to cut class sizes without any extra money to do so. The Government have committed themselves to providing the necessary funding to reduce class sizes for five, six and seven-year-olds. Why is a doubling in class sizes elsewhere inevitable?

**Mr. St. Aubyn:** I know that a former Education Minister could not even master the seven times table, but it is obvious that, if there is a limited number of teachers—we know that there is a problem of teacher supply about which the Government were warned at the outset of their term of office—there will be a problem. Those teachers have to come from somewhere. The strains in the system are showing by the fact that the number of classes with more than 40 pupils has doubled. That is the scandal of the Government's record in their first year in office.

King's Manor school in my constituency is the first school in the country to have been contracted out to the private sector. It was a great achievement for Conservative-run Surrey education authority. It has won the support of the Minister for School Standards and the chief inspector. Let me say why it is such a significant move.

We have seen schools in difficulty turned around before by good or even great head teachers. What is so difficult, even in those cases, is to institutionalise the change in the school. Schools fail because of a whole range of pressures and it needs more than one charismatic individual to solve the problem in the long term. By bringing in a new agency to provide new dynamism and purpose to the school in Guildford, I believe that we may have discovered a structure by which we can improve many of the failing schools up and down the country. In the second round of inspections, Ofsted has found too many schools that have not improved since their previous inspection. If we can get round the bureaucratic burdens that we keep getting from the Government, Conservative ideas will solve the problems.

8.50 pm

**Jacqui Smith** (Redditch): I welcome the opportunity to contribute to the debate, although I am disappointed by the Tory motion, which displays a narrow, negative and carping approach to education policy. We heard no positive proposals for action on standards from the hon. Member for Havant (Mr. Willetts). The Conservatives are more interested in weighing pieces of paper than in making positive proposals for improving what happens in classrooms and creating opportunities for our children. We have heard no recognition of the fact that 18 years of Conservative Government left our education system underfunded, with teachers demoralised and children having been failed.

The Opposition still believe that the only way to improve standards is by imposing a crude, laissez-faire market model of competition on the education system, so ably described by my hon. Friend the Member for Blackpool, South (Mr. Marsden) as mad market chaos. In the Tory world, parents are consumers, schools are production units and children, presumably, are products. Have the Conservatives not yet learned that setting school against school does not raise standards?

We have also heard that the Conservatives did not even pursue the logic of that policy, as they distorted their view with the imposition of a dogmatic, overcrowded and inflexible national curriculum in 1988, despite the pleas of teachers and academics, whom they now claim to care so much about. The Conservative years were characterised by a combination of the irresponsible imposition of market forces on schools, and the centralising dogma of their national curriculum.

**Miss Julie Kirkbride** (Bromsgrove): Could the hon. Lady be more interesting?

**Mr. Jamieson:** Shut up.

**Mr. Deputy Speaker:** Order. We cannot have an extraneous conversation between the Whip on Government Front Bench and an Opposition Back Bencher while an hon. Member has the Floor.

**Jacqui Smith:** Where was the incentive in the Conservative years for schools to share best practice? Why should schools have worked together to promote higher standards in the culture that was promulgated by the Conservatives? We could hope that the Conservatives had learned the lesson of those years, but unfortunately they have not. We have the evidence of that. Our Whip was not handing round Labour party propaganda, but was giving us the benefit of the Conservative party brief on

education—a single and rather flimsy sheet of paper which, under the heading "Points to make", says that *Conservatives* believe in raising standards through choice. That is the only proposal for raising standards. What does it mean? How will it work? There is no answer.

**Mr. Fraser** *rose—*

**Jacqui Smith:** Perhaps we shall hear some ideas.

**Mr. Fraser:** Unlike Labour Members, we are free thinkers and we do not need aids to put our ideas together.

**Jacqui Smith:** That brief is not an aid, it is the Conservative party position on education.

I am being unfair. Three more policies are outlined in the Conservative document: first, they do not like our class size policy; secondly, they do not like the literacy hour; and thirdly, they like grammar schools. That is hardly a comprehensive approach to raising standards and putting right the damage that their Government did.

As an ex-teacher and a current member of the National Union of Teachers, I am concerned about the bureaucratic burdens placed on teachers. I welcome the recent NUT survey on those bureaucratic burdens. If, however, the Conservatives wanted to enlist support for their case from the NUT, they would be disappointed because, unlike them, the NUT and teachers can see a clear distinction in the uses to which Government paperwork and activities are put.

The NUT press release says:

"Teachers draw a clear distinction between activities which promote high-quality teaching and learning and bureaucratic tasks which undermine it."

Teachers were asked to list the bureaucratic tasks that they felt were unhelpful. The list includes copying out lists, copy typing, collecting money, unnecessary preparation for Ofsted, bulk photocopying, analysing attendance registers and a variety of other tasks. Only one of the tasks listed did not develop under the previous Government. The bureaucratic burdens on teachers were imposed by the Conservative Government.

The one task on the list that I think should not be there—although I did not have any experience of it—is the auditing of standard fund spending. I have to disagree with my erstwhile colleagues in the NUT, because I wish that, in my 11 years of teaching under a Conservative Government, I had had the opportunity to audit extra spending, as opposed to spending my time wondering where money for improving standards was to come from.

I welcome the fact that the Government have addressed the real concerns through the bureaucracy working party, which issued guidance in May 1998 that was welcomed by teaching unions. As my hon. Friend the Minister said, the Government have followed the working party's advice and changed the way in which mailings are sent out. If teachers are still doing too many bureaucratic tasks, that is a matter of how schools are being managed and how resources are being used locally.

**Mr. Fraser:** Does the hon. Lady agree that it is better to spend money closer to the pupil, taking away a lot of the bureaucracy in local education authorities? Does she agree that there should be choice and the opportunity for all parents to participate in how their children are educated, or does she think, conversely, that everyone should have the same and that we should do down the system rather than bringing it up?

**Jacqui Smith:** There are several questions involved there, and I will certainly touch on those issues later on. Money is indeed important, which is why I condemned the underfunding under the previous Government, and why I think the present Government are right to have considered, in the fair funding proposals, how to get money down to schools and ensure that it is spent there.

One of the problems identified by the NUT was too many lunchtime meetings. My right hon. Friend the Secretary of State and his team are powerful and important but they cannot be held responsible if school management results in too many lunchtime meetings. Perhaps that highlights the need for training for headship, to make heads better able to manage both staff and resources—we know that the Government are delivering that—and the importance of the Green Paper.

The Green Paper is not only about pay, although it is worth noting that it will give many teachers a larger pay rise than I ever had in my teaching career and offer them the potential to earn more and stay in the classroom, raising standards for children. Bearing in mind the criticisms offered by the Conservative opportunists—I meant Opposition, but perhaps I was right the first time—it is worth asking whether Conservative Front Benchers are opposed to increased pay for teachers and, if not, how they would institute such increases.

**Mr. Paterson:** The hon. Lady has at last got round to discussing Government policy—the subject of the debate. Could she answer some questions that have been posed on the Green Paper by a senior head teacher in my constituency? He said that the amount of paperwork would be greatly increased if the proposed appraisal scheme went through. He asked who would do the appraisal, and how time would be spent by key managers in the school. He added that there was a huge assumption that that scheme would happen without the adequate provision of extra resources. Could she kindly answer those questions?

**Jacqui Smith:** I am pleased that the Government are undertaking exactly the sort of technical consultation that is necessary to address those issues. Is the hon. Member for North Shropshire (Mr. Paterson) arguing that we should not find the resources to increase teachers' pay? Is he arguing against his own party's manifesto, which said that the Conservatives believed that appraisal should be tightened on teachers and should focus solely on pupils' performance and results? That is what the Conservatives were arguing before the election.

The Green Paper is important because it will enable teachers to take a radical look at how they work. Are they working in a way that will raise standards? How will they work with the 20,000 new classroom assistants to be funded by the Government? How will they raise standards in the classroom? How will they improve their sense of professionalism? I welcome the opportunity given by the Green Paper to enable teachers to address those questions. This is a real, funded opportunity to review the role of teachers, and to refocus their efforts on what matters most—learning and teaching in the classroom.

*[Jacqui Smith]*

I wish to refer to the literacy hour. I notice from the NUT survey that teachers—unlike the Conservative party—do not see the literacy hour as a burden. As a constituency Member of Parliament and a mother, I have had experience of the literacy hour on my visits to many schools in my constituency. I must tell the hon. Member for New Forest, West (Mr. Swayne)—who has now left the Chamber—that my son's school managed not only to include that literacy hour, but to arrange to see the local vicar and to go to the local church. That is good news.

Schools, teachers and parents welcome the emphasis on raising standards, the sharing of best practice, the funding made available by the Government and the training of co-ordinators and staff.

**Mr. Fraser:** Will the hon. Lady give way?

**Jacqui Smith:** No, I will not, because I want other Opposition Members to have a chance to speak.

Will the Conservatives come clean? Do they intend to scrap the literacy hour? Will they follow the advice of the hon. Member for Maidenhead (Mrs. May) and impose a further Tory education cut—introducing, perhaps, the literacy half-hour?

In conclusion, the Opposition have carped and criticised. They have failed to support the Government's action to raise standards, or our plans to increase the sense of professionalism and pay among teachers. They have failed to support the extra £19 billion of spending for education. I must tell Conservative Members that the biggest burden that I had placed on me in my 11 years as a teacher was my inability to find the resources to do the job properly. Those Members have failed to support our schools. In government, they failed our schools and our children. In opposition, they are still doing so.

9.4 pm

**Miss Julie Kirkbride** (Bromsgrove): I am particularly grateful to be called at this juncture because I represent the neighbouring seat to that of the hon. Member for Redditch (Jacqui Smith), and, therefore, we share an interest in a number of school issues. Much of her speech was irrelevant, in that she discussed the past—from a partisan viewpoint—and the previous Government's excellent performance in education. She had precious little to say about the present Government's performance in education. However, her remark that her biggest burden as a teacher was financing was germane. Although the arrangement has changed on the Government Front Bench, the hon. Lady had an opportunity to speak to the Under-Secretary of State the hon. Member for Norwich, South (Mr. Clarke) about the financing of Worcestershire schools and the problems faced by teachers and head teachers in Worcestershire schools with regard to the financing of our schools.

At the end of last year the Government conducted a review of the standard spending assessment and central Government financing of schools and local government. The hon. Lady kindly arranged a meeting with the Under-Secretary—Labour Members have access to Ministers—so that we could listen—

**Mr. Tony McNulty** (Harrow, East): Get on with it.

**Miss Kirkbride:** It may not be important to the hon. Gentleman, but to us in Worcestershire, it is extremely important. I am glad to see the Under-Secretary back in his place.

**Mr. Plaskitt:** Get on with it.

**Miss Kirkbride:** We had a meeting with the Minister about the funding of Worcestershire schools. It is extraordinary that during her speech the hon. Lady did not mention that despite the sympathetic hearing that the Labour leader of Worcestershire council received from the Minister, and despite the fact that the meeting was attended by teachers from various constituencies, we did not get a single extra penny out of the Government when the SSA was changed. Worcestershire schools should get greater priority.

**Mr. Jamieson:** Eighteen years.

**Miss Kirkbride:** I accept that under the Conservative Government, Tory Members tried to change the education grant. The difference is that when the hon. Gentleman's Government came to power, they pretended that everything would be different. They duly set up the review, and it changed nothing about the financial position of Worcestershire schools. They are still underfunded. They are in the lowest 10 per cent. for funding throughout the nation.

I am astonished that the hon. Member for Redditch did not mention that when she had the ear of the Minister and the opportunity to plead for all our schools, whether in Redditch or in Bromsgrove. If I may say so, she should be ashamed of herself.

The problem of financing is the greatest issue that schools in Worcestershire face, and the Government have done nothing about it. They are producing other burdens on our schools that are causing great concern. I recently visited Meadow Green primary school, where there is great concern about the effect of the changes to the local management of schools brought about in the Education (Schools) Act 1997. The school had not been told about the kind of repairs for which it will be responsible, the level of the budget that will be devolved from the local authority—a Labour-controlled local authority—for repairs and maintenance, and how much the capital spending programme will be as a proportion of the budget.

There is great concern at many of my schools. I was called to an emergency meeting of the governors because they are so worried. They want to do their best for their school and for the community. The Government have instituted changes that are still unclear. The changes take effect in April, but the schools do not know how they will be affected by the new arrangements.

I should tell the Ministers—there are now two on the Front Bench—that schools in Worcestershire are deeply unimpressed by the so-called new deal for schools. Schools in Worcestershire have not seen any of

that money. *[Interruption.]* If the Minister will write to me, I shall be keen to hear what schools in Bromsgrove have got from the new deal. *[Interruption.]* Labour Members may scream and shout as much as they like.

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. No they may not. It would be helpful to the House if the hon. Lady could be heard against a rather quieter background.

**Miss Kirkbride:** Thank you, Mr. Deputy Speaker.

The simple fact is that schools in Bromsgrove believe that the Government's new deal applies only to other schools. Money goes to seriously dilapidated schools that have been run for so long by Labour-controlled local authorities that they are in such a state of disrepair as to be eligible for the money.

**Mr. Gordon Marsden:** I have listened carefully to the hon. Lady. Have the schools in Bromsgrove entered the Bermuda triangle of Government funding only in the last 18 months, or were they also there during the previous 18 years?

**Miss Kirkbride:** The hon. Gentleman has not listened to what I have said. I am talking about the new deal, and he may wish to know that it is part of the Labour Government's policy. Money is announced, re-announced and then announced again. They tell us that they are spending megabucks on our schools, but none of my schools is even aware of the existence of that money because they are not receiving what they want. That happened under the hon. Gentleman's Government, not during the previous 18 years.

I shall conclude on class sizes to allow other hon. Members time to speak. My hon. Friend the Member for Guildford (Mr. St. Aubyn) made a fascinating and telling point about what has happened to the pledge on class sizes. The number of classes in which there are more than 40 children has doubled. The impression I receive from my schools is that the pressure points are merely being moved around. Schools are legally obliged to make progress on five, six and seven-year-olds, and much progress is therefore being made. Meanwhile, older children are in larger classes so that the schools can fund the smaller ones, a situation that testifies to the point made by my hon. Friend.

On the whole, it is better to have lower class sizes so that more individual attention can be given to children. However, there is a question of balance. There may, as the Conservatives have said, be occasions on which a classroom support teacher may be more effective than alternative methods.

Despite the underfunding provided to Bromsgrove by the new Labour Government, we are lucky to have excellent schools that produce excellent results. The hon. Member for Redditch may shake her head at that: her Labour-controlled county council has tried to close two of my excellent schools. Thank goodness we stopped that.

**Jacqui Smith:** I am pleased to hear the hon. Lady congratulate her schools. Will she take this opportunity to withdraw her comments in my local newspaper criticising teachers and children in Redditch schools, and condemning their low standards? Her remarks were upsetting to my constituents, and several people have contacted me about what she said.

**Miss Kirkbride:** The hon. Lady misquotes what I said. The incident to which she refers was the programme for closures in Redditch schools. Sadly, some of my schools are drawn into the Redditch orbit, and the Labour-controlled county council decided to seek to close Beoley first school and Tardebigge Church aided school, excellent rural schools to which her Government are meant to be committed. Other schools in Redditch were not earmarked for closure although their results were not as good as those in my schools.

**Jacqui Smith:** Will the hon. Lady give way?

**Miss Kirkbride:** I have answered the hon. Lady, so she might as well sit down. She has had her moment in which to make her point, and she completely misquoted what I said. It is a matter of record in the local newspaper, and I stand by what I have said today as it is the same as what I said to the local newspaper.

I have excellent schools in my constituency, and some of the very good ones are in Hagley. However happy one may be in principle about the reduction in class sizes and the 30-pupil limit, I have a prediction to make, for the benefit of Labour Members and the Ministers: I now see a steady flow of extremely irate parents who would kill to get their children into some of my first schools, but whose children are now being deprived of the chance to go to those first schools because of the arbitrary limits set by the Labour Government; and I fear that that trickle will become a great flow. Despite the Government's good intentions—perhaps I am being generous—setting a limit of 30 pupils in certain classes is not necessarily the right way forward. Many of my constituents will strongly oppose that limit when it becomes a strict rule in a few years time.

9.15 pm

**Mr. Vernon Coaker** (Gedling): Much of my teaching career took place during the years of Conservative Government. Those years brought constant upheaval, massive new burdens and policies such as the expansion of the assisted places scheme and grant-maintained schools, many of which were given benefits not available to other schools to encourage them to opt out. Those years also witnessed declining pupil behaviour, despite huge increases in expulsions, and poor standards. After 18 years of Conservative Government, half of all our 11-year-olds failed to reach the levels expected for their age in maths and English; and one in 12 pupils failed to achieve one GCSE at the end of their school career.

A burden greater than all of those has already been mentioned by some of my hon. Friends—unbridled competition, which, rather than supporting individual school improvement, was the driving force behind the Conservative Government's programme. The Tory belief was that the education system could be treated as a market: if raw statistics were published and free parental choice allowed, good schools would expand and poor schools close. In reality, schools had the burden of back-door selection and two-tier comprehensive education.

That led to teachers who were struggling with pupils with special needs being undervalued, and feeling undervalued. It led to schools that were trying to cope

*[Mr. Vernon Coaker]*

with pupils who had difficult emotional and behavioural problems being labelled as bad schools. The way in which the Conservative Government pursued their policies created the biggest burdens that could be imposed on any school: the feeling that, unless pupils achieved high academic excellence, the school had failed, and so had the teachers.

Initiative after initiative came into schools, but they were all driven by a philosophical thrust that fundamentally misunderstood the dynamics of school improvement and the real meaning of raising standards for all pupils, and not only those at a particular level. Against that background, the Labour Government are trying to raise standards for all children, increase achievement in all schools and remotivate the teaching profession, while rebuilding the fabric of the schools within which children are taught.

Our policies are motivated by a belief in the comprehensive principle. It is time to restate our commitment to the comprehensive principle: it might need modernising and changing, but that principle offers more children the opportunity to make the best of their ability than any of the alternative systems on offer. Through support and encouragement as well as stricture and demand, we shall move forward and improve our schools. That will require new initiatives and make new demands on schools, but we shall act sensibly and constructively to raise the achievements of all the pupils in our schools.

The numeracy and literacy projects have been well supported, with a wide range of materials and training available. The national curriculum for primary schools has been made more flexible, thus reducing the burden on schools and enabling them to implement the national numeracy and literacy strategies. The Tories complain about the burden that the numeracy and literacy strategies place on schools. From my experience, there is no bigger burden on schools than having large numbers of pupils who cannot read or write.

**Mr. Fraser** *rose—*

**Mr. Coaker:** I am sorry, but there is not enough time. Other hon. Members wish to make their own contributions.

If children cannot master basic skills at an early age, the consequences follow them through their school years and fundamentally affect their life chances. Does the hon. Member for Havant (Mr. Willetts) really oppose strategies that address such problems?

I also commend the initiative with respect to 14 and 16-year-olds, which has not been mentioned in great detail tonight. Pupils of that age are often the most difficult in schools. Greater flexibility in that part of the curriculum to provide more work-based and work-related learning for pupils, in co-operation and liaison with local further education colleges, should lead to a reduction in truancy. Not only will those pupils benefit from that education entitlement, but other pupils whose education is often adversely affected by the disaffection of the first group will be taught in a better environment.

I turn to other aspects of the proposals before us today, particularly attitudes to the teaching profession. I know many teachers in Nottingham and Nottinghamshire, many of whom are my former colleagues and friends. Everyone accepts that the majority of teachers work extremely hard and do their best in often difficult circumstances. However, that is no reason for not making changes for the better.

When I was teaching, we would always ask, "Why are teachers promoted only when they take on some sort of management function?" Why can teachers not stay in the classroom, be promoted and receive better pay just because they are good teachers? That is one of the great tragedies of the current pay structure: if teachers who are good in the classroom want to advance, they must be promoted out of the classroom. Consultation is under way at the moment in an effort to address that pay structure problem.

Another issue is particularly demoralising to teachers: we must ensure that teachers are allowed to teach in the classroom. I believe that some of the problems in our schools have nothing to do with pay or any of the other issues that we often discuss. I think that teachers are often frustrated because they cannot teach. People enter the teaching profession because they wish to pass on an excitement about history, a joy of music or an appreciation of the beauty of poetry or art. However, the problems that young people bring into the classroom often prevent teachers from teaching. My right hon. and hon. Friends on the Front Bench are pursuing constructive initiatives in an attempt to improve behaviour in schools. That is a fundamental move.

If we could tackle that problem, we would remotivate teachers, because they want to teach. Many of the schools in which I have taught—I do not mean to be disrespectful to them, and I am sure that many hon. Members will understand this point—have operated as social hospitals. Schools are often the only places where there is any stability in communities. We must recognise the work of schools and recognise and value the work of teachers. If that happens, some of the other problems will disappear.

It is my fundamental belief that the issue is not one of pay, but of teachers wanting to be able to teach and feeling that they are valued for doing so. If we achieve that, we will raise standards and be able to change the structures in schools. I therefore welcome many of the initiatives—which the hon. Member for Havant would call burdens—to try to establish the behaviour plans and home-school contracts that are so essential in raising standards in schools and remotivating our teaching force.

I shall be brief so that other hon. Members will, hopefully, have an opportunity to speak. The Government's initiatives are not burdens. They will tackle education in an attempt to raise standards for all pupils. The previous Conservative Government's education policy failed because their philosophical thrust was to try to benefit those at the top and abandon the rest. Some schools and their teachers were regarded as good, and the rest were abandoned. The Government have to deal with that legacy and work within its limits.

There is cynicism about the motives behind the Government's reforms, but they are to raise standards in schools for all pupils; to restore and improve teacher morale; to value all our pupils, whatever their circumstances, and to improve the achievement of every pupil in every school in the land, irrespective of where they live, their parents and other associated factors. If we get that right, we will have proved ourselves to be a truly

radical Government—as I believe we shall be—who are determined to make tough choices and face a rough ride in the short term to achieve the long-term goal of re-establishing the principles that I have mentioned and developing an education system that offers opportunity to all pupils, not just a few.

9.27 pm

**Mr. Howard Flight** (Arundel and South Downs): Conservative Members have not raised a party political or general political matter. We are repeating what the people in schools in our constituencies are saying to us. I have been visiting schools in West Sussex for the past three years and, in the past six months, I have been overwhelmed by complaints from heads and teachers, many of whom are not our political supporters, about the excessive burden of paperwork. Labour Members seem to be particularly touchy about us discussing practical rather than doctrinaire problems.

There is a growing gap between propaganda and reality. In my part of the world, schools are having to sack teachers because the overall effect of the massive cut in standard spending assessment money means that there is no extra money for schools. The gap between expectancy and reality is enormous.

I want particularly to deal with class sizes because schools in my constituency typically serve communities, and their intake numbers vary by between 40 and 60 pupils each year. Schools have managed by having two classes of about 30 or one class of 40 with an assistant. Heads have expressed bitter criticism about the fact that they are now faced with having too much mixed-age teaching or simply refusing to take pupils in years in which they have a large intake. Other schools are often eight or 10 miles away and it is a nightmare for parents to transport their children to a different school, so schools feel obliged to serve their communities. For schools of that size, a mandatory class size of 30 does not work; it creates more problems than it solves.

The Government should listen to what heads and teachers are saying. It is no good saying, "We are jolly well going to throw all these consultative documents and instructions at you, and they will make you better teachers in better schools, come what may." I suggest, gently, that that is not happening. Teachers need to be motivated; pay is not the problem. They need to be able to get on with running their schools well, and not be overburdened with excessive rigidity and paperwork.

9.30 pm

**Mrs. Theresa May** (Maidenhead): I am pleased to be winding up this important and interesting debate, in which several of my hon. Friends have made excellent speeches. One of the most noticeable features of the speeches by Labour Members was the reluctance to defend the Government's record. They wanted to talk about the past, not the present, under their Government.

As my hon. Friend the Member for Arundel and South Downs (Mr. Flight) has pointed out, we see a gap between the Government's propaganda and what is happening in schools. Sadly, there is a lack of understanding among Government Front Benchers—and Government Back Benchers—of what is happening as a result of their policy. As my hon. Friend has said, the points that we are raising are the same ones that teachers and head teachers raise when we visit schools. They are upset, concerned and worried about the burdens that are being put on them and the level of bureaucracy with which they are having to cope under this Government. They are especially concerned because, frankly, they had not expected that from this Government. In future, they will not believe the promises and pledges that Labour makes on the doorstep.

We have exchanged statistics in this debate. Indeed, I might very well quote a few in a minute. The debate is important not just because it is about bureaucracy and paperwork, but because it is about what happens in the education of children in the classroom; about educational standards, and how we raise them; and about how the Government's multiplicity of so-called initiatives is tying down teachers and schools, reducing diversity and choice and taking teachers away from the job of improving standards.

"Whenever I meet teachers I hear cries to cut the bureaucracy to let us do our jobs."

"We want to make sure that teachers spend their time teaching and not in unnecessary bureaucracy."

"Teachers should be free to teach not slaves to paperwork."

"Raising standards and reducing unnecessary paperwork in schools to allow teachers to teach are issues that go hand in hand."

"Teachers should be able to concentrate on pupils' work, not paperwork."

One might think that those quotations were from speeches of my hon. Friends in this debate, or perhaps even of disgruntled governors or disaffected teachers. Surprising though it may seem, given the nature and tone of the speech of the Minister for School Standards, who seemed reluctant to accept that there was any problem about bureaucracy in schools, every one of those quotations was from a Minister, as an initiative to cut bureaucracy and red tape in our schools was launched and relaunched.

What initiative did the Government take to cut red tape? They set up a working party, conducted a review, came up with a report, and followed it with a Department for Education and Employment circular. Following the working party's report a year ago, what did the Government say? They said that they would make every effort to ensure that the report's recommendations bore fruit. What action were they going to take? They were going to set up another division in the DfEE. This must be the only Government whose response to cutting bureaucracy is to employ more bureaucrats.

What has happened since the report was issued in January 1998? Three months and 59 guidance notes, directives, surveys and other documents later, the Government announced another relaunch. Two months and 48 guidance notes, directives, surveys and other documents later, the Government announced another relaunch. One month and 21 guidance notes, directives, surveys and other documents later, the Under-Secretary, the hon. Member for Norwich, South (Mr. Clarke), stood up at a local education authority conference in Torquay and pledged his personal crusade to cut bureaucracy. What happened in the following six months? One hundred and ninety-four guidance notes, directives, surveys and other documents.

It would be farcical if it were not so important, because this is not just about the numbers of Government documents; it is about the fact that, the more time is taken

*[Mrs. Theresa May]*

by teachers to deal with the paperwork, the less time they have to educate children and to improve standards in the classroom.

I take the point made by the hon. Member for Gedling (Mr. Coaker)—teachers want to teach. That is why we raised this issue tonight. Teachers do not want to be stuck looking at paperwork, dealing with forms and reports and reading endless directives and guidelines from the Government.

The Minister for School Standards said that everything was all right because, in September 1998, the Government had decided that they would approach things differently on bureaucracy. She said that, since last September, it was all perfectly all right and there were no problems. I see the Minister shake her head, but she told us that, since last September, the bureaucracy had actually reduced. Perhaps she needs to read the survey commissioned last month by the NAT/UWT and conducted by the Electoral Reform Society, which showed that the situation had not changed in 60 per cent. of schools, and had got worse in a quarter of schools.

It is little wonder that, today, the general secretary of the NAS/UWT issued a press release headed, "Bureaucracy Bugs Teachers. Workload Worries Remain". It says:

"The Government is addicted to one initiative after another. The need to provide booster classes and after-hours support for children to meet ambitious Government targets recently added to the excessive workload being placed upon teachers. Individual, school, LEA and National Targets are raining down in their thousands upon teachers. Mismanagement of the Literacy Hour has not helped and the forthcoming numeracy strategy is awaited with trepidation by many primary teachers.

The Government will have to get a grip on this problem, otherwise its bureaucratic proposals for appraisal and management performance, outlined in the recently published Green Paper, will cause the education system to sink under its own weight."

**Miss Melanie Johnson:** First, I should like to challenge your idea that ambition is something—

**Mr. Deputy Speaker:** Order. Not my ideas; the hon. Lady's.

**Miss Johnson:** I stand corrected, Mr. Deputy Speaker. I should like to challenge the hon. Lady's ideas about our ambitions for the education service. Does she not share those ambitions, and does she not believe that ambition for the future of our schools and the education of our children has a right and proper place? Does her memory not extend back to where mine does—I am sure that it does, Mr. Deputy Speaker—and remember things like the pantechnicons that arrived delivering national curriculum documents, full of unnecessary prescription, to schools throughout the country, at a time when legislation rained down upon the education service year after year? Does her memory not go back—

**Mr. Deputy Speaker:** Order. The hon. Lady has gone far beyond what she would normally be allowed.

**Mrs. May:** After that intervention, I hope that the hon. Lady has no ambitions in the House. The answer is that we believe in raising educational standards. We are debating the subject tonight because what the Government are doing is not raising standards in education, but mitigating against improving standards in education.

I suggest that the hon. Lady listens to the teachers' views. I quote some comments that were made during the survey commissioned by the NAS/UWT, conducted last month, in which teachers were asked,

"What are the problems associated with workload which still need to be addressed at your workplace?"

Some answers were:

"There are too many bits of paperwork. What we are supposed to be doing is educating children."

"I would think that the main thing is a lot of extra paperwork. Multiple copies of planning sheets and assessments are time consuming, as is the admin for literacy hour."

"Initiatives to try and raise achievement are causing an increase in workload, for example targeting."

"There are not enough hours in the day to get through everything. You can't teach and do paperwork at the same time—one has to suffer and it's usually the teaching."

**Mr. Hawkins:** Does my hon. Friend recognise that, on school visit after school visit, I have been told by head teachers and chairmen of governors in my constituency that the one thing that they pray for is that the Government will stop burying them in paper? My hon. Friend has met head teachers in my constituency. Does she agree that that is one thing that heads and other teachers are telling the Government?

**Mrs. May:** I thank my hon. Friend for that excellent intervention. He is right. He shows how much closer Conservative Members are to understanding what teachers and head teachers say about the work load introduced by the Government than are Ministers and Labour Members. As he said, it is precisely because teachers and head teachers complain about the work load that we have chosen to debate the matter today.

**Helen Jones:** Will the hon. Lady give way?

**Mrs. May:** No, the hon. Member for Welwyn Hatfield (Miss Johnson) made rather a long intervention.

It is not just teachers and head teachers who are complaining about the work load and paperwork. Labour Members of Parliament are also doing so. In an Adjournment debate on 11 January, the hon. Member for North-West Leicestershire (Mr. Taylor), who was in his place earlier today, referring to schools that he had visited in his constituency, said:

"The chairs of governors of the schools . . . often said that they were drowning in a sea of paper . . . The continuing inflow of documents for the attention of chairs and members of governing bodies is reaching alarming proportions".—[*Official Report*, 11 January 1999; Vol. 323, c. 76-77.]

Perhaps the hon. Gentleman should discuss that with the hon. Member for Redditch (Jacqui Smith) who, in an extraordinary contribution to the debate, said that it was all the fault of teachers and nothing whatever to do with the Government.

I want to touch on four particular burdens impacting on schools. One is the bidding process, the problems of which were ably described by the hon. Member for Bath (Mr. Foster). The Government's obsession with targets, as shown in one of the comments that I have just quoted,

is another problem impacting on schools. I welcome the Minister's statement that her entire Front-Bench team will resign if the literacy and numeracy targets are not reached by 2010. *[Interruption.]* She obviously has not told all her hon. Friends of that intention. The Minister with responsibility for higher education might be a little worried because standards are falling and the targets are even further from being reached than they were when the Secretary of State first said that he would offer his resignation.

A lot has been said about the literacy hour, which is placing real burdens on teachers. The hon. Member for Blackpool, South (Mr. Marsden) claimed that the Government would not intervene where schools were achieving and raising standards, but the point about the literacy hour is that the Government are intervening regardless of the standards that are being achieved by schools. The hon. Gentleman said that the Government were enabling and empowering, but, in the literacy hour, they are directing.

A primary school teacher in the north of England said:

"I feel like an NQT in minute one of my career, not a seasoned professional who has ridden every merry-go-round that has been introduced and got off them again. All the things that have worked for me, the experience built up over those 25 years in the primary classroom have been replaced by a strategy that is too bulky to deliver, too onerous to plan and that has a 'knock-on' effect for the use of teaching areas, hall, quiet rooms etc . . . We know the stress that we feel and how we dread the job we once enjoyed, but no-one asks us or listens to us. We also know that when it fails it will be our fault. We dare not contemplate the Numeracy Hour. As our area secretary said, 'This is the stuff nervous breakdowns are made of.'"

That is the teachers' reaction to the Government's imposition of the prescriptive literacy hour.

For the future, we have performance-related pay, with its cumbersome, unwieldy and bureaucratic proposals. The NAHT has calculated that, in the first year, the administration of the system will cost £250 million before a single pound has reached the pocket of a single teacher. It will create a two-tier teaching profession. It was sold on the basis that teachers would be rewarded for good performance but, as the Minister for School Standards made clear in Essex at the launch of the Green Paper, she did not think it right to pay people extra "for just teaching". This is not about giving teachers money for good performance; it is about requiring them to take on extra responsibilities and new contracts.

The NAS/UWT says that performance-related pay is woefully unmanageable and monstrously bureaucratic. Linda McMillan, a deputy head from Blackpool, said:

"They stood there asking us how we could make something unworkable work."

The Government are inundating schools, teachers and governors with directives, diktats, guidance notes, information notes and paper after paper. The Government should rethink the timing of their teachers' pay proposals. They need to reconsider what they are doing, and ensure that they introduce compliance cost assessments for every directive, piece of paper and regulation that goes out from the Department for Education and Employment.

The Government went to the electorate promising that things can only get better. They did not say that they will get better if we are lucky. They did not say that they will get better after a few years. They did not say, "We'll try to make them better, but they might get worse." They promised that they could only get better. Teachers snowed under with bureaucracy do not think that things are better. Teachers whose professionalism is taken away by Government diktat do not think they are better. Parents who see standards falling do not think they are better. The Government should stop lecturing teachers and should stop trying to grab the headlines. It is time they gave schools a break. Let teachers teach: our children deserve it.

9.46 pm

**The Parliamentary Under-Secretary of State for Education and Employment (Mr. Charles Clarke):** It is extraordinary that the hon. Member for Maidenhead (Mrs. May) made that speech without any mention of parents, employers, governors or children. It is clear to me that she is now the teacher unions' friend, as I remarked to her at a National Union of Teachers conference on education action zones. I am not quite sure how well that goes down with her hon. Friends on the Back Benches. The vigour of her speech led me to think, yet again, that she is more than the shadow Secretary of State's third brain. Her one brain adds up to more than his two put together.

I was struck by the speech of the hon. Member for Bath (Mr. Foster). When pressed, he sought to explain and justify his alliance with the Tories on this significant occasion by reference to two specific points with which he had difficulty: the bidding process, to which the hon. Member for Maidenhead also referred, and the children's Parliament. He could bring nothing else to bear. I am disappointed that he has not associated himself with our drive to raise standards, because I had hoped that the Liberal Democrats would do so.

I was delighted to receive—contrary to what the hon. Member for Maidenhead said—my hon. Friends' strong support for the Government's programme. It ranged from the philosophical run through Mao, Stalin and Hobbes by my hon. Friend the Member for Blackpool, South (Mr. Marsden) to the comments of my hon. Friend the Member for Redditch (Jacqui Smith), who gave specific and powerful attention to the flimsy Tory document and list, and the excellent intervention of my hon. Friend the Member for Gedling (Mr. Coaker), which brought us back to standards and achievement and the comprehensive principle.

I was less convinced by the remarks of the hon. Member for Guildford (Mr. St. Aubyn) and his appeal for permanent revolution, and by the discourse of the hon. Member for Bromsgrove (Miss Kirkbride) on the funding system in Worcestershire, although I was flattered that my meeting with her caused her such excitement.

**Jacqui Smith:** In the light of the confusion thrown into the debate by the hon. Member for Bromsgrove (Miss Kirkbride), would it be helpful if I told my hon. Friend that in the financial year 1998–99 Worcestershire received £1.637 million under the new deal, including money for schemes in Bromsgrove, £3.796 million in a standards fund, and £600,000 towards the national grid for learning, on top of the £2,000 for each school for extra books?

**Mr. Clarke:** Now we know who the truly well-informed Member for the county of Worcestershire is.

**Miss Kirkbride:** Will the hon. Gentleman give way?

**Mr. Clarke:** No, I shall not give way.

*[Mr. Clarke]*

I shall begin the substance of my speech by reference to the common ground between Members on the two Front Benches. It is common ground that we need to reduce the bureaucratic burden in schools.

**Miss Kirkbride:** Will the hon. Gentleman give way?

**Mr. Clarke:** No, I shall not give way, because I will not allow the debate on bureaucratic burdens in schools to be hijacked. If the hon. Lady wants to have her discourse, she is welcome to have it.

It is common ground that it is necessary to reduce the quantity of paper going to schools.

**Mr. James Gray** (North Wiltshire): On a point of order, Mr. Deputy Speaker. Am I right in thinking that, if the Minister mentions another hon. Member—in this instance, my hon. Friend the Member for Bromsgrove (Miss Kirkbride)—he should give way to her, so that she can reply to what he has said?

**Mr. Deputy Speaker:** I think the hon. Gentleman has been in the House long enough to understand that that is not a point of order. It is entirely a matter of convention. It is for the Minister to determine whether to give way.

**Mr. Clarke:** It is very striking—

**Miss Kirkbride:** Will the Minister give way?

**Mr. Clarke:** No, I will not. It is very striking— *[Interruption.]*

**Mr. Deputy Speaker:** Order. I am sorry to interrupt the Minister, but the House must come to order. It is entirely up to the Minister whether he gives way. We cannot have a chorus of disapproval and counter-disapproval across the Chamber; we want to hear the end of the debate in an orderly manner.

**Mr. Clarke:** I shall say what I was trying to say. It is striking that Opposition Back Benchers should wish to debate funding in Worcestershire, rather than their motion. It is in connection with that motion that I wish to respond to Opposition Members' assertions.

**Miss Kirkbride** *rose—*

**Mr. Clarke:** I have made it clear that I do not intend to give way to the hon. Lady.

I want to focus on the issues that the Opposition have raised—issues to which the Government wish to respond. I have begun by saying that it is common ground that we need to seek to reduce the amount of paper in schools. That is why we set up a working group, produced guidance and established demonstration projects to reduce it further. That is why we have initiated tighter action to reduce the number of documents that are sent out, and have produced guidance on changes in the law.

**Mr. Phil Willis** (Harrogate and Knaresborough): Will the Minister give way?

**Mr. Clarke:** Yes, I will. *[Interruption.]*

**Mr. Deputy Speaker:** Order. I think that the Opposition have made their point.

**Mr. Willis:** I am grateful to the Minister for giving way.

I would have liked to raise this issue during the debate. It relates specifically to what the Minister just said about reducing the amount of paper. One of the proposals that the Government have trumpeted is the proposal to put all schools on the internet: indeed, that was a manifesto promise. At present, only one in five primary schools is on the internet. When will the Government ensure that their election promise—which has now been delivered to BT and the cable companies in terms of their franchises—is delivered to our schools, so that they can reduce the amount of bureaucracy?

**Mr. Clarke:** The hon. Gentleman has been pursuing that in the House, and he has been right to do so. We have set the pledge for 2002, but we hope to fulfil it earlier. We have established a website with all the data, and schools can obtain data directly from the internet. We have launched a series of initiatives to reduce the amount of paper, and we shall proceed with that action.

What I really want to deal with, however, is the charge of opportunism that was raised by my hon. Friend the Member for Redditch. These are the issues, and this is what our communications are about. First, there is inspection of the Ofsted system; secondly, there is the national curriculum; thirdly, there are the performance tables and data collection; fourthly, there is in-service teacher training; fifthly, there is reform of the teaching profession and teacher training; sixthly, there are local management of schools and their funding; and seventhly, there are special educational needs. On all those issues, the Conservative Government produced legislation, and imposed burdens on schools. In every case, we are reducing those burdens and making progress.

**Mr. John Bercow** (Buckingham): If the Minister's Government are as busy reducing burdens as he claims, can he explain why the general secretary of the National Association of Schoolmasters/Union of Women Teachers, Mr. Nigel de Gruchy, has described the Government's proposals for reform of the teaching profession as entirely inappropriate, woefully unmanageable and monstrously bureaucratic?

**Mr. Clarke:** Again, I am struck by the increasingly intimate relationship between the ultra-right among the Opposition and the teaching trade unions. Consultation is taking place, and we shall of course listen to every view that is expressed.

On Ofsted inspections, we are lightening the burden where the Tories increased it. On the national curriculum, the Tories went through the Dearing fiasco, while we are reducing the burden. We do not know what the Tories will do, although we heard from the hon. Member for Havant (Mr. Willetts) that they would scrap the literacy hour. We gather from the Leader of the Opposition that they will scrap the national curriculum altogether. On performance tables, we are reducing the burden.

**Mr. Paterson:** Earlier, the Minister for School Standards showed infernal arrogance and breathtaking contempt for one of Shropshire's most distinguished

teachers, Grahame Arnold, head teacher at Adams school in Wem. Will the Minister dissociate himself from her comments? Does he agree with Mr. Arnold that

"local Education Authorities are now employing more staff to deal with the demands of Government legislation which means less teachers in the class room to teach children"?

**Mr. Clarke:** The reverse is true. I agreed with what my hon. Friend the Minister for School Standards said. She summed up the position clearly. That is the position as it stands.

I continue down the list. On in-service training, it was the Tory Government who brought in Baker days in 1987, although I note that the hon. Member for Sevenoaks (Mr. Fallon) now wants to get rid of them. We are reducing the burden.

On the teaching profession overall, it was the Conservative Government who set up the Teacher Training Agency in 1994 and who developed the national curriculum for initial teacher training. It was the Conservative Government who brought performance-related pay into the public sector. It is we who seek to raise the esteem of the profession, to reduce the burden and to raise standards.

On fair funding, it is we who are putting more resources into schools. On special education, the Conservative Government legislated in 1993 and produced a code of practice. It is we who are targeting the real issues.

The issues are straightforward. The so-called burdens that the Opposition claim—*[Interruption.]* It is interesting that those Conservative Members on the Front Bench do not want to listen. That is a characteristic of the right hon. Member for Bracknell (Mr. MacKay), the Northern Ireland spokesman. It shows what disqualifies him from his shadow role—he has no listening quality whatever.

We are reducing the burdens. We will continue to reduce them. The reason why we will continue—

**Mr. St. Aubyn** *rose—*

**Mr. Clarke:** I will not give way.

**Mr. St. Aubyn** *rose—*

**Mr. Deputy Speaker:** Order. I am sorry to interrupt the Minister. The hon. Member for Guildford (Mr. St. Aubyn) must seek loudly to make an intervention. If he is refused, he must sit down.

**Mr. Clarke** *rose—*

**Mr. St. Aubyn:** Will the Minister give way?

**Mr. Clarke:** No, I will not give way. I will finish what I have to say.

**Miss Kirkbride:** Will the Minister give way?

**Mr. Clarke:** No.

Our drive was, is and will continue to be to raise standards for children in our schools. We will do what we have to do to achieve that. We will carry through our policy of lightening the burden to allow teachers to teach and to work more effectively.

By the opportunist step of tabling the motion, the Conservative party has turned its back on the target of raising school standards. It is focused on the wrong target. It has truly become the party of reaction and no change.

The times call for change. Our children are growing up in a world of rapid social and economic change. Schools have to equip children to master that change. Schools and teachers are there to help children. We are there to help schools and teachers to do that.

I am sorry that the Tories are sticking their head in the sand and turning their back on the process. The true burden on schools over 18 years was the Conservative Government. The electorate removed that burden in May 1997. The burden of the Tory Government having been removed, the present Government are determined on a course of reducing burdens still further and raising standards for all still further. I believe and hope that the Liberal Democrats will reconsider their opportunistic stance and decide that they will commit themselves to what we are doing. I hope and believe—

**Mr. Patrick McLoughlin** (West Derbyshire) *rose in his place and claimed to move,* That the Question be now put.

*Question,* That the Question be now put, *put and agreed to.*

*Question put accordingly,* That the original words stand part of the Question:—

*The House divided:* Ayes 172, Noes 334.

**Division No. 84]** **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Dafis, Cynog
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie

Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

**Tellers for the Ayes:**
**Mrs. Caroline Spelman and Mr. Stephen Day.**

## NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Brinton, Mrs Helen
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John

McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Noes:**
**Mr. David Hanson and**
**Mr. David Jamieson.**

*Question accordingly negatived.*

*Question,* That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

*Resolved,*

That this House commends the Government for the introduction of vital measures to improve standards, particularly in literacy and numeracy; applauds the extra flexibility it has introduced in the national curriculum for primary pupils and support for work-related learning for 14-16 year olds; welcomes the Government's support for greater diversity through specialist schools and education action zones; believes that the extra £19 billion for schools will underpin the drive for higher standards and welcomes plans to reward good teachers well; congratulates Ministers for introducing much greater clarity to mailings for schools with a view to keeping paperwork to a minimum; recognises the huge benefits which the National Grid for Learning and voluntary schemes of work bring in reducing unnecessary paperwork; and notes that the Opposition has no proposals to raise standards in schools.

## DELEGATED LEGISLATION

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

NORTHERN IRELAND

That the draft Trade Union Subscription Deductions (Northern Ireland) Order 1999, which was laid before this House on 22nd February, be approved.—[*Mr. Mike Hall.*]

*Question agreed to.*

**Mr. Deputy Speaker (Sir Alan Haselhurst):** With permission, I shall put together the motions relating to delegated legislation.

*Ordered,*

EDUCATION

That the Education (Aptitude for Particular Subjects) Regulations 1999 be referred to a Standing Committee on Delegated Legislation.

That the Education (Determination of Admission Arrangements) Regulations 1999 be referred to a Standing Committee on Delegated Legislation.

That the Education (Objections to Admission Arrangements) Regulations 1999 be referred to a Standing Committee on Delegated Legislation.

That the Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 be referred to a Standing Committee on Delegated Legislation.

That the Education (School Information) (England) (Amendment) Regulations 1999 be referred to a Standing Committee on Delegated Legislation.—[*Mr. Jamieson.*]

## Deaf People (Access to Justice)

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Jamieson:]*

10.13 pm

**Mr. Tom Levitt** (High Peak): I remind the House that I am a trustee of the Royal National Institute for Deaf People—an unremunerated post—although tonight I speak in a personal capacity. It is unusual to have debates on issues relating to deaf people two nights running in the House, but I am sure that 8.5 million people in this country with hearing impairments welcome those debates.

In sign language the signs for politics and justice are very similar. That is not surprising, because if politics is about anything it is about securing a fair and just society. That means, among other things, a society in which all have equal access to justice. Our legal system reflects society in many ways. In one respect it reflects society well: in society and in the legal system there is a lack of understanding of the communication needs of people with hearing impairments. That leads to inconvenience, frustration and, ultimately, injustice.

How many people use hearing aids? The answer is about 2 million, with a further 2 million who would benefit from one. How many magistrates use hearing aids? I do not know, but their age profile would suggest that the proportion using hearing aids is higher than that of the general population. How many magistrates courts have induction loops designed to enhance the use of hearing aids? No central figures are kept, but I suspect that the answer is very few. I understand that no courtrooms in Derbyshire have loop systems to help people with hearing aids. It is not compulsory to fit induction loops in courts, although magistrates, defendants, witnesses, court staff, lawyers and the public would all benefit, and justice would be heard to be done.

How many courts include induction loops in their assessment of the accessibility of courtrooms? Those questions illustrate the lack of facilities for people with hearing impairments and a lack of checks on the accessibility of legal buildings, and they expose the Court Service's lack of awareness of the needs of more than 8 million people: one in seven of the people in Britain today.

In September 1998, the Court Service told the RNID that at least one courtroom in every new court building would henceforth be fitted with a loop system but that there was no facility for fitting them anywhere else retrospectively. That is simply not good enough. Are new courtrooms, let alone old ones, designed and lit to facilitate lip reading? Are court staff trained in deaf awareness? My guess is no, but those are reasonable, low-cost adjustments that I would expect the service to make in future.

"Reasonable adjustment" is the phrase used in the Disability Discrimination Act 1995, and purveyors of goods and services, which includes the Court Service, are obliged to implement it from later this year. Not only the Court Service is at fault. The police and the Prison Service, with some honourable exceptions, are equally guilty and, as far as I know, so is the probation service.

One in every 1,000 people in this country is profoundly deaf, with no useful hearing at all. Judge Stephen Tumim, the former chief inspector of prisons and the father of a deaf child, has said:

"Magistrates nowadays tend to send more Deaf people to prison on the basis that probation officers cannot deal with them adequately and I think the prisons make entirely inadequate arrangements."

Let us consider how the tendency to send more deaf people to prison than chance would dictate might come about. Two men have an argument outside a pub, late at night. Neither is terribly drunk. One—let us call him A—is profoundly deaf and uses sign language. The other is hearing. They have an altercation and the police arrive. One of the men is coherent and relatively restrained. One is gesticulating and making incoherent noises. Which of the men is the bigger threat to law and order? Which is the more guilty? Which is more likely to be handcuffed?

In this example, in an instant judgment, the police officer decides that A, with his grunting and his waving arms, is most in need of restraint, and he slaps the handcuffs on; but handcuffs gag a deaf person, whose first or only language is sign language. A becomes more angry and frustrated and further consequences inevitably follow. This story is imaginary, but not exceptional, in a country where deaf people are refused entry to pubs, forced to leave clubs and evicted from holiday camps. Instances of all three have been reported in the past couple of years.

Because they communicate in sign, and sometimes make loud and unusual noises which are judged by some people to be offensive to other guests, deaf people have been treated extremely unfairly. Under those circumstances, is it surprising if deaf people's frustration can occasionally boil over into anger and perhaps even violence?

Mr. A is taken along to the police station, unable to express himself as his hands are fixed behind him. Fortunately, the desk sergeant immediately recognises that A is deaf and the police constable who brought him in laughs in embarrassment and makes light of his mistake. The deaf man thinks that the policeman is laughing at him, which does not help his confidence in the system. Mr. A does not understand what is happening because, being deaf from birth—and like most people who are deaf from birth—his lip-reading skills are minimal. Mr. A is searched, and two telephone numbers are found in his pocket. Recognising the need for communication support, the desk sergeant tries to call the numbers to try to find a friend for the deaf person.

The first call produces an odd electronic noise when the phone is answered, which the sergeant does not recognise. He thinks that there is something wrong with the line. In fact, it is a text telephone. Some police stations have text telephones, or minicoms—many do not. In this case, the policeman does not recognise it. The second number gets an answer. It is A's 17-year-old sister, who is hearing. She is very distressed to hear what is going on, and she comes to the police station immediately.

The sergeant rings the contact number in his book for a freelance sign language interpreter but, by now, it is midnight on a Saturday, and the interpreter—who is not expecting the call—is either out or not answering the phone in the middle of the night. Do all police stations know when and how to contact a sign language interpreter? It is unlikely. There are fewer than 150 people with recognised sign language interpreting skills in Britain, and 50,000 people for whom it is their first or only functional language. They need that support.

The sister arrives at the police station. Fortunately, she can sign. Ten minutes later, she is interpreting for her brother, as best she can. However, she is not a qualified interpreter—very far from it. She is young, and unfamiliar with police terminology. She makes a lot of mistakes in her interpretation which, unwittingly, compromise her brother's position.

At the end of the interview, the police constable switches off the audio tape recording. He has a record of the interview which can be referred to later by both sides, as the law says he must—or has he? No, he has not. He has no record of what the accused person said in the interview; only a record of a second-rate interpretation, and no guarantee that the arrested person had even understood the questions being asked.

Why does our legal system not insist on having a professionally qualified interpreter used at this stage? Why is there no obligation to record on video interviews involving sign language, so that the accused's words are at least on record? Are the few sign language interpreters who do exist given proper training for working in legal situations? Is the Lord Chancellor on course to fulfil his pledge in 1998 that, as from 2001, all types of interpreters in court and police interviews should be qualified and registered?

If A was a foreigner, there would be less of a problem—the interpreter's words could always be checked against the audio recording of the original. The Home Office's view—reiterated a couple of weeks ago in another place—is that video-recording sign language interpreting of defendants and witnesses is not essential, and a matter for local discretion. That is quite inconsistent with the Lord Chancellor's ambition.

When Lord Williams of Mostyn said that sign language was just "an expression of English", he was showing a complete misunderstanding of the linguistic and cultural needs of deaf people. He dismissed the concerns expressed by noble Lords far too lightly. His statement was like saying that John Constable's "Hay Wain" and Charles Dickens's "Oliver Twist" were both written in the same language.

The absence of video evidence was discussed in an excellent publication called "Police and Deaf People: A Lack of Communication?", written last year by a police officer and published under the police research awards scheme. I commend it to my hon. Friend the Minister. The paper revealed that no fewer than 71 per cent. of police officers thought that it should be obligatory to record on video interviews involving sign language. Last December, that was also the conclusion of a conference of deaf and hearing professionals in London on "Equality Before the Law: Deaf People's Access to Justice", organised by the University of Durham.

Let us go back to the courts. We have seen that people who use lip-reading or hearing aids do not have their major communication needs met in court, but what about sign language users like A? In 1995, a trial collapsed because the interpreting arrangements fell down.

Do deaf people get British sign language support in court when they need it? Yes, they do. Since April last year, the Lord Chancellor has paid for interpreters for sign language where they are required for deaf defendants in court. In the first nine months of that scheme, the Lord Chancellor has paid for sign language interpreters in no fewer than 71 cases—not an insignificant number.

Are those sign language interpreters treated according to their professional code, with guarantees of preparation time, breaks during the day, and the possibility of working in teams where necessary? That is a genuine question. I do not know the answer; I expect that it is mixed. Are deaf defendants and their interpreters videotaped in court so that mistakes can be checked back to source? No.

What if A had not been a defendant, but a member of the jury. Let us consider an example. We shall call him James. James used to be a highly successful business man. He is now the chief executive of a major charity with an annual turnover of several million pounds. He is a senior member of a Government task force and has spoken at conferences at 10 Downing street and elsewhere.

James is barred from jury service. He is not fictitious. Why is he barred? Although he lip-reads well from close by, he needs the services of a note-taker or a Palantype keyboard operator. He has been profoundly deaf from birth but, unlike 50,000 others like him, he does not use sign language. He is barred from jury service because in the 1960s, I think, a judge refused to allow a 13th person in the jury room to give communication support to a deaf juror.

To their great credit, the hon. Member for Chesham and Amersham (Mrs. Gillan) and the Secretary of State for Wales, my right hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), then an Opposition spokesman on home affairs, attempted to add a short clause to the 1994 Criminal Justice and Public Order Bill. It read:

"The Secretary of State shall . . . set out the procedure by which all persons who are summoned to appear or take part in court proceedings, or taken into police custody, and for whom there is a requirement for either a qualified Sign Language interpreter, other forms of communication support or a technical assistive device may thus be provided with such assistance."

Needless to say, the amendment was not included in the Criminal Justice and Public Order Act 1994.

Speaking at the Inner Temple on 13 February to a disability law conference, my noble and learned Friend the Lord Chancellor acknowledged that deficiency in the system, and committed the Government to bringing the legal system into accordance with the Disability Discrimination Act 1995. I should be grateful if my hon. Friend, when replying to the debate, would confirm that when the Lord Chancellor acknowledged the widespread concern that interpreters and carers were indeed being unreasonably excluded from the jury room, he included lip speakers, note takers and Palantype keyboard operators as well.

In that speech, the Lord Chancellor also said:

"No degree of disability . . . should restrict any citizen to second class justice."

Finally, I shall deal with prison. There are more deaf people in prison than chance would dictate. I suspect that Judge Tumim was right in his observation. I am equally sure that there is no natural link between deafness and criminality. However, there is a link between the blindness of the system to the needs of deaf people and the years that some deaf people spend behind bars.

We isolate people in prison as a punishment. Deafness in prison is like solitary confinement. Some deaf prisoners do not understand how they got there or fully why, because no one ever explained to them in their own language. Nevertheless, I take the opportunity to praise

*[Mr. Tom Levitt]*

the work that is being done with deaf prisoners at Brixton prison. Deaf awareness is becoming a reality in the prison service as that pilot project seeks to expand, yet the prison officers involved would be the first to admit that they are only scratching the surface.

I believe that the Lord Chancellor's speech of two weeks ago could be the start of a new era in deaf people's access to justice. It is a start, although it is from a very low base. I am aware that the issues that I have raised do not fall easily into the responsibility of a single Government Department: the Home Office and the Lord Chancellor both have roles to play. In the name of joined-up government, I ask my hon. Friend to give a comprehensive and positive response to the points that I have raised, and to help to secure access to justice for all deaf people.

10.29 pm

**The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth):** It is good that the House has debated issues of concern to deaf people on two consecutive evenings. I congratulate my hon. Friend the Member for High Peak (Mr. Levitt) on securing the Adjournment debate and on speaking on an issue on which he feels very strongly and to which he has previously drawn the attention of hon. Members and my ministerial colleagues. He has again demonstrated his great knowledge of the subject.

My hon. Friend is uniquely well qualified to raise these issues, being a trustee of the Royal National Institute for Deaf People and having himself learned to use British sign language. For many years, he has concerned himself with access issues for people with sensory impairment. The issues are wide ranging, but none is more important than access to justice.

I assure my hon. Friend that we are anxious to do all that we can to see that deaf people are treated fairly by the criminal justice system, whether they are involved in it as suspects, victims or witnesses. My hon. Friend raised many issues. If I am unable to respond to all of them, I shall undertake to liaise with ministerial colleagues in the Home Office and the Lord Chancellor's Department to ensure that they are covered in some other way.

My hon. Friend drew attention to the communication needs of deaf people. British sign language is used by many of those people, although, as my hon. Friend showed, it is by no means used by them all. As it has a spatial element, it is not an easy language to interpret, and interpreting legal concepts using British sign language is all the more challenging, as my hon. Friend showed in his examples.

The point has been well made that police interviews with deaf suspects who are British sign language users should be recorded on videotape. That suggestion was made in a report, "Police and Deaf People: A Lack of Communication?", which was written by an officer in the Lancashire constabulary and published in September 1997 under the Home Office police research award scheme.

The reason for the suggestion is that the present requirement to make a contemporaneous written note of an interview so that a deaf suspect can take it away is not equivalent to providing a complete record of the interview. It is argued, with some reason, that communication using British sign language can be fully and accurately recorded only on videotape.

As with all reports published under PRAS, the report was sent to chief officers of police with a statement that the views in the report are those of the author and not necessarily those of the Home Office. All PRAS reports leave discretion for individual chief officers to decide whether to implement their recommendations. My hon. Friend made it clear—I know that he is not entirely happy about this point—that it is open to chief officers to implement the report's recommendation to record interviews with deaf suspects on videotape, provided that the necessary equipment is available and provided that the deaf suspect consents.

It may seem surprising that any deaf suspect would object to an interview being recorded on video. However, some suspects prefer their appearance and body language not to be included in the recording of an interview. As it is not a statutory requirement for the interview to be video recorded—unlike the position with audiotape recording—suspects can object, and it is necessary for the police to have their consent if they are to proceed.

As I have explained, to make it a requirement for the police to video record interviews with deaf suspects would require a change in legislation, which would have considerable cost implications for the police. Video-recording equipment, with additional cameras to capture all those present, would have to be installed in all police stations where interviews with suspects take place in case a deaf suspect using British sign language might need to be interviewed. The equipment would have to be on hand because time limits apply to police detention.

Precise figures on the number of deaf suspects whom the police need to interview are not readily available, but they are believed to be a very small proportion of the total number of suspects. The responsibility for provision of equipment is a matter for individual chief officers, who have to determine their spending priorities. As my hon. Friend is aware, the Home Office is trying to raise awareness of the issues surrounding communication between the police and deaf people, and to encourage the making of suitable local arrangements. It may not be possible to install video-recording equipment in every police station, but, for example, it would be sensible to ensure that the equipment is available in an area where a community of deaf people lives.

**Mr. Levitt:** At one time, it was not compulsory to audiotape interviews. At that time, were people given the option to choose to be recorded? It seems to me that deaf people should at least have the opportunity to have a video recording made of an interview; one camera would be sufficient for the purpose, as one microphone is sufficient for an audiotape.

**Mr. Howarth:** That is a point that I was trying to make, albeit in a slightly different way. My hon. Friend must appreciate that not every person would want a video recording to be made, but we shall further consider the point.

As I have mentioned, the research report on the police and deaf people has been sent to the chief officers of all the police forces in the United Kingdom, as has another research report on disability awareness produced by a

police officer from Strathclyde police. All police forces have been invited to attend seminars on the findings of those two research papers. The seminars are aimed at senior police management and are designed to raise awareness of the issues covered in the reports. The authors of both reports will act as facilitators at the seminars, which are to be held in five centres—Perth, York, Rugby, Bristol, and London—between 22 and 31 March this year.

I should also mention the Home Office report "Speaking up for Justice" on vulnerable or intimidated witnesses, which included a number of recommendations that may improve the treatment of deaf witnesses, especially those who are particularly vulnerable because of some other factor or disability. The implementation of the report's recommendations will include the development of information for vulnerable or intimidated witnesses, and address issues such as accreditation for those who act as communicators or intermediaries for vulnerable witnesses.

The House will be pleased to learn that the interpreting needs of deaf people who are involved with the criminal justice system are also being considered by a sub-group of the trial issues group, which is an inter-agency group—joined-up government—working to improve the efficiency and effectiveness of the criminal justice system as a whole. That group set up an interpreters working group to facilitate implementation of the national agreement and to promote its principles. The group works closely with representatives of interpreters associations and, in particular, with the Council for the Advancement of Communication with Deaf People, to ensure that the needs of the deaf or hard of hearing in the criminal justice system, whether as defendants, victims or witnesses, are properly addressed.

I hope that my hon. Friend accepts that the Government are conscious of the needs of deaf people within the criminal justice system. It is partly thanks to his efforts that we have been made aware of the problems. The Government are taking what we believe to be pragmatic but effective steps to ensure that deaf people are treated fairly within the criminal justice system, and today's debate is one more step along that road.

*Question put and agreed to.*

*Adjourned accordingly at twenty-one minutes to Eleven o'clock.*

# House of Commons

*Wednesday 3 March 1999*

*The House met at half-past Nine o'clock*

PRAYERS

[MADAM SPEAKER *in the Chair*]

## EMU (Economic Convergence)

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Hill.]*

9.33 am

**Dr. Vincent Cable** (Twickenham): I am grateful for the opportunity to present this Adjournment debate. It was very clear from the Prime Minister's statement on the euro last week that we are moving into new terrain in the debate on Europe. The pace is accelerating, and I think that it is important that as many hon. Members as possible are able to contribute to the argument.

**Mr. Eric Forth** (Bromley and Chislehurst): There are not many here today.

**Dr. Cable:** Perhaps 9.30 am is a little early for some of the right hon. Gentleman's colleagues—and maybe for some of mine, too.

In the past week, we have identified several areas of concern about where the new Government process is leading. Some of us have talked to our local business communities—I spoke yesterday to my local chamber of commerce—and I think that the reaction to the changeover plan in general has been rather positive. However, there are questions about what that plan will mean.

There is a new formula in terms of the months involved in the changeover—the X + 4 + 30 + 6, as I think we must learn to call it. The question is what is X: how long will it be before the changeover process begins? As the Minister knows, the Liberal Democrats have long argued that that period should be as short as possible because of the need for an early political mandate.

**Mr. Alan Clark** (Kensington and Chelsea): On a point of order, Madam Speaker. A minute ago, the hon. Member for Twickenham (Dr. Cable) mentioned as an aside that 9.30 am is a bit early for our colleagues to attend the Chamber. As that remark will go into the *Official Report*, I should also point out that the number of Conservatives in the Chamber exceeds the combined number of hon. Members from all other parties.

**Madam Speaker:** I am really not into the numbers game. There are sufficient hon. Members present to carry on the debate.

**Mr. Denis MacShane** (Rotherham): Further to that point of order, Madam Speaker. We should also place on record that that is the first time that that has happened this Parliament.

**Madam Speaker:** At least I am always here.

**Mr. John Bercow** (Buckingham): Further to that point of order, Madam Speaker. I know that you are always anxious for the factual record to be correct, so it should be placed on record that, during consideration of the treaty of Amsterdam in Committee, the Conservative presence—as the hon. Member for Rotherham (Mr. MacShane) well knows—was invariably greater than that of Labour.

**Madam Speaker:** I can see that many hon. Members have a good sense of humour. We are starting the day very well.

**Dr. Cable:** Conservative Members have made their point about the quantity of Conservative participation in the debate, so I hope that that will be matched by the quality of their speeches—judging from experience, I rather doubt it.

My second introductory point relates to the concern expressed by business about how precisely the changeover plan will work given uncertainty about the lead-in time. However, an even bigger issue has begun to be raised in some of the testimony to the Treasury Select Committee in the past week. As the Government have moved ahead with their business preparations, the macroeconomics underlying the Government's approach to entry have been left behind.

I refer the House to the comments of two witnesses who appeared before the Committee. The Governor of the Bank of England acknowledged openly that there was a potentially serious conflict between his goals, as currently defined by the Chancellor of the Exchequer, in pursuing domestic inflation objectives and those that he would have to pursue if he were seeking economic convergence. He made it clear that, until he received a fresh mandate from the Treasury, he could not begin to address that problem.

It was also clear from his testimony yesterday that the Minister for Trade and Competitiveness in Europe, Lord Simon, had great difficulty defining what a future competitive exchange rate would be when we join EMU. That is also a great concern to much of manufacturing industry. Major areas of economic policy have not yet caught up with the speed of the Government's actions in terms of business preparation. I shall try to focus on some of those issues in this debate.

The Liberal Democrats believe that the vehicle for joining EMU that the Government have set in motion may have a gearbox but it also needs a steering wheel. It is all very well to say that we must achieve economic convergence, but the Government must make it clear how economic convergence will be achieved and sustained. Today, I shall offer a series of specific and pragmatic proposals as to how the Government might take that aim forward.

**Mr. Ian Bruce** (South Dorset): I thank the hon. Gentleman for giving way so early in his speech. Is there not a strange dichotomy in this situation? The Chancellor of the Exchequer is not allowed to interfere with the independence of the Bank of England, and the euroland nations are not entitled to interfere with the central bank. However, our Chancellor is able to speak to the governor of the central bank and suggest that he should increase interest rates in euroland because the bank is currently effecting competitive devaluation of the euro for short-term gains in Europe.

**Dr. Cable:** I agree with the hon. Gentleman to the extent that I believe that the model of independence that

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has developed in the United Kingdom is very satisfactory. I think that the hon. Gentleman and his colleagues were bitterly critical of that structure when it was introduced a year ago.

I shall address the point for which the hon. Gentleman provided a cue. The first issue that we need to deal with is the extent to which the position of the Bank of England might now need to be changed. I start from the assumption—Liberal Democrat Members strongly believe this, as I am sure do Government Members, and perhaps we even have a convert on the Conservative Benches—that the Bank of England's independence is desirable and its creation was a valuable step forward.

Despite many reservations among Members on the Liberal Democrat Benches and Labour Back Benches, many of the fears about that independence have not been realised. It is difficult to believe, for example, that a politically inspired series of interest rate cuts by the Bank of England over five months would have been accepted by the markets. The experiment has been extremely successful so far and we are anxious that the spirit of independence should be retained whatever changes to arrangements take place.

It is clear, however, that the Bank of England now faces the dilemma of how to take into account European convergence. The Bank's terms of reference now state that the objectives of the Monetary Police Committee are to consider inflation and other Government objectives, but the Bank is making it clear that those objectives do not, at this stage, include European convergence. There is a large blind spot about how to address that issue.

I have a modest suggestion for the Economic Secretary, which involves a series of steps that the Government might now begin to take. When the Chancellor introduces the Budget next week, he should modify the terms of reference within which the Monetary Policy Committee operates and instruct it to take convergence into account. That does not necessarily mean immediately shadowing an exchange rate or any other objective, but the committee should monitor economic convergence and begin to discuss the problem with other relevant Departments, especially the Minister's own.

It is important that the Bank of England's independence is maintained in that process, but at some point we must confront the dilemma that the objectives of convergence may well involve moving interest rates in the opposite direction from that of domestic inflation. Over the next few months, for example, the objective of convergence might best be achieved by cutting interest rates to bring down the pound. On the other hand, a recovery in the United Kingdom economy may require interest rates to go up. That dilemma must be resolved, and it can be done only by using the Treasury's fiscal policy.

A careful process must evolve whereby monetary and fiscal policy can be considered together without compromising the Bank's independence. I hope that the Minister will reflect on that and suggest how she and the Government expect the process to work. It is difficult to believe that it can simply be left until the next Parliament, so we suggest that the process may be set in train whereby the terms of reference of the Governor of the Bank of England are modified to allow him to begin to take convergence into account.

The second issue on which I want to focus—the role of sterling and the exchange rate—is potentially much more difficult, but it must be addressed.

**Jacqui Smith** (Redditch): Does the hon. Gentleman accept that his suggestion that the only way in which to achieve convergence criteria is directly to target them is contrary to what was discussed in the Select Committee yesterday and to the clear statement from Lord Simon that the Government's current policies on the Bank of England's independence and long-term fiscal stability are precisely those that should lead to convergence? Does not he accept that it is not necessary to have a strict objective of convergence, but that it is important that we put into place the policies that will achieve that aim?

**Dr. Cable:** The hon. Lady has helpfully put her finger on the underlying fallacy in what the Government are trying to achieve, which helps me to make my point more strongly. I understand current Government policy to involve, as she says, pursuing a series of objectives which will hopefully land us at precisely the right exchange rate when it is politically convenient to enter EMU.

Theory and practice do not add up. It has been clear in the past few months, and for a much longer period before that, that foreign exchange markets do not work as the Government believe them to work. Government policy holds that, providing that interest rates are gradually cut to European levels over the next few years, the British exchange rate with the euro will gradually glide down to a convenient rate, but we know that foreign exchange markets do not work in that way. The Governor of the Bank of England admitted that last week, when he said that he was perplexed about what was happening to the exchange rate and did not understand the mechanism. That was a confession not of incompetence but of a lack of understanding.

**Mr. David Ruffley** (Bury St. Edmunds): Will the hon. Gentleman tell the House whether the Liberal Democrats have an exchange rate objective, and if not, why not?

**Dr. Cable:** Yes, I shall suggest how we might pursue an exchange rate objective, and that is the purpose of this part of my speech. I shall suggest not that we should pursue a single interest rate, which I think is what the hon. Gentleman wants me to say, but that we need a policy commitment on the exchange rate. He is right to imply that there is a basic point of logic in this matter, and I shall try to suggest how that objective might usefully be pursued.

The problem remains—this reinforces the point made by the hon. Member for Redditch (Jacqui Smith)—that the Government are hoping that interest rate cuts will gradually glide to a level that will enable British manufacturers to be competitive indefinitely, but we know from the workings of foreign exchange markets that that simply does not happen. There is a danger that, without a more proactive policy, we shall be landed with an exchange rate that is totally uncompetitive and inappropriate.

In those circumstances, the Government may well have fulfilled all their five tests and have the political mandate from a referendum, but we would have the wrong exchange rate. One lesson that we should have learned

from the period of the exchange rate mechanism—our analysis of that corresponds with the views of some Conservative sceptics—is that if we are entering such a project, the exchange rate must be right.

How do we then resolve the problem—I am responding to the question asked by the hon. Member for Bury St. Edmunds (Mr. Ruffley)—of having an exchange rate objective? It cannot be done simply be sticking one's finger in the air, picking up an exchange rate and saying that it will be appropriate for ever. That would be absurd, and I do not begin to suggest it. However, we must do more than take the totally passive approach adopted by the Government.

There are two elements to the issue. First, the Government must widen their imagination and think in terms of broad bands, within which the exchange rate can fluctuate, rather than single points. We remember that in the old ERM, there was potential for fluctuation by 15 per cent., which gave a good deal more freedom of manoeuvre than the previous Government allowed themselves. Bands would make the problem of fluctuation more manageable.

The second step that the Government could take—they could do so now—would be to begin consultation with industry, academics and politicians of different parties to try to establish what would be a comfortable, sustainable competitive exchange rate or range of rates. Within this Parliament, there has been one example of the Government dealing rather neatly with such an economic problem, when they had the task of fixing a minimum wage. That is interference in the market and could have gone badly wrong, but the Government took soundings, did economic analysis and came up with a recommendation that was detached from them but which they could none the less adopt.

I suggest that the Government should now initiate consultation and reports on relative prices, technical measures, purchasing power parity and a sustainable exchange rate, about which there are many studies. They could then come up with a recommendation for an appropriate level or range of exchange rates. That would have several advantages. It might, for example, influence the market, although we do not know that. It would certainly be very reassuring to British industry, which would know that the Government were seriously concerned about the stability and competitiveness of the exchange rate and were not leaving it to pure chance. Most important, it would provide the Government with some political ammunition—when we eventually have to set the exchange rate within EMU, it will be a political process decided partly by the level that other members of the European Union think appropriate. We would be seen to have undertaken a proper scientific exercise, looking carefully at what exchange rate range was appropriate for the UK. That is the kind of early process that the Government could helpfully set in train. It would involve not setting a fixed objective but setting in train a process of creative thinking about the problem.

**Mr. Forth:** Has the hon. Gentleman thought what the result of that process might be? Let us suppose that the process took place and that there were agreement on the ideal exchange rate from the UK's point of view, if we were ever stupid enough to adopt the euro. Would not that signal to our partners what our negotiating position would be? What does the hon. Gentleman think would be the reaction if our partners did not allow us to join at anything like that rate but insisted on one that could damage the UK's interests?

**Dr. Cable:** The second point is the crucial one. I do not understand the right hon. Gentleman's problems with it. Surely it is right that the British should signal in advance what we perceive our national interest to be. In the case of the exchange rate, it is not an uncompetitive one such as we have had in recent months; nor is it one that is provocatively cheap, which would trigger domestic inflation. It seems perfectly right that we should be transparent about this.

I am also effectively suggesting—it may be surprising to hear this from a Liberal Democrat—another test of convergence. That test should be the exchange rate. We believe strongly that EMU would benefit Britain but, equally, we believe that it should be done the right way and at the right exchange rate. It would be disastrous to enter in the wrong way and at the wrong exchange rate. I am suggesting a hurdle, or test, which the Government have not yet set themselves but which they should satisfy. If that were done, there would be a much greater prospect of our meeting our negotiating objectives in Europe and of our carrying British public opinion, especially industrial opinion, with us. I am therefore suggesting another test that the process of convergence would have to meet, and I am not inhibited in doing so.

**Mr. Ruffley:** Does that mean that the Liberal Democrat party is advocating shadowing the euro?

**Dr. Cable:** No, I am not suggesting that we shadow the euro. I did not mention shadowing the euro, and the Government have ruled it out. I am suggesting that we establish a process to define explicitly what an appropriate band of exchange rates would be when we eventually enter the EMU mechanism. It could take place through a gradual process of crawling, through shadowing or many other ways. All I am suggesting is that instead of there being an empty core at the heart of the Government's economic policy, we address the issue explicitly for political and economic reasons.

**Mr. Laurence Robertson** (Tewkesbury): Does not the hon. Gentleman remember the pain caused to people with mortgages and businesses in this country when, yes, the Conservative Government tried to shadow the deutschmark and to remain in the exchange rate mechanism? Does not he remember that when we entered there were DM2.95 to the pound, and that the rate then dropped before regaining that level? Does he accept that it was not the rate that was wrong but the system?

**Dr. Cable:** We shall simply have to disagree on that point. It was the rate that was fundamentally wrong. However, the hon. Gentleman has raised an important issue relating to the third aspect on which I make a suggestion to the Minister, which is how we deal with the problem of mortgages. Before the hon. Member for Buckingham (Mr. Bercow) jumps to his feet, I hope that he will allow me to finish this point. I have been fairly generous in allowing interventions.

How we handle mortgages and the housing market is important. It has been brought home to me clearly in the discussions that I have had with business that the

*[Dr. Cable]*

Government have not focused as clearly as they should have on what the changeover plan should be. It was clear from Lord Simon's address yesterday to the Treasury Select Committee that the Government have scarcely begun to think about it. It is a serious problem that needs to be addressed as part of the changeover.

The problem, as critics of EMU point out, is essentially that if there is a common interest rate across Europe, we encounter the potential one-size-fits-all problem. However, that is not a fixed item; it can be dealt with, and we can try to manage it. Clearly, manufacturing industry is less sensitive to interest rates if companies are dependent on equity and have securitised bonds and do not rely on buying on short-term interest finance. In the housing market, the one-size-fits-all monetary policy could be dealt with if house purchasers were much less dependent than they are today on variable interest mortgages.

If we are to join EMU, there is a broad national interest in trying to make sure that the British housing market is much less dependent on variable interest rate mortgages. We can see from the Irish example, which involves a similar housing market structure to that of the UK, that, unless we address this problem, there is the potential to enter a period of booms and slumps, which is avoidable.

Why have the Government not tackled the mortgage issue in their changeover plan? I suspect that the reason is that it is not in the interests of the banks and building societies that they do so. If we move to a system of fixed interest mortgages, the banks then carry interest rate risk, which they do not at present—they simply pass it on to their customers. It will require a powerful Government initiative to make that change.

I suggest that the Government begin to think of opening discussions with banks and building societies about how rapidly they can move to a system based predominantly on long-term fixed interest mortgages rather than variable mortgages, and perhaps to think about how the regulatory system has to change to accommodate that.

**Mr. Bercow:** I am most grateful to the hon. Gentleman for giving way; he has been exceptionally generous in accepting interventions. He suggests a palliative to deal with the problem of mortgage rates and their variability, but it simply does not meet the needs of the case. Why does he think it desirable that national Parliaments should, under the terms of the treaty and the terms of entry into EMU, be permanently deprived of the right to make representations to the European central bank about its conduct of monetary policy and the level of its interest rate?

**Dr. Cable:** As the hon. Gentleman well knows, were we to be part of EMU, Britain would participate in the management of the European central bank. That is how the system works. I believe, as I am sure Labour Members believe, that the European central bank could profitably develop in various ways. For example, it could learn from the idea of pursuing a more symmetrical monetary policy objective and from British experience. However, the fundamental issue of sovereignty is one about which I disagree with the hon. Member for Buckingham. That is a fact of political life.

How could the Government adapt the mortgage system so that the housing market was less exposed to the difficulties caused by booms and slumps which could arise in a unified monetary union? As I suggested, the first step is to be much more proactive in talking to the providers of mortgages about how they change to a different system. Another step could be to examine the way in which the regulation operates. There is no reason why regulators of building societies and banks should not require building societies and banks to offer their customers—not only new customers but existing ones—a comparable mortgage on a fixed-rate basis. Whatever the mechanism, it is clear that the Government have to be a little more positive than they have been so far—there is not a single word in the changeover plan about how to handle the problem.

Largely thanks to interventions, I have spoken for rather longer than I wished. Nevertheless, there is a great deal more to be said on this subject. Many other hon. Members wish to contribute to the debate, and I look forward to hearing them.

9.59 am

**Mr. Denis MacShane** (Rotherham) *rose—*

**Hon. Members:** Hear, hear.

**Mr. MacShane:** I congratulate the hon. Member for Twickenham (Dr. Cable) on securing this debate. It is appropriate that the House continues, on Wednesday mornings and via other Adjournment debates, to consider this very important issue. It is an issue about which the British people have not been properly informed— *[Interruption.]*

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. The ovation has gone on long enough.

**Mr. MacShane:** I shall try to limit my remarks to 10 minutes, in order that Tory hon. Members may relax after their excitement simply because I rose to my feet, and compose their thoughts to get their speeches ready to persuade the British people that their interests do not lie in Europe, and that the cause of little England, isolationism and xenophobia is alive and well in the Conservative party.

I am not quite sure which Conservative party is in front of me. I understand that the shadow Chancellor's position is that Britain is prepared and likely to enter the euro in six or seven years' time. [HON. MEMBERS: "No."] Ah, I see that that is not so. Well, in 10 years' time? [HON. MEMBERS: "No."] No, not in 10 years' time. In 20 years' time, perhaps? [HON. MEMBERS: "No."] I see; not at all. We have the party of no never, no how. I remember a campfire song like that from my youth. I do not know where the rest of the Conservative party is. Perhaps those hon. Members do not choose to take part in such a debate.

Last week, we saw the Conservative party as the party of tax harmonisation. I attended Trade and Industry questions, during which the hon. Member for Ludlow (Mr. Gill), one of the nicest euro-sceptics—there are some nice ones among that pretty rotten bunch—demanded that the Government instantly harmonise duty on diesel with the rest of Europe. Before my very eyes, the party of no never, no how became the party of fiscal harmonisation.

We have a significant problem with tobacco and alcohol smuggling. I grew up on that wonderful Kipling poem:

"Brandy for the parson, baccy for the clerk . . .

Watch the wall, my darling, while the Gentlemen go by!"

That was about smuggling in the 18th century.

**Mr. Keith Simpson** (Mid-Norfolk): Which school did the hon. Gentleman attend?

**Mr. MacShane:** St. Joseph's primary school in Wealdstone, if the hon. Member is really interested.

There is a serious problem of many people, especially young men, becoming mini criminals by participating in smuggling. I say in all candour to my hon. Friends on the Front Bench that they can double or triple the number of Customs and Excise men, put them on horses, give them mobile phones, or do whatever they like, but as long as the wide differences in duty on diesel, tobacco and alcohol remain, we shall continue to face such serious problems.

Smuggling is just one aspect of the debate about our relationship with Europe. I make no secret of my views; they are that Britain should be a full and leading member of the European Union. We should take advantage of the single market for economic reasons. I find it at best a semantic contradiction to claim that one can be part of a single market, but stay for ever out of the euro.

The Chancellor has laid down economic tests that are in the nation's interest. The Prime Minister has promised that triple lock of decisions in the Cabinet, Parliament and then, most importantly, in a referendum of the people, on whether we enter the euro. Leading up to the referendum, it is essential that debate is informed and intelligent. Achieving that will be quite difficult, given the behaviour of those who are passionate in their belief that Britain should be permanently disconnected from Europe.

I had some experience of such a belief this very morning. Yesterday, *Le Monde*, a French newspaper, published an article of deep unoriginality that I wrote, in which I described the Prime Minister's historic statement in the House on Tuesday last week, pointing out that preparations are being made for a transfer to the euro, and arguing—I believe this very strongly, and continually take this message to European capitals whenever I am lucky enough to visit them—that, if Europe is to move forward, it must substantially reform its labour market to increase flexibility and the spirit of entrepreneurship and enterprise. I wrote that Europe, too, must learn from the dynamism of the United States.

**Mr. Laurence Robertson:** Will the hon. Gentleman give way?

**Mr. MacShane:** I mean no discourtesy, but I would rather finish my speech to allow other hon. Members to speak.

I do not propose to read the article, which was in French, into the record, although I would be happy to hand out copies of it. It is deeply banal, yet I was woken at midnight because the *Daily Mail*, which described me as a senior aide—chance would be a fine thing—has said that I have revealed the Prime Minister's secret plan to take Britain into the euro. I was then telephoned by the *Financial Times*, the Press Association and *The Star* in Sheffield, which are all getting excited about an article that is in no way odd—I mean off-message. It corresponds entirely with the Government's position.

It is a paradox that I do not think that I could get such an article published in any paper in this country. In the 1930s, the editor of *The Times* confessed in his diary that he spent every waking moment keeping anything hostile to Nazi Germany out of the paper. I sometimes think that some of today's editors spend every waking moment ensuring that anything positive about Europe is kept out of their papers.

The discussion with the British people about the euro presents a serious problem—even in many of our so-called pro-European papers, such as *The Guardian* and *The Independent*. Many of their most distinguished commentators are hostile to economic and monetary union. Hamish McRae, whose writing I admire, was very critical of EMU in *The Independent* yesterday. Anne McElvoy is another such hostile commentator. *The Times* has seconded two of its excellent columnists, Mary-Ann Sieghart and Janet Bush, to David Owen's last great attempt to find a successful niche in British politics. As someone who is broadly in favour of the euro, the fact that David Owen is against it is the best news that I have received all year.

The proposal that we should have nothing to do with the euro and Europe does not add up. I tested that idea in two ways in my constituency. The first was of course during the election campaign, when the editor of *The Times* wrote an article in which he said:

"Don't vote for this dangerous man",

and Sir James Goldsmith placed advertisements everywhere, which read:

"Don't vote for this dangerous pro-European, MacShane".

As a result, my majority went up. It tripled from when my by-election opponent was the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb), who campaigned in favour of capital punishment and held my majority down. He fought the general election in a safer seat, campaigning against the euro, and my majority rose.

In my constituency, we organised a fascinating experiment among the Rotherham Chamber of Commerce, Training and Enterprise, local business, the local training and enterprise council and the college of information.

**Mr. Barry Gardiner** (Brent, North): Will my hon. Friend give way?

**Mr. MacShane:** I have not taken interventions from Conservative Members, so I shall not do so from my hon. Friend. I would like to end my remarks soon so that others may make speeches.

During the Rotherham euro week, there was dual pricing in Tesco and all the shops, and we distributed questionnaires on the euro in schools, eliciting 3,000 responses. The week went down very well. The *Rotherham and South Yorkshire Advertiser*, a fine and excellent journal, published its price in euros for the week. To begin with, the people of Rotherham sensibly asked, "What the heck's going on with this Mickey Mouse money? This is a bit silly". But, by the end of the week, they were enjoying it. Since then, seminars that the chamber of commerce has organised on the euro have

*[Mr. MacShane]*

been flooded with applications from representatives of small businesses who want to learn about it. There is a hunger for information.

The British economic community has been told a lie for the past 10 years: that Europe was none of its business, that everything that happened in Europe was negative, and that nothing emanating from anywhere in Europe was of any help to it. However, the plain fact is that we sell more to the tiny Netherlands than to all the Asian market. If any of our businesses increase sales to almost any mature European market by just 0.1 per cent., they will make more money for the United Kingdom than massive export wins that are paid in devalued Asian currencies. The European market will expand. Anyone who travels to Prague, Budapest or Warsaw will see the strength and confidence of those economies and their desire to join the euro.

I appeal not for debates in the House, but to the press to allow an informed, unhysterical, pro and anti debate. The antis have many of the finest writers, some of the best speakers and command a disproportionate amount of space in the debate. But there are three reasons—the three S's—why the euro matters: stability, security and society.

As the hon. Member for Twickenham mentioned, the euro will bring stability, with a stable inflation rate and stable interest rates, instead of the peaks and troughs that allow none of our businesses or house buyers to plan properly. It will provide security in the new global world economy, where fluctuations of currencies—the holy grail of the part of the Conservative party that is present in the Chamber—can deeply destabilise economies.

**Mr. Alan Clark:** Will the hon. Gentleman give way?

**Mr. MacShane:** No. I am coming to the end of my speech.

It is essential that we search for economic security for the British people because they are the ones whom we represent.

Finally, yes, there is a European project for a society that seeks, perhaps imperfectly, to include all in it. As the French Prime Minister, Lionel Jospin says, yes to the market economy, no to the market society.

I wonder whether Conservative Members who read *The Wall Street Journal* and get many of their ideas from that excellent newspaper read the wonderful article by Charles Murray a few weeks ago that described what was happening in the United States: the break-up of families, the creation of an underclass, the exclusion of millions of people from health care, the need for the American model to be based on an ever widening gap between top and bottom.

I admire much in the United States. I am pro American. We must learn from its dynamism and creativity. Tomorrow, I will publish a pamphlet on ownership, which pays tribute to innovative forms of ownership in the United States, if I may get a modest plug in for another publication, but the European model, with its idea of access to health, education and housing for all, is one which we should stick by. That is another buttressing reason why I unashamedly say that Britain's future lies in Europe.

If the British people in a referendum say yes to the euro, that will be good for Britain. I welcome the referendum debate because we need a great debate to drain once and for all the anti-European poison that has been injected into the British body politic by too many of the anti-Europeans in the Conservative party who are in the Chamber.

The great talents of those in that historic party who are in the Chamber—I see an array of future volcanoes waiting to burst into life—will be allowed to find expression only when they realise that our nation's future is inextricably linked to Europe, and that Britain must lead in Europe, instead of being an offshore island that is isolated from the future of the 21st century.

10.14 am

**Mr. Tim Loughton** (East Worthing and Shoreham): I congratulate the hon. Member for Twickenham (Dr. Cable) on securing the debate and, perhaps even more, congratulate the hon. Member for Rotherham (Mr. MacShane) on a stocking filler of a contribution: it filled in for the reluctance of his colleagues to make any contribution to the debate. I for one am much more enlightened about the South Yorkshire press than before he spoke.

**Mr. Gardiner:** Will the hon. Gentleman give way?

**Mr. Loughton:** May I just start my speech before taking interventions?

The most remarkable thing about the debate on the very important subject of EMU is that it has taken a Liberal Democrat Adjournment debate to get that discussed in the Chamber. Last Tuesday's announcement was described in *The Independent*, about which we have heard much already, as

"a momentous day for our island race."

"Blair turns up"

it went on to say. In that announcement, the Prime Minister referred to the whole euro project as "an intensely political act." He reassured us that the Government had

"resolved the political issues in favour of the principle of joining".—[*Official Report*, 23 February 1999; Vol. 326, c. 181.]

yet we have had one short statement from the Prime Minister and questions lasting just 67 minutes in total in the Chamber on that most important subject.

On the continent, a different debate is going on. Speaking to the European Parliament in January, Joschka Fischer said that the introduction of the euro was an essential counterpart to making political union the goal of the European Union. He said:

"The introduction of a common currency is not primarily an economic but rather a sovereign and thus eminently political act",

yet our Prime Minister tells us that he is interested only in the economic advantages.

Joschka Fischer went on:

"Political union must be our lode star from now on. The EU would suffer an institutional heart attack unless it moved to full political integration."

In November, Chancellor Schröder said:

"Only through the further development of a political union would we succeed in forming a Europe that is close to its citizens."

The debate in Europe is on an altogether higher plain, where everyone openly views the euro as merely a rung on the ladder to full political integration. That is what the debate here should be about, yet we have had just 67 minutes in the House to scrutinise the decision of the Prime Minister and Government to rush in with the changeover plan.

**Mr. Bercow:** My hon. Friend wisely points out the fact that, on the continent, it is recognised that the European single currency is principally a political project. Would he also care to reflect on the frankness and candour of the former Spanish Prime Minister, Felipe Gonzalez, who said in May 1988 that the single currency was the greatest abandonment of sovereignty since the foundation of the European Community? He went on to say that it was an instrument for the project of European integration. Does not that tell us all we need to know?

**Mr. Loughton:** I am grateful to my hon. Friend for that intervention. He is right; he is much more able at remembering quotes. The same goes throughout the continent, but not in this country.

The euro changeover plan would mean the withdrawal of sterling notes and coins in the space of just 34 months. The Prime Minister set out clinically and methodically, with no regard for the sensitivities of the British public, the details of the plan. It involves an enormous upheaval and enormous cost for industry, business and the people of the UK, but the Government cannot quantify or publish the figure—they cannot even quantify the estimated cost of the plan for Government Departments. However, on the balance of probabilities, Britain is unlikely to join the euro in the foreseeable future if a yes in the referendum remains an unassailable component of the Government's intentions.

Poll after poll shows that a great majority of the British public are against giving up sterling, despite the Government's softening up exercise, spending £7.5 million, so far, of public money on an advertising campaign, and trying to lull the public into thinking that joining the euro is little more than a convenience—they will not have to change their currency at Thomas Cook when going on a booze cruise to Calais, and it will lead to the importation of cheaper cars from the continent. As we know, that is just the tip of the iceberg.

A total of 315,906 people have so far called *The Sun* to voice their opposition to the euro. The comprehensive British and social European attitudes poll that was conducted last November, the most comprehensive opinion survey of its kind, which was funded by the Government, showed that only 55 per cent. of the UK public support even membership of the EU, down from 77 per cent. in 1991. The poll concluded that a majority of the British public would not cede Britain's national decision-making powers to the EU on a single policy, from agriculture to pollution.

What if a referendum comes up with a no vote? What preparations and what resources are the Government directing now to meet that much more likely eventuality? The Government seem mesmerised by preparing almost exclusively for the euro. What about the rest of the world? It is a fact that only 18 per cent. of this country's gross domestic product is down to the EU. The rest of it is in the UK and further afield overseas. Yet 100 per cent. of British industry, British business and the British people will bear the costs of preparing for the euro, as advocated by the Prime Minister last week.

We are constantly reminded that it is in no one's interest if the euro fails, and I certainly agree with that. Equally, and perhaps more so, it is in no one's interest if the dollar fails. The dollar is the currency of 80 per cent. of the world's financial transactions. It is the currency of 60 per cent. of the world's commercial transactions.

We are often accused—we almost heard it a short time ago from the hon. Member for Rotherham—of being little Englanders. However, the siege mentality of Europe and the EU is quite breathtaking. The United States is virtually singlehandedly playing the role of the importer of last resort to salvage the problems in the far east, and is constantly complaining that Europe is not pulling its weight.

We are told that TINA is back—there is no alternative. Last Tuesday, the Prime Minister said quite clearly:

"Our intention is clear: Britain should join a successful single currency".

We have joined effectively in all but name, regardless of all the problems and uncertainties surrounding our joining up.

In his statement last week the Prime Minister alluded to this. He said:

"Of course we believe that the common agricultural policy needs reform . . . levels of unemployment in Europe are . . . too high . . . long-term structural reform is necessary."—[*Official Report*, 23 February 1999; Vol. 326, c. 179–93.]

But, regardless, Britain should join a successful single currency.

In January, the German Foreign Minister said that qualified majority voting posed no threat to the Germans as Germany would always be able to assemble a blocking minority of EU Members to stop any proposals that they did not like. Therefore, they would be in favour of abolishing the veto. But, regardless, we are told, Britain should join a successful single currency.

In January also the spokeswoman of the SPD in Germany, Ingrid Matthäus-Maier, told British Members of Parliament that forcing Britain to accept tax harmonisation would be the price for joining the single currency, even though it has been estimated that this could increase the UK tax burden by about 20 per cent. But, regardless, Britain should join a successful single currency. That is despite the threat to the eurobond market in London from the harmonisation of withholding tax, which will inevitably overnight drive the eurobond market to Zurich and New York, as it did in reverse back in the early 1980s, under a draft directive of article 100, with the loss of thousands of jobs in the City. The eurobond market supports $2,000 billion-worth of lending to corporates world wide.

The Government's failure to realise that financial markets especially are global and that local controls cannot be imposed in isolation is quite breathtaking. But, regardless, Britain should join. That is despite Oskar Lafontaine openly admitting his intention to shift the burden of taxation on to companies, mobile capital and environmentally polluting activities and encouraging the harmonisation of Europe to sustain each country's capacity to tax capital and preserve employment.

In the UK, we have learned the lesson that mobile capital moves when taxed. The success of the London financial markets is down to the knowledge that capital

*[Mr. Loughton]*

can be moved out at the flick of a switch when things get rough. The Government are constantly boasting about reducing tax rates on companies, in contrast to the higher corporate tax burden in Germany. In the UK, the social security charges on employers account for about 6 per cent. of their GDP. On the continent, the average is double that—12 per cent. However, Oskar Lafontaine was referred to in *The Daily Telegraph* last month, in an article entitled, "Tony Blair and I march in step on Europe".

Chancellor Schröder also admitted that the true purpose of tax harmonisation is to staunch the investment flight from Germany rather than setting its own house in order by reforming punitive tax rather than the regulatory system.

If Britain were to be dragooned into this process, the public sector would most likely grow from about 40 per cent. of GDP at present to as much as 49 per cent. All the gains made by successive Governments over the past 20 years would be reversed. The plans of the Finnish, who take over the presidency of the European Union later in the year, are to table formal proposals to modify the treaty of Amsterdam to further tax harmonisation. But, regardless, we are told, Britain should join. That is despite all the talk of harmful tax competition between EU states. That is a paradox if ever there was one.

German companies are continuing to invest in the UK rather than in Germany. Foreign companies invest eight times more in the UK than they do in Germany. Mr. Henkel, the head of the German chamber of industry, said only last month:

"We should not try to eliminate competition between EU countries. We should not forget that Europe competes against North America, South America and Asia. We will not be able to survive this competition if we are all following the German example."

Let us not forget that the UK has created more new jobs in the past six years than the whole of the euro zone put together. In Germany, unemployment last month rose to 4.45 million, about 11.5 per cent. It is predicted to stay above 4.1 million for the rest of this year. The response of the largest union in Germany, IG Metall, has been to put in a 6.5 per cent. pay claim. Last week, Allianz, Europe's largest insurer, threatened to move its key businesses out of Germany if the German Government pressed ahead with tax reforms targeting insurance companies. But, regardless, according to the Prime Minister, Britain should join.

Despite attempts to grab the United Kingdom's rebate of £2.1 billion under Mr. Lafontaine—it is referred to as a correction mechanism, apparently—regardless, Britain should join, despite the continuing furore over EU fraud and the missing £3 billion, despite the very real threat of deflation within the euro zone and despite the German attempts to devalue the euro and influence the European central bank—only this week the euro fell to a new low. That was over what was described in the *Financial Times* as

"policy disarray as Oskar Lafontaine again tries to influence the ECB so early on."

That theme was taken up by the *International Herald Tribune*, as no doubt the hon. Member for Rotherham will have seen in scouring the press. An article entitled, "Initial lustre of new money begins to fade for Europe" ended with a comment from the Federal Reserve head, Alan Greenspan that the

"euro will be an interesting experiment. It has not yet been tested"—

obviously—

"It is going to take years before there is really significant tests on that system."

But, regardless, apparently, Britain should join.

Despite all the uncertainty, despite all the threats of harmonisation to the UK plc, despite all the structural weaknesses in the EU and despite the fact that we just do not know where the experiment is leading, the Prime Minister has decreed that we should move up a gear and make haste to join this untested experimental currency as soon as the minor irritation of a referendum is out of the way. Regardless, Britain should join a successful single currency.

If the changeover plan was instead an Ealing comedy, it would be called, "Carry on Regardless".

**Mr. Gardiner:** I am grateful to the hon. Gentleman for giving way, and particularly for doing so at the precise moment that he did, because that was his 18th use of "regardless". I swore that if he reached 17, I would intervene.

In fact, the conditions and tests that my right hon. Friend the Chancellor of the Exchequer has laid down ever since he assumed the role of Chancellor, and the tests which were reiterated by my right hon. Friend the Prime Minister in his statement to the House only last week, make it clear that it is not the case that Britain, regardless, will join the single European currency. It is even acknowledged by the hon. Gentleman that it would only be regardless in joining a successful currency. That is not to make any sense whatsoever. It is to make a tautologous statement—

**Mr. Deputy Speaker:** Order. The hon. Gentleman must make a brief intervention, not a mini-speech.

**Mr. Loughton:** I think that the hon. Gentleman should reread the Prime Minister's statement and the subsequent questions last week. I was determined to beat the Chancellor of the Exchequer's record for mentioning prudence or financial prudence some 17 times in his Budget last year, and I have done it by a margin of one.

There is little sign of economic convergence between the United Kingdom and Europe; there is every sign of economic divergence. The "one size fits all" policy of the euro zone will lead to serious strains in Ireland, for example. In the past two years, Dublin house prices have risen by 82 per cent. The cost of living in Ireland is soaring; in response, interest rates have been halved. Company profits in Ireland are under pressure as companies become uncompetitive. It is a recipe for boom and bust, if ever I saw one.

The truth is that the Government have made up their mind, and are working on ways of getting round the minor irritation of the fact that the British people do not agree. Slowly but surely, we are being spoon fed the mantra of inevitably in the exercise.

Just last week, in *The Spectator*, Bruce Anderson said that the "inevitably of gradualism" is the Government's policy. It is changeover by stealth. All that guff about

"if the economic criteria are right" is subterfuge. As far as the Government are concerned, it is a matter, not of "what if", but of "what when". I fear that such arrogance, in prejudging a referendum, is becoming all too much a hallmark of the Government.

Last Tuesday, the right hon. Member for Yeovil (Mr. Ashdown) welcomed the truth that the Government had crossed the Rubicon, albeit only by the "tiniest millimetre"—which any study of classical history would show to be something of a paradox. Nevertheless, from my study of the late-Roman republic, I was reminded that the phrase was made famous, in 49 BC, by Julius Caesar, who put himself above the law—some parallels may become clear—overturned Rome's constitutional framework, and became a dictator. He cared little for the democratic processes of the Senate, and attended the chamber rarely. By declining to stand down his army at the banks of the Rubicon, he challenged the authority of the Roman people, to promote his own personal self-embellishment and grand design for the map of continental Europe.

**Mr. Bercow:** Brutus.

**Mr. Loughton:** Candidates for Brutus may well be in the Chamber later today, on the Treasury Bench.

Five years of civil strife ensued across most of mediterranean Europe, culminating in assassination of the arrogant tyrant—at the hands of his erstwhile allies—while on a rare visit to the now emasculated senate.

The imperial age followed. The constitution of the republic was lost for good. Parliamentary accountability, such as it was in classical Rome, never recovered, as power was vested in the body of the emperor.

The Prime Minister may have more of a Napoleon complex than a Julius Caesar complex. Nevertheless, I trust that, last week, in crossing his Rubicon—as it was described—the Prime Minister has not unleashed a repeat of history.

10.32 am

**Jacqui Smith** (Redditch): After hearing the speech of the hon. Member for East Worthing and Shoreham (Mr. Loughton), I fear that—not having had the benefit of a classical education, unlike some Conservative Members—I might be at a bit of a loss on that matter. However, I hope that I do have an understanding of economics, which is probably more relevant to this debate.

I thank the hon. Member for Twickenham (Dr. Cable) for initiating the debate, and welcome the opportunity of discussing the issue. I welcome especially the opportunity of considering the Government's performance in meeting the criteria that will have to be met if we are to achieve convergence. I share the Government's wish to achieve that aim, as I believe that membership of the single currency will bring significant economic benefits to the United Kingdom. The Government appreciate those benefits.

I also hope that the debate might give us some opportunity to consider Conservative Members' views on the benefits and future of the single currency. Unfortunately, the hon. Member for East Worthing and Shoreham gave us only a lengthy reiteration of all the old Conservative scare stories about Europe, and paid very little attention to the arguments on economic and monetary union.

Many of the untruthful scare stories promulgated by the hon. Member for East Worthing and Shoreham have nothing to do with the single currency. If the stories have any basis in reality, which is questionable, they would have more to do with membership of the European Union than of the single currency. Are we therefore to assume, from what we have heard today from Conservative Members, that they have gone even further and are actively—

**Mr. Alan Clark:** Will the hon. Lady give way?

**Jacqui Smith:** No, I shall not be taking any interventions.

Are they actively advocating withdrawal from European Union?

**Mr. Bercow:** Will the hon. Lady give way on that point?

**Jacqui Smith:** No, I shall not. Is that the Conservative position? Perhaps the Opposition spokesman will tell us.

**Mr. Alan Clark:** The hon. Lady has asked a question. Will she give way?

**Jacqui Smith:** No. I should like to finish my speech, so that the Opposition spokesman will have an opportunity to clarify the position.

The hon. Member for Twickenham asked whether we should establish further convergence criteria, and whether the Government are taking sufficient action to meet the current criteria. It might be worth while—as it is the subject of the debate—to review the Maastricht convergence criteria that will have to be met if we are to join EMU. An analysis of those criteria shows that the Government, in their stabilisation policies, have already met the criteria. Perhaps we should put a tick against those criteria.

As hon. Members have already made clear, however, the Government have decided that the Maastricht criteria are not the only ones that shall be considered in judging whether entry to the single currency is in the best interests of the United Kingdom economy. Although the point seems frequently to get lost in Opposition scare stories, that is the most important criterion in deciding whether entry to the single currency would be beneficial for the UK economy.

We should therefore consider the five tests that the Chancellor has set himself, and whether—as the hon. Member for Twickenham asked—the Government are taking active measures to ensure that the criteria are met.

The first criterion is sustainable convergence. It is a crucial test, and I shall deal with it later in my speech.

The second criterion is whether the UK economy is sufficiently flexible to cope with economic change. If we pool some of our economic sovereignty in Europe, thereby altering our ability to change monetary policy, it is important that we should have sufficient economic flexibility. The Chancellor has already placed emphasis on the supply-side of the economy—on productivity and

*[Jacqui Smith]*

new deal measures—to increase economic flexibility, so that, if we do enter a single currency, we are able to cope with economic change.

The third criterion is the effect of entry on investment. The hon. Member for Twickenham said that he had spoken to business people in his constituency about the issue. Very many other hon. Members have had similar discussions in our constituencies. The very strong and clear message that I have received is that business not only wants economic stability—which the Government are delivering—but is concerned about jeopardising investment opportunities if we do not at least seriously consider joining the single currency.

Many businesses in my constituency, for example, depend on Rover Longbridge for business. As a large manufacturer, Rover's attitude to the euro demonstrates that large business thinks that entry to the euro is very important to their long-term stability and investment plans.

The fourth criterion is the impact of entry on the financial services industry. Before 1 January 1999, many people said that the euro's beginning would cause economic meltdown and chaos, and that the project was impossible. In our Treasury Select Committee visits to the City and in other contacts with the City, we have learned that the City has coped well with the euro, although other opportunities could be realised by full membership.

The final criterion is whether membership will be good for employment. I have already touched on the measures that the Government are taking to ensure that the United Kingdom economy is sufficiently flexible to meet the criterion.

Convergence is very important. Ireland has shown the difficulties that arise from joining without sufficient convergence. However, as I said in my intervention on the hon. Member for Twickenham, the question is whether an explicit convergence target is necessary. I argue that it is not. Bank of England independence and a long-term approach to fiscal policy that will enable us to converge are more important.

I am disappointed that there has been no elucidation this morning of the Conservative position, although I still hope for some. There are important questions that need answers. Do the Conservatives believe that Britain should not join regardless of the economic considerations?

**Mr. Alan Clark:** On a point of order, Mr. Deputy Speaker. Is it in order for the hon. Lady continually to pose questions to the Conservatives and refuse any attempt by those of us who are present to elucidate?

**Mr. Deputy Speaker:** It is entirely in order. How the hon. Lady makes her speech is a matter for her.

**Jacqui Smith:** I am not sure whether that intervention suggests that the right hon. Gentleman does not have confidence in his Front Benchers' response on the issue.

There has been speculation in *The Daily Telegraph* on whether the Leader of the Opposition is going to sack the former Chancellor and the former Deputy Prime Minister. Perhaps we shall hear some comments from the Front Bench. Is the Conservative policy to rule out membership for 10 years, for six or seven years, or for ever? Are they concerned about the economic interests of the country? We need to know. The Government's position has been made clear. I welcome the opportunity to contribute to the debate and I look forward to some elucidation from the Opposition Front Bench.

10.41 am

**Mr. John Whittingdale** (Maldon and East Chelmsford): I congratulate the hon. Member for Twickenham (Dr. Cable) on obtaining the debate. This is one of the most important issues—if not the most important issue—facing the country, although one would not think so from the sparse attendance on the Labour Benches. I welcome the fact that we are debating the issue, but we believe that a one-and-a-half hour Adjournment debate on a Wednesday morning is wholly inadequate for an issue of such importance. Several of my hon. Friends sought to question the Prime Minister on the issue last week and were unable to do so. My hon. Friends the Members for Poole (Mr. Syms) and for Tewkesbury (Mr. Robertson) and my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark) have sought to speak in the debate today, but there has not been time. I repeat the request made by my right hon. Friend the shadow Leader of the House for a full debate in Government time as soon as possible.

It is not just in this place that there should be a full debate. There may well be a referendum on whether it is in the interests of this country to join a single currency. There is already considerable discussion about that. The Prime Minister has acknowledged that there are constitutional as well as economic issues at stake. It is important that they should be spelt out.

I draw the Minister's attention to early-day motion 185, which calls on the Government to publish a White Paper on the constitutional, economic and political implications of joining a single currency. That motion has been signed by more than 100 Members of Parliament, including Labour and Liberal Democrat Members. Does the Economic Secretary accept that the political and constitutional implications are as important as, if not more important than, the economic ones? Will she undertake to publish a White Paper setting them out?

Such arguments were noticeably absent from the Prime Minister's statement last week, which, as my right hon. Friend the Leader of the Opposition pointed out, contained virtually no hard information. However, it confirmed the Government's wish to abolish the pound and join the single currency. The Prime Minister's much-vaunted love affair with the pound turns out to have been simply a marriage of convenience to get him past the general election. At the first opportunity, he has ditched sterling in favour of the euro. Of course, we are told that the final decision will be subject to a referendum, but it is clear beyond doubt that the Labour party and the Liberal Democrats are committed to taking us into a single currency. Only the Conservative party is opposed.

**Mr. Gardiner:** Will the hon. Gentleman elaborate on whether the Conservative party's fundamental objection is constitutional? If it is, does that rule out the economic considerations? If his party has decided that joining the single currency should not be countenanced on

constitutional grounds, why does he refer to economic arguments, which must be spurious and surplus to requirements?

**Mr. Whittingdale:** We have repeatedly made it clear that there are constitutional and economic problems with joining a single currency. That is why our manifesto for the next election will state that the next Conservative Government will not go into a single currency during the next Parliament. We have spelt that out time and again.

We have discovered that the Government are preparing to spend taxpayers' money to promote the cause of joining the single currency before and during a referendum campaign. The recent report of Lord Neill's Committee on Standards in Public Life explicitly said that taxpayers' money should not be used to influence the outcome of any referendum on UK membership. One of the key recommendations was that the Government should remain neutral and should not distribute literature at public expense—even purportedly factual literature—that set out or otherwise promoted their case. Yet already the Treasury officer of accounts has written to Departments saying that it is reasonable to spend money that is considered necessary to enable the general public to make an informed decision when they vote in a referendum. Will the Minister assure us that the Government will accept the recommendation of Lord Neill's committee and that taxpayers' money will not be used to produce literature promoting the Government's view?

The issue does not stop there. A recent health service circular advises NHS bodies that they should not enter into contracts with a supplier who has no plans to introduce euro-compliance into their software. The health service is to be forced to place orders not with the most cost-effective supplier, but with those who are euro-compliant. That will result in better value contracts being rejected and money that the health service desperately needs being wasted to satisfy the Government's obsession with joining the euro.

Last week's statement purported to set out details of the national changeover plan, but many fundamental questions remain unanswered. One of the most basic questions, referred to by my hon. Friend the Member for East Worthing and Shoreham (Mr. Loughton), is how much it will cost. The Government appear incapable of answering. The Prime Minister glibly referred in his statement to tens of millions of pounds having to be spent to make departmental computer systems euro-compatible, but there appear to be no detailed estimates. How much will the Government spend over the next three years on making the public sector euro-compliant? It is not good enough for the Prime Minister to say in a written answer to my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) on Monday that it depends. We are talking about public money and Parliament has a right to know. It is clear that the cost to the economy as a whole of changing to the euro will run into billions of pounds.

Much has been made of possible savings in transaction costs, but they are likely to be wiped out for years to come by the cost of conversion. Again, there is hardly any mention of that in the Government's document. Instead, businesses are being urged to commit massive resources to preparing for the changeover, when it is highly possible that it may never occur.

The Government's document is also silent on another key requirement. Article 121 of the Amsterdam treaty states that it is a requirement of membership that the fluctuation margins provided for must be observed by the currency for at least two years before joining. That was one of the conditions for first-wave entrants. The European Commissioner has said that if and when the UK decides to join, we shall have to comply with the same conditions. The Prime Minister said last week that it was not his policy to shadow the euro. How does he intend to meet the condition so that we shall be in a position to join? The Economic Secretary understands such matters better than the Prime Minister does. Will she tell us whether the Government intend to instruct the Bank of England to seek to influence the exchange rate to shadow the euro, as the treaty requires? How does that square with the Bank's inflation remit, as the hon. Member for Twickenham asked?

Let me deal briefly with another key requirement for membership that the Government have set—economic convergence. We have already seen the fudging of the Maastricht criteria to ensure that all the first-wave applicants were successful. Will the Minister assure us that there will be no fudging of the Chancellor's five economic tests? If that is the case, how will she judge whether cyclical convergence has taken place? The Government's own document states that, over the past decade, the United Kingdom has become increasingly out of step with Germany, while the United States and United Kingdom cycles have been relatively synchronised. Has the Minister any evidence that is changing? Given the facts, how can the United Kingdom possibly be in a position to join in five years' time?

All those questions must be answered, but the Government have ducked them all. Instead of answering, they are trying to create the impression that entry is inevitable.

We have already observed the Government's skill at raising taxes by stealth; now they are trying to take us into a single currency by stealth. The truth is that a single currency would be against our economic interests, and against our national interest. That is not just our view. We now know that it is the view of the last Labour Chancellor; it is the view of the former leader of the Social Democratic party, which was allied with the party of the hon. Member for Twickenham, and—as every survey has shown—it is overwhelmingly the view of the British people.

10.51 am

**The Economic Secretary to the Treasury (Ms Patricia Hewitt):** I congratulate the hon. Member for Twickenham (Dr. Cable) on his success in securing the debate, and on his thoughtful speech. I also congratulate my hon. Friend the Member for Rotherham (Mr. MacShane) on his witty contribution, which was, as he pointed out, entirely on-message. My hon. Friend the Member for Redditch (Jacqui Smith) made an intelligent speech, especially from the perspective of the business community. It was also interesting to hear a contribution—albeit somewhat confused—from a representative of the anti-European Conservative party.

The issue of British participation in the single currency is the most important issue with which the country is likely to deal for a generation. That is why, on taking office, the Government resolved to end the indecision and divisions that have isolated us from the debate in Europe, and sidelined our national interest. That is why,

*[Ms Patricia Hewitt]*

in October 1997, my right hon. Friend the Chancellor set out the Government's clear policy, a policy reiterated last week by my right hon. Friend the Prime Minister. We intend to join a successful single currency if it is in the country's economic interests. That remains our policy.

The hon. Member for Twickenham suggested that the Government should instruct the Monetary Policy Committee to take convergence into account, even if that meant, in certain specific circumstances, having to pursue a target contrary to the inflation target that is the committee's remit. Let me draw the hon. Gentleman's attention to the success of the new monetary framework that the Government have created. It has delivered falling long-term interest rates—they are now only 0.5 per cent. higher than those in the euro zone—and the lowest mortgage rates for 30 years.

We believe that the primary objective of the Bank of England must remain the delivery of price stability, as is clear from the inflation target that we have set for it. That is the Bank's responsibility, that is what British interest rates are intended to deliver, and that is what they should continue to deliver. It would be extremely foolish to confuse that inflation target with a different target, whether by reference to a general convergence target or, more specifically, by reference to an exchange rate target or exchange rate zones. That would remove the predictability and transparency of our new monetary policy framework, and would undoubtedly reduce its effectiveness.

Similarly, if—as some have suggested—we tried to shadow the interest rates of the European central bank, it would mean accepting a monetary policy that was right for the euro zone, but not right for the United Kingdom; and that would lead to more instability, not less.

The hon. Member for Twickenham referred to the structural differences in the housing market. Differences indeed exist in the housing market, and in the nature of housing finance: we pointed that out in the Treasury report on convergence. I stress, however, that the trend in the British housing market is now towards a much greater use of fixed-rate mortgages, whose advantages the hon. Gentleman rightly emphasised. The fact that 50 per cent. of new mortgages are being taken out at a fixed interest rate reflects the lower inflation expectations and the consequent lower risk now associated with fixed-rate mortgages. It also illustrates the success of our monetary policy framework.

**Mr. Alan Clark:** I thank the Minister for giving way. That contrasts with the behaviour of some of her hon. Friends.

In her lucid and articulate exposition of the reasons for not shadowing the euro, the Minister defined precisely the reasons for not entering the euro. Was that a slip on the part of whoever wrote the speech for her?

**Ms Hewitt:** The reason why we should not shadow the euro, and the reason why we should seek to shadow the interest rates currently set by the European central bank, are exactly the reasons why we should not enter the euro at this stage. To do so would not be in Britain's interests, because it would mean setting an interest rate designed for conditions in Europe, not those in Britain. That is why we will enter a successful single currency only if there is a sustained and settled period of convergence, and if doing so would be good for the British economy and British jobs.

**Mr. Bercow:** Why does the Minister say that the Government do not propose to shadow the euro, when they have signed the treaty of Amsterdam, article 121 of which specifically requires that shadowing? The Chancellor's advisers know that; Gavyn Davies and the responsible European Commissioner know it. Does the Minister not know? If she does not, why does she not admit it?

**Ms Hewitt:** The condition required for entry into the euro is a period of exchange-rate stability, and our policy is for a stable and competitive exchange rate. We shall not achieve that by targeting a particular exchange rate; we shall achieve it on the basis of sound economic fundamentals. That is why our economic policy is designed to secure low and stable inflation, steady and sustainable growth, and sound public finances.

The Luxembourg European Council stated that, in general, exchange rates should be seen as the outcome of other economic policies. That is precisely the Government's view, and that is why we are not pursuing the suggestion of the hon. Member for Twickenham.

I am sorry that, given the time allowed and the number of interventions, I have not been able to deal with all the points that have been raised; but I assure the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) that it is far more sensible to spend now, in preparation for possible entry to the euro. As Derek Wanless, the head of NatWest, has said, the longer the time that we have, the less it costs, because the costs of preparation for a possible eventuality are built into the on-going project.

## British Film Industry

11 am

**Mr. Tom Clarke** (Coatbridge and Chryston): I begin by declaring an interest, as already recorded. Specifically, since 15 February this year, I have been non-executive chairman of Spring Studios. More generally, my interest in film goes back a long time. Since the House returned from the summer recess, I have been trying to obtain this debate because of that long-standing, passionate and professional interest in film.

Before I came to the House in 1982, I had spent most of my working life as an executive with the Scottish Film Council, and I had the privilege of serving later as a governor of the British Film Institute, under the chairmanship of Lord Attenborough. It was with real delight, therefore, that I heard that the House would have a chance to discuss the future of the British film industry.

I look forward to speeches from hon. Members on both sides of the House, and especially from the Minister for Tourism, Film and Broadcasting, whom I congratulate warmly on her appointment. She used my parking space for many years and, in the unlikely event of my driving in London—something I have never done—and thus spreading terror throughout the metropolis, I am sure that she would reciprocate.

The House will know that the Government's review of the film industry, "A Bigger Picture", was published in March last year. It was co-chaired by Stewart Till, president of Polygram Filmed Entertainment, and myself. If I may say so, it was described by the *Financial Times* as

"the most comprehensive review of the film industry in over 30 years."

It was, I believe, a testament to the excellent work done on the review by all who contributed to it.

We had an expert team to work with us on the review—a team which covered every aspect of Britain's film industry and film culture, with every kind of company, from the smallest independent to the largest corporation, drawn from every part of Britain. The findings of the group were eagerly awaited not just in the UK, but in Europe and across the Atlantic. The review group was set key objectives by the Government, which were announced in Cannes days after the election by the Secretary of State for Culture, Media and Sport.

The crucial challenge was how to ensure that the flow of quality British films reached our audiences. Specifically, one of the key objectives was to double the market share of British films. Thankfully—and in full accord with the new Labour style of government—the objective was realised during the months in which the report was compiled. The share of domestic box office taken by British films did double—in large measure due to the extraordinary success of films such as "The Full Monty". However, that vintage year also contained "Shooting Fish", "Mrs. Brown", "Bean", "The Borrowers" and "Brassed Off". Speaking personally, I had a high regard for "Brassed Off", which deserved even more success. That may be because my father was a miner rather than a stripper, and I still have many ex-miners in my constituency.

By March 1998, as the review indicates, the audience share for British films had risen to 23 per cent. However, with the most recent figures showing that it is down to 14 per cent., there is a danger of boom and bust—a worry for my Front-Bench colleagues. Evidence of our talent became apparent again when, this year, "Elizabeth" received seven Oscar nominations, and "Shakespeare in Love" received 13. In this week's BAFTA nominations, the films picked up 28 nominations between them.

All that is welcome, and it confirms what we already know—that our movies are capable, without compromising their individuality, of attracting huge audiences at home and abroad. The successes show that we have real genius in this unique area where culture and commerce meet. I have always believed that we can build on those talents to a far greater degree, and produce a truly creative, integrated and robust British film industry.

Despite our talents and their considerable success, we must acknowledge that that success is precarious. There is no doubt that we have some of the most gifted film makers in the world, but we do not have enough of the structures in place—something which is crucial in today's modern, global enterprise economy. We must ensure that we sustain and improve on our success, year on year.

Despite our recent achievements, we are, to say the least, in the questionable situation where there is no guarantee that revenues from British success stories will be reinvested in the production of more British films. We need only look at the excellent "Four Weddings and a Funeral", which is still the biggest-grossing UK film world wide. Its producer, Duncan Kenworthy OBE—as of yesterday—made a sterling contribution to the review. We wish him well with "Notting Hill", the film he has just completed. I am sure that he will continue to inspire others to invest and support this creative industry.

We desperately need the modern companies and business skills that could enable more of our film makers to make bigger and better pictures that get on more screens in Britain and around the world. Far too often, the vision of a renaissance of our film industry has been waved before our eyes, only to be replaced with broken dreams and dashed hopes. Plainly, the industry in Britain has structural weaknesses which prevent it from reaching its full potential, as a comparison of the US and UK industries demonstrates.

The US film industry is undoubtedly extremely successful. However, when we share the same language advantage as the US and when our film makers are acknowledged to be some of the most creative in the world, we must ask why the British film industry does not perform as the American industry does. "A Bigger Picture" showed that there are massive differences in structure between the US and UK industries.

The US industry is dominated by distribution-led integrated companies, where the processes of development, production acquisition and distribution are financed and carried out by a single entity. They believe that vertical integration is the right approach. By contrast, the UK industry is fragmented, and sometimes gives the impression that it lacks the ambition to change. The production process is separate from the distribution process, which is dominated by big US companies. In Britain, most producers have no close relationship with their distributor, and often have to sell all their rights for their films to be distributed.

**Dr. Julian Lewis** (New Forest, East): I am sorry to interrupt the right hon. Gentleman's flow, but I cannot resist interjecting at this point to confirm one contrast

*[Dr. Julian Lewis]*

between the US and British film industries: the US film industry is willing to take far greater poetic licence. I have in mind the new US film about the alleged capture of a German submarine by Americans who, supposedly took hold of the Enigma machine, thus shortening the war by enabling the code breakers to do their work.

I wonder whether, even at this late stage, representations might be made to the American producers to allow a walk-on part to my constituent, the then Royal Navy Sub-Lieutenant David Balme DSC, who actually captured the Enigma machine from the U-110 seven months before America even entered the war.

**Mr. Clarke:** I enjoyed the hon. Gentleman's little speech. He will understand if I do not respond in detail, as this is only a short debate and others want to speak.

**Mr. Robin Corbett** (Birmingham, Erdington): May I quickly pay tribute to my right hon. Friend's work as films Minister? On the point about distribution weakness inhibiting the success of British films, has our mutual friend Barry Spikings had any success in Hollywood with the American film distribution companies in trying out new arrangements with Britain and the rest of Europe, on a partnership basis, to make it easier for films made in the European Union to be shown in our own countries?

**Mr. Clarke:** My hon. Friend is absolutely right to refer to our mutual friend Barry. He is, indeed, working away on those projects in the United States.

We cannot complain about American investment and integration or even about the huge American influence in Britain's cinemas. The Americans have cracked it and we should welcome their investment. The United States can see the attraction in investing in Britain, but we do not invest with the same enthusiasm in our indigenous industry.

**Mr. David Chidgey** (Eastleigh): Is not the problem that we simply cannot attract sufficient investment in the production of British films to get beyond the critical mass that would enable our films to attract worldwide distribution and get the return on the investment that would bring growth to the industry?

**Mr. Clarke:** That is absolutely right. That was the main thrust of "A Bigger Picture". Frankly, until we reach that point, I do not believe that we can claim success for our film industry.

It is perhaps no surprise that the average budget for wholly British films produced in 1997 was less than £3.5 million, compared with more than £18 million for the overseas films made in the United Kingdom. The comparison highlights the bizarre situation of the British film industry. After all, if overseas—usually US—companies can, rightly, see the potential of investment in Britain, why is domestic confidence so much weaker?

The film policy review group had that in mind when it examined the underlying structures, and it soon became obvious that we need to encourage the emergence of a distribution-led industrial process, with firms capable of attracting major private investment, and greater integration between production and distribution. If we are to create a modern industry that is successful at every stage, from initial development of a script through production to marketing and distribution and, finally, exploitation by television or video, every part of it must come together and play its full role in building the conditions for success.

It was my belief during the review, as it is now, that the long-term interests of the British film industry and of the small independent production groups within it rests in collective action to address the needs of the industry as a whole. A great start in the process of all sectors coming together was my right hon. Friend the Chancellor's welcome announcement in his first Budget of tax reliefs for film production.

That announcement was excellent, and demonstrated the Government's will to assist the film industry, but if we are to get anywhere, Government actions must be matched by all who benefit from our film industry. In "A Bigger Picture", we proposed that, to complement the Government's fiscal initiative, the whole industry be invited to contribute on a co-operative and voluntary basis to an all-industry fund to improve the development, distribution and marketing of British films.

If enhanced, those activities will benefit the whole industry, and I still believe that they should be funded at least in part by the industry itself. After enormous consultation and debate, it was estimated that a voluntary contribution of as little as 0.5 per cent. of the film-related revenue of approximately £3 billion a year would raise about £15 million a year. With that funding, we agreed, there should be a significant increase in the size and prospects of the British film industry, to the benefit of all, which would more than outweigh the relatively small cost.

Some of the other measures recommended in the report are already being implemented. I hope that the House will recognise that the scale of what can be achieved will be greatly increased if the industry is prepared to underpin the Government's strategy with its own investment. That is an essential ingredient of success.

In effect, we faced a choice. We knew that we had identified desirable policy objectives, and we could either introduce the first Films Bill since 1985 or seek to bring everything and everyone with us, here and abroad, with a something for something principle, in which I still believe.

After all, should not those who benefit from films contribute to the investment in them? Are we to suffer from chronic lack of investment while our wiser, but no more gifted, competitors race ahead? In that spirit, I ask my hon. Friend the Minister whether progress is being made on the fund, which is a key element in the package. Considering the difficulties, has the action committee explored the scope for an alternative that will achieve the aims of the original proposal?

The fund would complement the work of the Arts Council of England, which has considered committing £100 million of lottery money to film over the next three years. I am sure that the House would agree that it is right to continue to support the British film industry, and I believe that the Government have set the policy options.

A further consideration that we identified was the need for significant progress in the development of links between the City and the industry to create long-term investment opportunities. That was the reasoning that helped to establish the film finance forum, which was to

consider specific proposals and might improve the industry's investment potential, one of its primary tasks being to undertake a cost-benefit analysis of front-end tax relief schemes for investors to encourage the creation of well-capitalised, integrated distribution entities.

It would be helpful if my hon. Friend the Minister could tell the House about the progress of the finance forum. I am sure that she has kept the Treasury informed of the industry's views about the beneficial effects of the 100 per cent. tax write-off for production. Can she give us any information about the Treasury's thinking on further tax reliefs for the industry? Has there been further dialogue, for example on the £15 million cut? Given that the ad hoc working party that was set up in June 1998 by the film action group, which I briefly chaired, has presumably reached some conclusions on distribution tax reliefs, can my hon. Friend the Minister enlighten the House on what those might be?

A debate about the British film industry would not be complete without mentioning the role of the country's highly skilled broadcasters. It was the view of the group, and still is the view of many to whom I have spoken in the industry, that our terrestrial and satellite broadcasters should stand up and take more responsibility for their obligations to the British film industry. After all, broadcasters use film. They should make a contribution to the success of film.

When I met broadcasters, including Channel 5, Granada and BSkyB, there was an obvious synergy in the training and development of writers and actors which, with convergence, is bound to increase. It is a shame that there may be some broadcasters who object to contributing to the fund, as great care was taken to ascertain the views of the broadcasters during the review and afterwards in the action group. It simply is not on for some to suggest that they were not consulted. They were involved as much as every other section of the industry. That said, it would be wrong not to mention the BBC, with whose help "Mrs. Brown" was a major success, and Channel 4, which has recently made an excellent contribution to the industry. I understand that the ITV network has signalled that it wants its companies to invest more in film and we look forward to seeing the fruits of that £100 million investment. Some broadcasters still play a minor role, and, in all candour, I had expected satellite and Terrestrial broadcasters to be more vibrant as we move into the digital age.

The development of the industry depends heavily on film industry training and that point cannot be overemphasised. An adequate supply of skilled professionals is the only sure way to service a growing industry and to keep labour costs competitive. If the success of the industry in Britain is to be sustained, we need to emphasise the requirement for training, both for this and the next generation of the work force behind the camera, and in scriptwriting and development. We also need to encourage Skillset, the national training organisation for film and television, in its sterling work. In that context, it defeats me to understand why—if I understand the position correctly—the national film and television school has been largely sidestepped in consideration of structural issues.

I found it almost unbelievable that, before the review, in an industry with an annual value across all media in the United Kingdom estimated at more than £3 billion, the then independent production training fund raised as little as £90,000 a year. That represents a minuscule proportion of the value of the industry to this country. For that reason, a skills investment fund has been established. Producers of British films will be asked to contribute 0.5 per cent. of the production costs of their films up to £10 million and 0.25 per cent. for any costs above £10 million. For two years, the contributions will be voluntary. Because the group felt so strongly about the need for increased financing—and I agree—if the trial period was unsatisfactory, the Government would consider whether proper action needed to be taken. I hope that my hon. Friend the Minister can confirm that that is still the position.

Training should be seen as the responsibility of all sectors of the industry that rely on the quality of British films produced. I take this opportunity to ask my hon. Friend what discussions she has had on the skills investment fund and what plans she has to progress the crucial policy area of voluntary arrangements should they be proving elusive.

Obviously, the commercial appeal of films is central to their box office success. In that area, the group tried to set up an action plan to help the industry increase the marketability of British films and, equally, the attractiveness of films and the cinema for the British public. We recommended the establishment of a film marketing agency which would promote a generic interest in film, based on a permanent audience research capability, providing the sort of information that the British Audience Research Bureau provides for television and staffed by marketing professionals. Such a proposal would make it possible to determine the attitudes of the actual and potential audience for film, enabling the industry to respond to or even anticipate consumer demand, as television does.

The report also recommended that more should be done to help independent producers get their films shown at the major film markets. I understand that the Producers Alliance for Cinema and Television has agreed to take this on. I would like to ask my hon. Friend the Minister what progress has been made on the setting up of a film marketing agency and the PACT initiative on overseas marketing. Can she update me on how we are to launch script development in the absence of voluntary arrangements for the all-industry fund? It is often said that one can make a bad film from a good script, but one cannot make a good film from a bad script. Will my hon. Friend also update us on the script development scheme that has been proposed by the Arts Council? Will such a scheme include previous box office success in the criteria?

Some believe that the British film audience is less adventurous than some of its counterparts abroad, and that it should be a longer-term goal to create what is called a more cine-literate—although I do not much like the word—population, through education in its wider sense at all stages and at all levels. It was for that reason that we proposed the setting up of a working group to draw up a strategy for film education. Not only would this have education benefits for generations to come, but it would provide social and economic benefits. A broader range of film makers, distributors and exhibitors would be able to find an audience and to survive in the marketplace. What discussions has my hon. Friend the Minister had with

*[Mr. Clarke]*

ministerial colleagues at the Department for Education and Employment on that important matter and on whether the BFI's plans for it have now matured?

In terms of the UK industry and the worldwide marketplace, the UK has a real advantage. Because of its language, the Hollywood production companies find it relatively compatible with the work environment that they require and, even more significantly, our films have the ability to find an audience outside the local marketplace. Various measures were implemented, such as the setting up of an office in Los Angeles, and I wonder whether my hon. Friend has any plans to visit it in the near future. I recommend that she should.

Closer to home for me, the Scottish contribution to the British film industry continues to be extremely important. We have film-making talent in abundance up there, although I am too modest to include my own little effort, "Give Us A Goal", in that category.

The lack of structure of the industry in the whole UK, however, has a detrimental impact on Scottish film production. I ask my hon. Friend to clarify the relationship between Scottish and UK film institutions. The British Film Institute, British Screen and the British Film Commission appear to have a mixture of British and English responsibilities, and I urge my hon. Friend and her counterpart in Scotland to clarify that situation as soon as possible, not least because of the setting up of the Parliament in Scotland this year. It would be helpful if dialogue was known to be taking place this side of that Parliament's taking up its duties. As a Scot, I would welcome clarification.

It is important that the changes recommended for the British film industry should be seen within the objectives of creating a self-sustaining European audiovisual industry that is able to win a greater share of the European market. The European Union's audiovisual seminar at Birmingham during our presidency last year was a great success. Excellent work is being carried out in Europe by Commissioner Marcelino Oreja, whom I met a few weeks ago in Brussels, not least in his policy, which I wholly commend, of encouraging the development of centres of training and excellence.

In Britain, it was proposed that the film finance forum should make it a priority to develop plans to encourage the growth of European investment vehicles to lead private money investment in a slate of films attached to the distribution entities. What is the Government's position on the proposals in Commissioner Oreja's document, "The Digital Age", particularly those relating to the securitisation fund?

"A Bigger Picture" was largely silent on structure in the British film industry because we knew that the comprehensive spending review would produce proposals. The review was followed by a document containing a section titled, "Film—What happens now?" In another document from the Department for Culture, Media and Sport—"A New Cultural Framework"—I read:

"Work will start immediately with existing film bodies in preparations for the establishment of a new body, with input from Lord Attenborough."

Lord Attenborough is one of Britain's most respected film makers, and I am pleased to see that he is involved in such an important initiative. Perhaps the Minister can comment on the current status of that work.

Film means many things to different people. For some, it is an industry, for others an art form. Many see it as an aspect of creative Britain. However, there is no doubt of film's enduring qualities, and its ability to adapt to changing demands from the most basic broadcasting to digital television. The audiovisual industry faces a challenge, but it is more than capable of taking it on. What is abundantly clear is that there is no limit to the role that the industry can play as we approach the millennium. The future can be a glowing one. Given a fair wind, and given the determination to succeed, that glowing future is well within our grasp.

11.34 am

**Mr. Robert Maclennan** (Caithness, Sutherland and Easter Ross): I express the House's gratitude to the right hon. Member for Coatbridge and Chryston (Mr. Clarke) for giving us a rare chance to consider the film industry, of which he has been a luminary for many years. Many people respect his personal contribution both in and out of Government and Parliament. He has given us a wide-ranging conspectus, and I shall not seek to follow that. Most of us will wish to hear what the Minister will say to the points that he has raised, and my contribution will be more of a declaration than a main theme.

The right hon. Gentleman was right to emphasise that the boom in the British film industry is remarkable. Its international recognition since 1990 has been enormous—18 per cent. of all Oscars, 15 per cent. of prizes at Montreux and 15 per cent. of prizes at the Monte Carlo television festival have been awarded to English, Scottish, Welsh and Irish feature films and television programmes.

The box office grosses have also been staggeringly impressive: "Four Weddings and a Funeral" took $256 million; "The Full Monty" took $249 million; "Bean" took $234 million; "The English Patient" took $230 million; "Sense and Sensibility" took $134 million; and, "Trainspotting" took $74 million.

These are extraordinary achievements. The United Kingdom is today second only to the United States as a source of films for the international market. We want a springboard for growth and development. Although we have the great advantage of the English language, other challenges exist. There is important new activity in European countries, including Germany, Poland and Spain as well as France, and that is making an impact on the film market while enjoying considerable Government support. Some countries provide much more strategic capital investment than we provide, and we must be clear about what processes we may initiate to ensure that the success that we have enjoyed continues and that we are not squeezed out of our relatively good current position.

On the debit side, it is important to recognise that our structural problems remain acute. During the period that I have already mentioned, we have seen the disappearance of several companies—Thorn EMI, Screen Entertainment, Rank, Goldcrest, Handmade Films, Virgin, Palace Pictures, Helmdale and Embassy—that were engaged in production and distribution. All of them had access to money, but all of them have gone.

As the Producers Alliance for Cinema and Television has pointed out, we have enormous talent in our new breed of producer—gifted people such as Tim Bevan and

Eric Felner, Nik Powell, Steven Woolley and Duncan Kenworthy. Fifteen years ago, we had companies, but today we have the people.

**Mr. Chidgey:** Is not it a fact that the British film industry has traditionally been a cottage industry, working from film to film on an almost ad hoc basis? It is incredibly difficult to match the power of the American studio system which sees film making as a business, not just an art.

**Mr. Maclennan:** That is true, and that is the challenge. There is no straightforward answer, but some answers can be made to the questions put by the right hon. Member for Coatbridge and Chryston.

The case for investment in the industry is strong given the growth of the business world wide, and especially the growth in English language film making, which has enjoyed a growth rate of between 11 and 15 per cent. since the mid 1980s. With the further growth of pay television services, the introduction of digital television and digital video disc, and the growth of other world markets in Latin America, the far east and central Europe, we can anticipate a market for the product. If the investment can be delivered, there should be a major return on it.

The Government have recognised those facts and taken some significant steps to which we must properly pay tribute. Early on, they granted the long-requested 100 per cent. tax relief on film production in the year in which expenditure is incurred. Its absence had been a major drawback for the corporate consortium investor. Like the right hon. Member for Coatbridge and Chryston, I want to know what is happening about the removal of the £15 million cap. That remains a live issue. On the eve of the Budget, we cannot expect to learn what the Government have in mind, but it is important to use this opportunity to press for the issue to be tackled.

Another issue is the withholding tax system, under which all payments, including transport and other expenses, are taxed at basic rate at source. That continues to add up to 20 per cent. to the cost of employing a foreign actor in the United Kingdom. Given the need to cast American actors to help the prospects of film distribution in the United States, the Government should address that. If they made known their calculations of the effect of increased production on the economy, we might learn that withholding tax would yield more.

Many British films are largely financed by the major American studios. Fox financed "The Full Monty". "Shakespeare in Love" is similarly a largely American-funded picture. While the American giants control the market, it continues to be difficult for smaller film makers to make their mark. We have no major studio of our own. In the longer term, the Department should consider the feasibility of the incentives—export incentives, tax credits and other funding mechanisms—that were used by the United States to boost the fortunes of American studios in the early 1970s. In the meantime, we must consider the problems of film making as they stand.

We welcome the forthcoming establishment of British Film and hope that it will bring together the various strands of strategic thinking, allowing a policy for the whole industry with adequate financial support and investment from the centre. It will operate in devolved Britain, and it is important that national institutions such as Scottish Screen play their part on the basis of participation, not mere consultation.

The British Screen Advisory Council calculates that total lottery funding will need to be at least £35 million per annum and that grant in aid support must be maintained at the present level, at the very least. The funding must be put on a secure medium-term basis, with resources committed by the Government for three years. That will allow adoption of a strategic plan to ensure the best use of funds.

I am concerned about distribution. British films are hard pressed to get on British screens. As long as ago as 1994, the British Film Institute asked the Monopolies and Mergers Commission to investigate unfair practices in British cinemas. Although the commission seemed sympathetic to the case, it considered that it could not examine film supply more generally. Have the Government considered whether that regulatory approach could be reconsidered?

PACT, which represents 1,400 British film and television making companies, proposes that British Film should earmark a fund to underwrite some of the marketing costs incurred by distributors of UK qualifying films. The Government could consider a tax shelter mechanism targeted at the independent distribution business to attract new entrants and consolidate the strength of those who are still in it.

The distribution of British films in America will remain a problem for the foreseeable future. It is exceedingly difficult for most British films to secure distribution there, without which it is difficult to succeed. That is recognised by Government and industry. It is good that, through the lottery, subsidy can be spent on the development of projects and film distribution, as well as on film production.

Our industry could be a world beater. In artistic and technical terms, there is no doubt that it is so recognised. The right hon. Member for Coatbridge and Chryston was correct to emphasise the importance of training. We do much work on individuals who are valued throughout the world. They tend to be sucked out to Hollywood where their skills are recognised. We must guarantee film training throughout the nations and regions of the United Kingdom. We must do all that we can to ensure that the products of that training can work in our studios.

We must ensure that the tax burdens that draw film makers away from production in Britain are lifted and that the tax incentives used to lure film makers from abroad examined. Most of all, British Film and its brother organisations must encourage and promote public and private partnerships to invest in film making and distribution in the United Kingdom. I conclude by again thanking the right hon. Member for Coatbridge and Chryston.

11.47 am

**Mrs. Ann Cryer** (Keighley): I thank my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) for calling this much-needed debate. As Minister of State at the Department for Culture, Media and Sport, he advanced many useful ideas on the film industry with great expertise, due to his lifelong commitment and great devotion to, and vast knowledge of, films and their production. His contribution is much appreciated throughout the industry.

*[Mrs. Ann Cryer]*

I was not expecting to speak, so I have not had the time that I would have liked for research on a subject for which I have such enthusiasm. I will therefore concentrate on matters that I know well from personal experience over what may be too many years. The production and showing of British films do not only generate money for the Exchequer and provide employment for the many skills and talents in the industry; the spin-off in wealth generation can go well beyond that. British films, particularly those celebrating our way of life, such as "Four Weddings and a Funeral", "Mrs. Brown", "Brassed Off", "The Full Monty" and "Shakespeare in Love"—which I have not had the opportunity to see yet—and the imaginative use of location work promotes tourism, both from abroad and domestically. My constituency is a microcosm of that. The Keighley and Worth Valley railway, of which I am a vice-president, has attracted many film and television producers to use the various locations, from industrial heartland to the magnificent Pennines above Haworth and Oxenhope, in such films as "Yanks" and the much loved "The Railway Children".

I shall be a little self-indulgent, because my interest in "The Railway Children" stems from the fact that I fear that my claim to fame will never be as the Member for Keighley or as the wife of Bob or mother of John but as an extra on that film. Hon. Members will have difficulty spotting me. I had dark hair in June 1970 when we had four wonderful weeks of sun—amazing for the Worth valley. So also was my hon. Friend the Member for Hornchurch (Mr. Cryer), as he and his sister Jane, aged six and four at the time, dutifully waved their flags in the presentation scene when the Old Gentleman William Mervyn presented gold watches to

"the saviours of the iron road",

as only William Mervyn could. That scene was on Oakworth station platform. The crossing keeper's house was Perks cottage, now a successful bed-and-breakfast establishment organised by a friend of mine, Councillor John Cope, and his wife Patricia.

For 29 years Keighley and the Worth valley area's hotels, shops and cafes have benefited from that one film. So we can see that a great deal of money can be generated for the country as a whole from the films that we produce.

Before I leave the subject of "The Railway Children", I pay tribute to the man who was behind the camera throughout the eight weeks of production, especially at Oakworth and in Oxenhope. The real stars of that film were the railway engines, not Jenny Agutter, William Mervyn and the others. The railway engines were brought to life by cameraman Arthur Ibbetson's use of the camera. "The Railway Children" was the first film directed by Lionel Jeffries. As it was his first film, he did not have a great deal of expertise in film making, but I feel that Arthur Ibbetson carried him through, such was his expertise. Arthur died last year and that is why I am mentioning his name so much.

Arthur Ibbetson started his career as a clapperboy on "Brief Encounter", made largely at Carnforth. He was the lighting cameraman on 30-odd films, including "Whistle Down the Wind", "The League of Gentlemen", and "A Countess from Hong Kong". In "Where Eagles Dare", he was able to demonstrate his expertise in the use of day-for-night shooting. For "Anne of the Thousand Days", he received an Oscar nomination, and rightly so. I am not sure what the position is regarding the film school, but I hope that it and other organisations will continue to produce skilled people such as Arthur Ibbetson for the benefit of our film industry.

I shall go outside Britain to demonstrate how there can be a spin-off from film production. A few weeks ago, I was in Strasbourg for a meeting of the Council of Europe. I talked for the first time to a colleague, a socialist Member of Parliament for the centre of Vienna. I said that I knew Vienna well because I had seen "The Third Man" about 10 times, although I had never been there. I asked what was left of Vienna at that time. She said that "The Third Man" was a growing source of tourism. Apparently, the little cabins on the big ferris wheel can now be hired for functions such as children's parties, and they are very popular. I asked her about the cemetery, which is still there. I asked her about the wonderful railway station, too. I am afraid that that has gone. I also asked about the wonderful shots of Harry Lime being chased in the sewers.

My colleague told me that there were now guided tours of the sewers. Hon. Members will be relieved to learn that sewage is no longer carried down them; they now form a culvert for a river. The tourism industry is linking on to the film and providing guided tours along an underground walkway.

When Carol Reed made "The Third Man" in 1949, he demonstrated to us all and, I hope, to younger film makers of today, that it is possible to have the audience on the edge of their seats with excitement and spellbound by what is going on without using gratuitous violence, blood and gore. He used shadow and atmosphere to generate enthusiasm in his audience.

I shall try to be brief because I know that others want to speak, but I wish to put in a plug for Bradford. "Billy Liar" and "Room at the Top" were made there, and we are now proud to have the national museum of photography, film and television, which I think is the only place in the world where one can see all forms of film projection, including Imax, 3-D, cinemascope and cinerama. On Friday, the Bradford film festival begins, to run for two weeks. I am sure that it will be of great benefit to our industry. In a few weeks, we shall see the reopening of the museum, which has been completely refurbished. I am sure that many hon. Members will want to see the museum.

I am afraid that my cinema-going is now dominated by my grandchildren. The most recent film that I have seen is "A Bug's Life". I am sure that Conservative Members will not agree with me, but for me the film expressed the philosophy of "the workers united will never be defeated." I am not sure that Conor and Robert thought that, but I did.

During the general election in Keighley, I was ably assisted by Lord Dickie Attenborough, who has already been mentioned. He came up to campaign for me, and he was wonderful. He did that not because he thought that I was wonderful but because he felt that a Labour Government would have a greater understanding of and give greater support to the British film industry. So I shall finish by saying that I hope that we do not let the British film industry down and that we do what Dickie Attenborough hoped that we would do.

11.57 am

**Mr. Eric Pickles** (Brentwood and Ongar): It is a great pleasure to follow the hon. Member for Keighley (Mrs. Cryer). She referred to Oakworth. I had the honour to live in Oakworth for some 16 years. I have fond recollections of the Worth valley railway and of the hon. Lady's late husband in connection with the film industry. My family's claim to fame is that we supplied extras to "Yanks", which was also filmed there. My late uncle Bob ate successive bowls of rice pudding to act as a backdrop to one of the Rank charm school films.

I congratulate the right hon. Member for Coatbridge and Chryston (Mr. Clarke) on obtaining the debate. He was a distinguished Minister for the film industry. He spoke at great length of the needs of the industry, but he left out something which I know—he is a great enthusiast for films and the media. He made only one mistake and it was a fatal one. He succumbed to the curse of the Cannes film festival, which as hon. Members may know is as fatal—perhaps the Minister will understand this—to the interests of British film Ministers as the Tutankhamun curse is to those who wish to dig up ancient Egyptians.

The right hon. Gentleman demonstrated characteristic courage in the debate. Today is virtually the anniversary of "A Bigger Picture", a publication which laid out the Government's action plan. For most of the right hon. Gentleman's excellent speech, he was doing the monitoring for the Government. There are certain things that we want to know have happened. On page 6 of the document, the various recommendations are listed. It is a matter of regret that the first of the so-called radical plans—the all-industry fund—disappeared without much lament in November last year. The fund was described as the linchpin of the British film revival. Without that linchpin, many of the other items in the 12-point plan have come to naught.

The right hon. Members for Coatbridge and Chryston and for Caithness, Sutherland and Easter Ross (Mr. Maclennan) both referred to the July 1997 Budget, the first to be presented by the Government, which introduced the 100 per cent. write-off for films with a value of less than £15 million. I am not aware of one film that has benefited from that, although, if I am wrong, I shall be happy for the Minister to correct me on that point. Perhaps the reason is that it has taken 18 months for the regulations to be prepared. The Government might want to make amends—possibly next week—and they could do so by lifting that £15 million cap. There are still strong reasons for the measure, because it was introduced to protect our studios and our skills base and to attract to our economy inward investment that would otherwise have been directed elsewhere—notably to Ireland.

However, it is true that there has been something of a boom in current production. I have the honour to be chairman of the all-party group on film; recently the noted film critic Barry Norman appeared before the working group. He told us that in the early 1980s he and Lord Puttnam speculated on the future of the British film industry in the 1980s and the early 1990s. They confidently predicted that cinemas would virtually disappear, except from our major cities. Barry Norman said with pleasure that they had been proved entirely wrong.

There has been a huge growth of multiplex cinemas and, most interestingly, that growth has been almost wholly supply driven. The more cinema screens there are, the more people are prepared to go to the cinema. Perhaps, to misquote Kevin Costner in "Field of Dreams", "If you build them, they will come".

I deliberately quoted an American film because we are sometimes in danger of being too nationalist about the British film industry, and of adopting the more restrictive views of the French. As the right hon. Member for Caithness, Sutherland and Easter Ross pointed out, we have enjoyed the growth of English language films largely because of America. The more people go to the cinema and get into the habit of seeing films, the more they will see British films. As has correctly been pointed out, there is a steady growth in the number of English language films available and great enthusiasm for them in central Europe and the far east. That has nothing to do with the British film industry, but is related to the culture of Coca Cola, McDonald's and MTV.

As has been said, other things make this a good time to be involved in film production, especially the growth of video and the deregulation of terrestrial television—first in western Europe and then in central and eastern Europe—which offer many new channels for the use of film. If we add to that the growth in satellite television, digital television and digital video disc, we see that there are many ways in which those engaged in film production can receive additional returns on their money.

There are two particular factors that will help the British film industry. The first is the marketability of commercial, well put together English-language films. Hon. Members have referred to "The Full Monty"; that film grossed $35 million in the United States, and "Trainspotting" grossed $16.5 million. All the successful films of the past few years—"Four Weddings and a Funeral", "Lock, Stock and Two Smoking Barrels" and "Secrets and Lies"—were produced with budgets of less than £3 million.

The second factor is that there is now more openness and friendliness from the US majors. That is not for wholly altruistic reasons; it is because there is a degree of nervousness about the creative process in Hollywood and a need to alleviate production costs. The growth of markets, the appetite for well-produced, low-budget films and the openness of the major companies make this a good time to be engaged in the British film industry.

There are, however, a number of problems, including the decline of the independents, referred to by the right hon. Member for Caithness, Sutherland and Easter Ross. Most of the risks for independent film makers are passed on to distributors; the distributors' share, from which they take acquisition and marketing costs, is only about 27 per cent. of ticket sales and there has been an enormous decline in the number of those companies. Perhaps that is why the number of films produced in Britain has fallen: in 1996—only a few years ago—128 films were produced here, but now only 91 films are in production.

The world is starting to open up for the British film industry, but whether we refer to film as a cultural or an educational experience, we should recall the words of John Ford to the House Un-American Activities Committee. He was undoubtedly one of the greatest geniuses in the film industry in the 20th century, but he told the committee that his name was John Ford and he made westerns. That was an enormous understatement. What he meant was that no matter how artistic or educational a film might be, the strand running through all

*[Mr. Eric Pickles]*

films that make it—from those of the Lumière brothers, through those of David Lean and John Ford and "Star Wars"—is that they entertain and have a good narrative. I believe that the British film industry now has a good narrative and I am sure that all Members of the House wish it success.

12.7 pm

**Mr. David Lepper** (Brighton, Pavilion): I congratulate my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) on securing the debate and, as other hon. Members have done, on the work that he has done over the years to develop policy to support and encourage the British film industry. I am sure that his all-embracing and trenchant analysis this morning will be taken to heart far beyond the rather small audience in this place. I also declare my own interest—which is in the register—as a trustee of Lighthouse Media Training, a company based in Brighton which trains the new generation of film makers to whose importance hon. Members have referred.

Hon. Members will be aware of the part played by Brighton—the area which I represent—in the history of the British film industry. If things had been slightly different in about 1906, we might now be referring to Brighton rather than Hollywood as the centre of world's film industry. History moves on, but Brighton has retained that vital connection with the film industry over the years. Only a few weeks ago, some of us had the pleasure of joining Lord Attenborough for the 50th celebration of the first showing of "Brighton Rock". The image of Brighton that has developed through the cinema has helped to make the town the tourist attraction it is. If hon. Members want to explore that early film history, I draw their attention to the excellent southern regional film archive, supervised by Frank Gray, and the exhibitions at Hove museum.

I do not want to dwell on the past; I want dwell on the present and the future. This morning, although my hon. Friend the Member for Keighley (Mrs. Cryer) alluded to it, we have not heard much about the importance of our film industry to our regional economies. I come from the south-east region—the Government office of the south-east region—which includes Pinewood and Bray studios and we are fortunate that the southern screen commission is based in our region. The commission is one of the network of 24 regional film commissions, based on the model developed by the New York film commission shortly after the second world war, to co-ordinate the industry in their areas and to attract location shooting. Gerard Rosenberg, the screen commissioner based in Brighton, estimates that in the first year of its existence—1996-97—the commission succeeded in attracting about £6.5 million in additional production spending to the region.

Many people who work in the media live in the Brighton area. Some figures suggest that Los Angeles is the only place in the world where a higher proportion of the population are employed in the media. While I cannot vouch for the reliability of those figures, a great difference is that media workers in Los Angeles, by and large, do not have to leave Los Angeles unless they are working on location. However, media workers who live in the Brighton and Hove area must often go elsewhere to work as film or television technicians. It seems to me that the network of regional film commissions can play a vital role in attracting location filming to the country's regions—my hon. Friend the Member for Keighley estimated the knock-on benefits to the local economy, including the spin-offs in terms of attracting tourists.

The authors of "A Bigger Picture", which has been referred to many times this morning, set out a specific role for the regional film commissions, referring to them as sources of up-to-date information about the industry and for the industry. The document talks about working with the industry in the regions and about the role that regional film commissions can play in training the next generation of film makers. The document also contains the important statement:

"The Department for Culture, Media and Sport will work closely with the British Film Commission and the UK Film Commission Network to assure the future role and funding of regional film commissions".

I conclude my brief contribution by asking the Minister to describe what she believes to be the future of regional film commissions—particularly working in conjunction with regional development agencies. Perhaps she will comment specifically on the promise, which I believe is made in "A Bigger Picture", of Government support for the film commissions.

12.13 pm

**Mr. Richard Spring** (West Suffolk): I warmly congratulate the right hon. Member for Coatbridge and Chryston (Mr. Clarke) on securing this debate this morning about an industry that has real cultural, historic and economic importance. The right hon. Gentleman's knowledge and understanding of the film industry are exceptional. He was the driving force behind the report of the film policy review group, "A Bigger Picture". It is a matter of regret that that report did not receive a proper airing in the House at the time of its publication, so today's debate is especially welcome.

I thank all hon. Members who have contributed to the debate, particularly my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles), who is a real film buff, and the hon. Member for Keighley (Mrs. Cryer), who followed in a family tradition. One of the central reasons for our continued success in obtaining Oscars and British Academy of Film and Television Arts awards is the creative genius of our people and their love and appreciation of acting and the theatre.

Turning to the current state of the industry, we must examine several areas this morning. The new umbrella body of the film industry, British Film, will begin in April 2000 distributing approximately £27 million of lottery money each year. It will seek to develop a strategy for the industry. However, British Screen will maintain its private sector status and the British Film Institute will retain its charitable status, pursuing educational and cultural objectives. It is unclear what relationship the British Film Commission will have with British Film.

I realise that we are a year away from the target date, but it is difficult to understand at this point exactly what roles these bodies will play and to what extent the proposed new structure will be streamlined and produce clear benefits. I hope that the Minister will expand on those interconnecting corporate relationships when she responds to the debate.

One of our greatest national success stories is our film skills base. For many years, British individuals have scooped awards for technical skills all over the world.

That is a remarkable achievement. However, the Minister will know that there is considerable and genuine concern in the industry about the future of training in this country, which appears to be under pressure. I understand that Lord Puttnam has expressed his anxieties directly to the Secretary of State. This is the seed corn for the future of the industry, but only 32 students are currently taking film and television freelance training courses.

I shall give an example of the difficulties being experienced. In the field of creative writing, the Television Arts Performance Showcase—TAPS—has said that it can remain open for only another two months without some form of Government or lottery funding. It has been one of the most successful developers of new talent in the film and broadcasting industries.

The Government responded to this type of problem by founding Skillset, which was established with a training remit to all media industries. However, many of the training opportunities provided by Skillset are on the technical rather than the creative side of the industry. Do the Government consider that a more flexible approach to funding criteria may be appropriate?

In July 1997, the Chancellor of the Exchequer introduced a 100 per cent. tax write-off on expenditure on the production of films up to £15 million. Will the Minister indicate for precisely how long that write-off has been guaranteed? I am not clear about that point. Will the Minister also confirm to the House how many new films have been made under section 48 legislation? I fear that she already knows the answer: sadly, it is none. The reason is that the statement of practice was issued some 18 months after the write-off was promulgated in July 1997. Its implementation by the Treasury has, regrettably, been a fiasco.

Meanwhile only one large production is currently being filmed in this country: the new James Bond film at Pinewood. We have a high cost structure in the United Kingdom. Why does the Minister think that we are unable to attract large productions to this country? The spin-offs are obvious. Has she discussed with the Treasury the £15 million cut-off and whether that is the right level for this tax concession? Tax rules for employee travel expenses were introduced in April 1998, to undisguised dismay in the industry. It is estimated that the majority of the industry's employees work as freelancers on short-term contracts of typically a few weeks' or months' duration.

Herein lies the irony: the Treasury has given a tax write-off concession for production, but has hurt the people employed in the industry. Under Treasury rules, producers must gross up expenses payments in order to allow for income tax and national insurance. That occurs only if the film is being shot in the United Kingdom. If it is being filmed in Ireland or France, the producer will not have to gross up expenses, so costs are much less. Despite assistance from Treasury officials, that remains a considerable problem.

I would also be grateful to hear the Minister's views on how the working time directive will impact on film making in Britain. I was disappointed that, in a written reply to me on 22 February, the Minister of State, Department of Trade and Industry, the hon. Member for Makerfield (Mr. McCartney), indicated that no specific assessment had been made of the impact on film making. Our concern is obvious. What discussions has the Minister had with the Department of Trade and Industry about minimising any potential damage that the directive may cause?

Let us turn briefly to the role of the lottery in funding British films. The emphasis thus far has clearly been on the production side. There must be a balance between commercially viable films and culturally significant productions. Several films produced with lottery money have not been box office successes, to say the least. I understand that box office receipts cannot be viewed as the sole and exclusive criterion for judging a film's success, but there must be an appropriate balance. After all, it is the people's money and there is always a risk of lottery fatigue—which may have started already.

I know that the right hon. Member for Coatbridge and Chryston will agree that the success of American films is substantially due to the structure of their industry, which invariably includes production and distribution. We simply lack a vertical approach. I hope that British Film will tackle that problem. However, I point out to the Minister that there may be an imbalance in the provision of lottery funding in favour of production rather than distribution. Ultimately, of course, the market will determine the success or failure of a film, no matter what the Government or lottery distributor may want.

This is a wide subject and I have sought only to touch on issues that are now of concern to the industry. We make brilliant films such as "The Full Monty", "Chariots of Fire" and "Four Weddings and a Funeral", and we feel proud of their success. When our actors and actresses triumph, we share their delight, and we salute the quality of our technical expertise here and abroad. The right hon. Member for Coatbridge and Chryston has done a great deal to highlight the industry and to seek to put it on a more sustainable path, away from the rather roller-coaster ride that it has always had. However, the jury is out on the future of the industry.

I am grateful to you, Mr. Deputy Speaker, for allowing me to participate this morning, and I look forward to the Minister's response to the issues that have been raised.

12.21 pm

**The Minister for Tourism, Film and Broadcasting (Janet Anderson):** In the short time left, I shall try to deal with as many points as possible. First and foremost, I pay tribute to my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) for securing the debate and bringing to the House his knowledge, expertise and enthusiasm for the film industry, which it is extremely difficult, if not impossible, for any of us to match.

I pay tribute in particular to my right hon. Friend's achievement in bringing to a successful conclusion the film policy review, "A Bigger Picture", which now underpins Government film policy. His was the most thorough and imaginative review for many years. It was a partnership with the industry, and working with his co-chairman, Stewart Till of Polygram Filmed Entertainment, my right hon. Friend managed to secure broad agreement to a blueprint for the future development of the British film industry. I have the privilege of implementing that blueprint, and I thank him for giving me that opportunity.

I shall briefly refer to some of the contributions to the debate. My hon. Friend the Member for Keighley (Mrs. Cryer) mentioned all the connections that her

*[Janet Anderson]*

constituency and the surrounding Pennines have with the film industry. She referred particularly to the spin-off in tourism. She will know—if I may refer to this, Mr. Deputy Speaker—that the tourism strategy that we produced on Friday specifically mentioned that relationship and the benefits to the local and the national economy.

The hon. Member for Brentwood and Ongar (Mr. Pickles) referred to his family connection with "Yanks". There cannot be any hon. Member who does not have such a connection. I thank him for his contribution. He referred to the curse of Cannes, and I assure him that I am well aware of it.

The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) referred to the way in which we competing with other countries in attracting film makers. He is right—New Zealand, Australia, Ireland and the Isle of Man are all passionate about that. We must match their enthusiasm and I hope that we can.

My hon. Friend the Member for Brighton, Pavilion (Mr. Lepper) referred to the recent 50th anniversary celebrations of "Brighton Rock", which starred our noble Friend Lord Attenborough, and Brighton's links with the industry. He referred particularly to the role of the regional commissions, and I take this opportunity to pay tribute to their excellent work in facilitating film making in their areas. Following the departmental spending review, we are closely examining the relationship that they will have with regional development agencies and other regional structures because, as he rightly said, that is very important.

I shall do my best to answer the questions of the hon. Member for West Suffolk (Mr. Spring). He referred to the structure of British Film, although I am not sure that the organisation will be called that because we have not yet made a final decision on that. He asked what roles the various bodies would play. We are concerned to make sure that the new body brings together the cultural and industrial sections of British film and we shall, I hope, make an announcement very soon. I take this opportunity to pay tribute to Lord Attenborough's contribution to that process, for which we are grateful.

I shall try to deal with most of the hon. Gentleman's questions, but if I do not, I will write to him. On the working time directive, I understand from colleagues and friends in the industry that they are relaxed about the directive and do not expect it to present them with huge problems, but of course we shall keep an eye on that.

My right hon. Friend the Member for Coatbridge and Chryston set out clearly the objectives of "A Bigger Picture", and I reassure him that we have made substantial progress on many of its proposals.

Many hon. Members have referred to a continuing dialogue with the Treasury. I assure them that that dialogue is continuing, and a fax will be winging its way to the Treasury this afternoon to emphasise the importance of the current tax concession. We want to examine how that is working, and if I have time, I will deal with that. Various hon. Members mentioned that there was no evidence that British film had benefited from the concession, but I can tell the hon. Member for Brentwood and Ongar that I have lists, provided by Ernst and Young, of films that are being produced or are about to be produced which have benefited from it. Ernst and Young told me the other day that it has a number of investors who are investing in British film precisely because of the concession.

**Mr. Pickles:** Will the hon. Lady place the list in the Library?

**Janet Anderson:** I certainly shall place the list in the Library and give the hon. Gentleman the information that he needs.

My right hon. Friend the Member for Coatbridge and Chryston mentioned cine-literacy. That is important, and we are having discussions with colleagues in the Department for Education and Employment about it. We shall also need, as he rightly pointed out, to clarify the relationship with our Scottish colleagues following the establishment of the Scottish Parliament.

On the Oreja report, which my right hon. Friend mentioned, I reassure him that we broadly agree with the recommendations, but we are waiting for the more detailed proposals from the European Commission, which we shall study very carefully.

Overseas earnings by UK film companies reached a record level of almost £700 million in 1996 and 1997. British films captured their highest share of the home market for many years—23 per cent. in 1997, which was almost double their share in 1996. We know that in this country there is an intense interest in the whole world of film, and cinema admissions and takings are at their highest levels. I join my right hon. Friend the Member for Coatbridge and Chryston in congratulating all those who have been involved in the success of British film, particularly Duncan Kenworthy, who recently received the OBE. I join my right hon. Friend in wishing him well with his forthcoming film, "Notting Hill".

It will be difficult to fit all my points into the remaining time, so I shall try to concentrate on the main issues. The fundamental problem identified in "A Bigger Picture" remains; the UK industry is fragmented and there is a problem in the separation of production and distribution. Indeed, some now believe that our attention should be turned away from production and towards distribution, and we understand that view. That is one of the reasons why we have been working with the industry to implement the recommendations of the film policy review. Our commitment to film was demonstrated in the Chancellor's first Budget. I mentioned our discussions with Ernst and Young, which will shortly announce plans fully to finance and produce its own £30-million slate of feature films in this country. I say to the hon. Member for Brentwood and Ongar that that is evidence that the tax incentive is working.

My right hon. Friend the Member for Coatbridge and Chryston mentioned the need to work together. The action committee, which I continue to chair with Stewart Till, brought together everyone in the industry, including those from video and broadcasting, which is very important. A British Film Office has been established in Los Angeles. The Film Finance Forum, to improve links with the City of London, is up and running, and progress reports are encouraging. Film Export UK, a new trade association, has been established to help to promote the international sales of British film, and the film education working group has been set up.

I have very little time left, so I shall briefly mention the all-industry fund and the skills investment fund. We undertook a cost-benefit analysis on the all-industry fund, which demonstrated—

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Order. We now come to the debate in the name of the hon. Member for Winchester (Mr. Oaten).

## Noise-induced Hearing Loss

12.30 pm

**Mr. Mark Oaten** (Winchester): I am grateful for the opportunity to raise the issue of war veterans who suffer from noise-induced hearing loss as a direct result of their service and who are campaigning to get their war pensions reinstated for this disability. I must make it clear at the outset that it is certainly not my intention to attack the Government; I simply want to keep the issue alive, perhaps push the Minister slightly if I can, and probe the Government's current thinking on the issue.

I am grateful to the Under-Secretary of State for Social Security, the hon. Member for City of York (Mr. Bayley), for the courtesy that he has shown me in the past couple of days, and especially for giving me as much warning as he could of the Government's announcement yesterday that they have, sadly, rejected some new medical evidence in this connection. At best, that has made today's debate topical; at worst, it probably means that my researcher had a very late night last night.

I know that the issue is of concern to many hon. Members. Indeed, my hon. Friend the Member for Weston-super-Mare (Mr. Cotter), who is in the Chamber, tabled an early-day motion which has received cross-party support from, I think, upwards of 60 Members of Parliament. Certainly, many of our constituents are concerned.

When I take up such issues for war veterans, I sometimes feel guilty that, as a young Member of Parliament, I have very little idea of what it must have been like for them to go through the wars in which they fought. These days, we regard war as very much a high-tech affair involving computers, and we assume that the loud noises and their impact have been greatly reduced. To a large extent, that is true. It is only by watching films such as "Saving Private Ryan" that I can begin to understand what it must have been like to experience what many of our constituents experienced.

I spoke to a constituent, Major Cassidy, who has retired, who told me of his experience of being in the armed forces for 47 years. When he joined the Army and first began firing rifles and using tanks, there was absolutely no noise protection. In fact, it was only when the Army adopted a great new invention—cotton wool—that any protection techniques were put in place. I understand, however, that even that proved counter-productive.

Let me give some background to the issue. Originally, the war pension regulations were interpreted in such a way that claimants would be compensated if, when leaving the services, they suffered a 20 per cent. loss of hearing as a result of excessive noise encountered during their service. In addition, those who had suffered lesser but notable hearing loss would be entitled to a rising increment in benefit over time as they, too, approached the 20 per cent. level. At the time, it was clearly acknowledged that noise encountered during their military service made premature deafness much more probable.

In 1996, the Conservative Government decided to introduce new medical evidence. They believed that that evidence showed that further deterioration in hearing loss was due to other factors, such as getting old, and had nothing to do with the individuals' exposure to noise

*[Mr. Mark Oaten]*

during their service. As a result of that medical evidence, the regulations were changed. That decision has meant that people person can receive a war pension only if they are deemed to have reached the qualifying level of deafness at the point at which they left the service. That qualifying level is set at 50 decibels. Many experts believe that that level is too high anyway. Indeed, the Irish Republic has a qualifying level of just 20 decibels.

The result of the change introduced by the previous Government means that very few veterans now qualify for the war pension for deafness. In fact, more than 90 per cent. are turned down because they fail to reach the qualifying level. The Royal British Legion estimates that that means that around 8,000 new claimants a year are denied the pension. As a result of the change, the Treasury reckoned that it would save around £35 million a year.

When the change was announced, there was, quite rightly, a storm of criticism. Indeed, at the stormy Prime Minister's Question Time on 5 December 1996, the then Leader of the Opposition—now the Prime Minister—described the changes as "shabby and mean-minded". Similarly, the right hon. Member for South Shields (Dr. Clark), then a shadow Defence Minister, stated that the change ran against

"all conventional medical evidence and is a smokescreen to save money."

It would be cheap and churlish of me to throw those remarks back at the new Labour Government without acknowledging that they have kept their election promise to review the situation. I commend the Government on having always been open to the issue. They seem to accept the fact that it is a source of controversy and that new medical evidence could dispute the change to the regulations made by the previous Government.

Indeed, an independent review, chaired by Sir Kenneth Calman, the chief medical officer, was set up not long after the new Government took office. It concluded, as previous reviews had, that current medical evidence showed that increases in hearing loss after service were not due to initial noise exposure during service, but there was certainly controversy about its findings. Some believe that the terms of reference of that inquiry were restricted to a narrow consideration of the effects on hearing threshold levels, so that the contentious issue of how that relates to hearing disability was excluded. They argue that, because of that remit, the existing regulations were always likely to be the outcome of the process.

**Mr. Brian Cotter** (Weston-super-Mare): I am sure that, like me, my hon. Friend has many constituents who are in the 15 to 20 per cent. category of hearing loss. It seems unfair that they are ruled out although they are close to the 20 per cent. threshold. I hope that the Minister will consider that.

**Mr. Oaten:** I am grateful to my hon. Friend. I, too, hope that the Minister will respond to that point. There is certainly a sense that it is rather "mean-minded", to quote the Prime Minister, and calculating to have to differentiate between those who have reached a 15, 20 or 30 per cent. threshold.

To their credit, the Government have been prepared to pursue the issue and have considered new medical evidence. A further review has been undertaken. It included the work of Professor Davis, whose two recent papers called into question the current terms of reference and suggested that further research was needed. Yesterday, the Government announced that, based on the new research, they had concluded that the further evidence

"does not meet the standard required to raise a reasonable doubt",

and they were rejecting the current medical evidence.

I shall not go into detail on the findings or question the medical background to them, but I ask the Minister to look carefully at the detail and conclusions of that work. Paragraph 5.7 of the conclusions states:

"Longitudinal studies in humans may finally resolve the age/noise interaction question but only if they have large numbers and well characterised populations, followed for an adequate period. Such undertaking in relation to a topic which is subject of an International Standard will need very careful consideration."

The medical evidence that the Government have considered and the review itself raise some serious doubts. I put it to the Minister that that section alone suggests that we need to keep an open mind. It certainly suggests to me that the scientists are saying that they cannot be sure at this stage and that a longer period of research is needed.

The point that the Government should take on board is that today's pensioners do not have the time to wait for such research. A five or 10-year period of research means that today's war pensioners will not see a successful outcome. Surely it would be right for the Government to act now and to give those pensioners the benefit of the doubt. It will be of no comfort to them if, in five or 10 years' time, new research proves that they were right, because they will not be around.

I remind the Minister that, under the Irish scheme, the qualifying level is much lower. Critically, the Irish Government's decision was based on the very same medical evidence that our Government used to come to their conclusion. That suggests that their stance is too rigid.

I urge the Minister to remember the human perspective. It is often very easy to get bogged down in complicated medical evidence, but in this case it is important to remember the difference between hearing impairment and hearing disability. I press the Minister to note that thousands of war veterans who suffer from noise-induced hearing loss have what should be described and known as a disability, not a hearing impediment. The thousands of veterans who suffer from noise-induced hearing loss fought for our country and deserve a great deal more from Governments. They should, in the circumstances, be given the benefit of the doubt, and extra help in their old age. They deserve a better deal.

I hope that the Government will give a commitment to keeping an open mind, as I have acknowledged they have to date on this issue, and will review new research as it comes along. Would it not be better for the Minister to announce today that he is prepared to reinstate the pension until the review is completed and the Government can be definite about the fact that the new research has ruled out the possible link? Although the Government have kept their election promise to review the research, their response to the issue has been too cautious, too rigid and, perhaps, as the Prime Minister said, "mean-minded".

12.40 pm

**The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley):** I congratulate the hon. Member for Winchester (Mr. Oaten) on securing a

debate on this very important issue, and thank him for his kind remarks at the start of his speech. The last time that I spoke immediately after him in this Chamber was following his maiden speech—I do not know whether he recalls this—when he had a majority of two. Now, his majority is more than 20,000, so he clearly knows how to build support for his cause and those he advocates. I stand warned of the persistence that I am likely to face on this issue. He marshalled the arguments well, and I shall do my best to respond to them.

I shall start by referring to the issue with which the hon. Gentleman concluded: the human dimension. I pay tribute to all the men and women who were killed or injured in service in the armed forces. Members of my generation must remember at all times that the democratic liberties that we enjoy in this country—and our freedom in the House as Members of Parliament—were secured by the sacrifices of earlier generations in two world wars. I also recognise the vital role played by ex-service organisations, such as the Royal British Legion and the Royal British Legion Scotland, the British Limbless Ex-Servicemen's Association, the Ex-Services Mental Welfare Society and the War Widows Association of Great Britain.

As the hon. Member for Winchester knows, yesterday we made public the outcome of the further review of the evidence on the relationship between age-related and noise-induced hearing loss. We received the report only on Friday, but wanted to make it available before today's debate.

The conclusion of the further review is that there is no new reliable evidence to raise a reasonable doubt that hearing losses due to noise and age are more than additive. The legal standard of proof required in this field is reasonable doubt. The same conclusion was reached last year by the expert panel. Before I turn to the points raised by the hon. Members for Winchester and for Weston-super-Mare (Mr. Cotter), it may be helpful to put the review in context.

The war pension scheme makes provision for a pension to be paid for any disablement attributable to, or aggravated by, service, whether in time of peace or war. The basic war pension is set at a higher rate than the social security equivalent—industrial injuries disablement benefit. In addition, the war pension scheme provides a wide range of allowances which may be paid in addition to the basic disablement pension. Those allowances are available in respect of such things as increasing age, reduced or lost earnings capability, and care and mobility needs. The scheme provides pensions for the widows and children of people who die as a result of their service.

To illustrate the advantage, a single, severely disabled war pensioner could receive more than £400 a week. Under the nearest comparator, the industrial injuries scheme, a person similarly injured at work would receive £55 a week less. A person with a similar disablement that is unrelated to employment, who receives incapacity benefit and disability living allowance, receives just over £165 a week—almost £235 less than the war pensioner.

All war pensions and allowances are tax free. They may be paid on top of the ex-service man or woman's earnings in civilian life, and on top of the state retirement pension. They may also be paid in addition to the pension paid under the Ministry of Defence armed forces pension scheme.

Some people question the preference given to war pensioners. I do not; it is wholly right that the sacrifice of those injured or killed in defending the country should be specially recognised. But such preferential treatment must depend on a clear link between disablement and military service. That is why, under the war pensions scheme, a pension is paid only for disablements that arise from service. It is not paid for disablements that arise from other causes, including natural processes, such as ageing. That rule dates from the very start of the scheme.

There can, of course, be many causes of hearing loss. Often, several types of loss are present in one person. We must view each separately because they are different medical conditions. Some hearing loss may be due to service, such as exposure to noise. Other loss has nothing to do with service; for instance, most people suffer from hearing loss as they get older.

More than half of all living ex-service people served as conscripts during the second world war or in national service. That means that they left the forces at least 35 years ago. The very youngest are close to retirement age, but most are considerably older. The average age of a war disablement pensioner is over 75. Anyone in this age group will be starting to feel the effects of time, and may suffer from diseases that we expect to find in a person of pension age, regardless of whether he or she was once in the armed forces. Considering whether such a disease might be due to experiences in service more than half a lifetime earlier can make deciding claims difficult. We must maintain the integrity of the scheme, and that means insisting on the link to service.

When we came to office, the Government immediately set up a review. The hon. Member for Winchester made comments about pledges made by my right hon. Friend the Prime Minister when he was Leader of the Opposition. We promised a review and, as soon as we were elected, we set one up. It considered the evidence on hearing loss, and involved a range of eminent experts. We quickly communicated the outcome of that first review to the Central Advisory Committee on War Pensions—the advisory body on the subject. My right hon. and noble Friend Baroness Hollis, the Minister with special responsibility for war pensions, met representatives of the Royal British Legion and the Royal British Legion Scotland to brief them on the matter.

The independent experts told us last year that hearing loss due to noise damage does not get worse after leaving the noise. They also said that hearing loss caused by noise does not increase as age-related loss is added to it.

**Mr. Oaten:** Does the Minister acknowledge that the most recent study has suggested that we need more time to clarify the research, and that, until we have a five-year or, perhaps, 10-year study, we cannot be absolutely sure about the outcome?

**Mr. Bayley:** I do not accept the conclusion that the hon. Gentleman draws from the latest study. The latest study reviewed a wide range of evidence, including 56 academic, independently reviewed papers, which have been outstanding for some time, certainly since the last review; two new papers by Mills and Miller, which were written in the past year and published in referred journals; and two papers from Professor Davis, a statistician and eminent scientist working at Nottingham university's

*[Mr. Bayley]*

Institute of Hearing. Professor Davis's papers reflected work in progress which suggested that, when the research was completed, a different conclusion could be drawn. One needs to set that against the bulk of the evidence—50 or so papers that point in an alternative direction.

The hon. Member for Winchester asked me whether the Government would give a commitment to keep an open mind. We certainly will. When the studies in which Professor Davis is engaged are published in refereed journals and his research is complete, we will look at that evidence. If it changes the balance of opinion, or suggests new lines of inquiry, we will follow those.

**Mr. Oaten:** If, in two or three years, different evidence came through and the Government decided that, on the balance of that evidence, they wished to change their view, would they consider retrospective payments to pensioners who, in the intervening time, had not received the payments? Would it not be easier to give them the benefit of the doubt now, rather than face the potential retrospective element when future evidence is considered?

**Mr. Bayley:** The hon. Gentleman gives an interesting hypothetical example, but he will understand why I am not drawn to it. The overwhelming bulk of scientific evidence—all the evidence apart from the new work by Professor Davis—points in one direction. A clear scientific conclusion is drawn from that evidence: hearing loss as a result of age is no more than additive to hearing loss that was caused earlier through exposure to noise. We must base our policy on the scientific and medical evidence. Of course we keep an open mind. We are aware of Professor Davis's work. We will look at that work and review the body of knowledge when his work is completed and formally published.

The review that was published yesterday involved an exhaustive search of the literature and was conducted by asking eminent experts, including those on the review panel last year—one of whom, of course, was Professor Davis—for their advice on the existence of any relevant evidence, and by carefully scrutinising that evidence. The conclusion of the further review is that no new evidence changes last year's findings by the expert team. I realise that that may be a disappointment, but we can, and should, proceed only on the basis of scientific evidence.

The hon. Member for Winchester raised several specific points. As he knows, in 1993, the war pensions scheme was amended to introduce a 20 per cent. "cut-off" below which an award would not be made for noise-induced hearing loss. As he told the House, previously, a lump sum gratuity was paid for losses at that level. The change brought the war pensions scheme more into line with the rules for occupational deafness under the industrial injuries scheme.

There are still considerable advantages in war pensions. For example, a claim may be made at any time and regardless of length of service. Under the occupational deafness scheme, the individual has to have worked for 10 years at least in a noisy occupation and the claim has to be made within five years of leaving that occupation.

The 20 per cent. "cut-off" was part of a package that included extra cash for war pensioners. As a result of it, from 12 April 1993, almost 250,000 war pensioners gained up to £5 a week on top of the usual uprating for the most severely disabled. It was the lower ranks who gained the most.

The hon. Member for Winchester asked me to consider whether 50 decibels is the right point at which to trigger a war pension. Fifty decibels is the point at which a person starts to have trouble following conversation in a noisy environment. We believe that that level, which has been used for a long time, is appropriate when we consider the percentage level of disability that is used in relation to other injuries and conditions.

**Mr. Cotter:** I wonder why—we have a close example—the Irish Government have taken a different stance on the decibel level.

**Mr. Bayley:** I imagine that all Governments use different standards. I have not looked at that aspect of the Irish scheme. I will look at the point and write perhaps to the hon. Member for Winchester.

I was asked why one should establish a cut-off, not just for hearing loss, but for any injury, at the 20 per cent. level. We could say that we would have a difficulty whether the cut-off was 15, 20 or 25 per cent. We could have the same argument about someone just above or below any of those cut-off points, but the reason why the 20 per cent. level is chosen is because it is used elsewhere in legislation, particularly in relation to the industrial injuries scheme. It seemed sensible to use that level as a benchmark.

The hon. Member for Winchester asked us to reinstate pensions until the position was clearer. I must be frank with him. Before the general election, we believed that the position was unclear because thorough reviews had not been made public. Since the election, we have conducted two thorough reviews of the scientific evidence, and it is clear—I make the point in relation to the Irish scheme—that, under the international standard used for medico-legal purposes, lower-level hearing losses of the sort that we are discussing are not eligible for compensation.

Therefore, although I will look at the Irish scheme and write to the hon. Gentleman, I must say that the changes that were introduced in 1993 brought British war pensions scheme practice into line with the rules for occupational deafness under the industrial injuries scheme.

When we came to office, we promised to undertake a review. That was done promptly and on time. One of the conclusions of the review was that there should be a further study. That has now taken place. It has confirmed the results of the first review.

Both reviews were undertaken in a totally professional manner, were informed by eminent experts and considered all the relevant evidence on the subject. We closely monitor medical and scientific evidence on any matter that may affect entitlement to a war pension. Of course, we will continue to do so for injuries relating to hearing loss.

I thank the hon. Member for Winchester for raising the matter. It is important. I am particularly glad that the timing of the debate was closely linked to the publication of the review report.

## Health and Safety Executive

12.58 pm

**Mr. George Galloway** (Glasgow, Kelvin): The Under-Secretary, my hon. Friend the Member for Mansfield (Mr. Meale), and I go back a long way. We share a strong commitment to health and safety at work and a sense of horror at some of the casualties that have been inflicted by careless or negligent employers on the battlefield which so much of the British industrial landscape has become. Almost 20 years of attrition against trade unions and the rights of workers to refuse hazardous employment conditions, and deregulation posing as a bonfire of red tape, have, in reality, represented the burning down of standards that responsible government and representative trade unionism took the best part of a century to construct.

I applied for this debate after reading the award-winning journalist, Seamus Milne, in *The Guardian,* and later in the "Big Issue", on the manslaughter of Simon Jones, a 24-year-old man who was killed on 24 April 1998 on his first day as a casual worker at a privately owned wharf at Shoreham docks. However, Simon was no dock worker. Driven by the jobseeker's allowance scheme, he was sent to his death by a company called Personnel Selection. This company undoubtedly failed in its statutory duty to ensure its client's suitability for the job to which it was sending him and to provide the written terms and conditions of the job.

The company sent him to the docks and into the hands of a cowboy company called EUROMIN, of ultimately Dutch ownership—and with a low reputation even in the jungle that is the deregulated dock industry, 10 years after the abolition of the dock labour scheme, for whose retention some of us—my hon. Friend the Under-Secretary and I included—fought tooth and nail in this place. We warned then that casualisation kills. Simon Jones is just one of the mute witnesses to that truth.

Simon was taking a year off from Sussex university when he was killed. He died, almost decapitated by the grab of a crane, only two hours after starting work, and after only a two-minute briefing on what the job entailed. That two minutes was meant to equip him with the skills of a stevedore, one of Britain's five most dangerous occupations.

The reality in some of Britain's docks, illuminated by the case of Simon Jones, is like a still from Elia Kazan's epic film "On the Waterfront". Simon was put to work in the hold of a ship called the Cambrook, hooking bags of cobbles on to chains which had been welded to the inside of the crane's open grab. There was no need for a grab for that sort of cargo and the chains should have been attached to a hook instead. However, changing back and forth between hook and grab costs time and money.

With Simon and his workmate, Sean Currey, was just one crew member, a Pole who spoke no English, yet he was acting as banksman, guiding the crane driver. The banksman is supposed to communicate with the driver and monitor what is happening in the hold. Not only did the banksman not speak English, but even his hand signals were foreign to the crane driver. Moreover, from where he was standing he could not even see into the hold.

The grab and chains were brought in too low over the hold and the grab was accidentally closed on Mr. Jones's head. Only the chains prevented it shutting completely. Sean Currey, who had nightmares for months afterwards, was asked later to clean the blood and remains of Simon off the bags of stones so that they could be sold. He was sent home for the day without pay for refusing to do so.

The general manager of EUROMIN, James Martell, was arrested by the police after the accident but released without charge. Last month, the Crown Prosecution Service decided not to charge EUROMIN or Martell with manslaughter because of insufficient evidence. Under pressure from Simon's family and their admirable campaign, the CPS is reviewing that decision and a final ruling is expected this week.

I have to tell the House that, according to Sean Currey, Mr. Martell—who is, in legal terms, undoubtedly the controlling mind of this company's UK activities—laughed out loud when told that he could face prosecution. Martell, who has not so much as sent two lines of condolences to his victim's family, has the blood of Simon Jones on his hands. Martell's contempt for the laws of health and safety in this country, his greed and hunger for profit and his negligence and carelessness slaughtered a young man just as clearly as if he had pushed him off the dock with his own hands.

In a way, Martell was right to laugh, because the chances of his ever being properly held to account were and are laughably small. Life is cheap on the British waterfront and in many of the privatised and deregulated sweatshops of which the previous Government boasted. That is the true legacy of the Thatcher era.

The average fine levied upon employers following fatal industrial accidents is less than £2,000. Unbelievably, it is cheaper to be fined for having caused the death of an employee than to take the necessary precautions for the avoidance of that death. As my right hon. Friend the Minister for the Environment said on the BBC last year:

"I am absolutely outraged at penalties that perhaps are as little as £2,500, which I believe are derisory and insulting when awarded in the case of death or serious injury".

The whole House will welcome the Government's massive increase of 17 per cent. in expenditure on the Health and Safety Executive, which will produce an extra £4.5 million this year. However, as my right hon. Friend the Minister for the Environment said at the time:

"I would be the first to say I think these significant increases are not enough."

The Government themselves admit that the money that we plan to spend on health and safety enforcement is not enough and that fines levied upon killer companies are often derisory and insulting. The question that needs to be asked and answered therefore is what more we can do and when we will be able to do it.

According to Gary Slapper, law director of the Open university, official figures for deaths at work massively underestimate the real number. Dr. Slapper argues that about 20 per cent. of such deaths present good prima facie cases for charges of manslaughter against the employers responsible, but such charges are rarely brought. Twenty per cent. would translate into about 90 prosecutions a year—that is two every working week. That contrasts with the actual rate of two prosecutions every 30 years.

The new offence of corporate killing, on which the Government are consulting, would be a step forward in cases where criminal negligence by employers causes deaths at work. It would allow companies to be fined at a much higher level than that allowed for breaching existing

*[Mr. George Galloway]*

health and safety law. However, I believe that even high fines are not a sufficient deterrent for many rogue employers. Some would merely put their companies into liquidation rather than pay the fines. For others, even high fines would represent a scintilla of the high profits generated in part by the reckless cutting of corners.

I believe that only the imprisonment of directors of companies found to be responsible for such negligence would have a deterrent effect. After all, people are not fined for committing manslaughter outside the work place; they go to prison, sometimes for several years. As Professor Charles Woolfson from Glasgow university in my constituency put it, "When one goes down, the others sit up."

On the basis of an exhaustive three-year study, Dr. Slapper believes that many more charges of manslaughter could be brought, even under existing legislation, were it not for the fact that the prosecuting authorities are more lenient towards those engaged in business.

The Stephen Lawrence campaign has been a real inspiration to those campaigning in the memory of Simon Jones. Although in the five long years of the Lawrence campaign Stephen's family have failed to obtain justice for their dead son, they have exposed the truth about institutional racism to everyone. The Simon Jones campaign hopes to be equally successful in ensuring that the truth about casualisation—that it is killing people for profits—is equally widely understood.

The Thatcher era proved to be a killing field for innocent victims of corporate failure, from Occidental's towering inferno of Piper Alpha, in which 160 workers perished, through the King's Cross fire, the Clapham and Putney rails disasters, the sinking of the Marchioness and the loss of the Herald of Free Enterprise in the Zeebrugge disaster. Altogether over the past few years there have been more than 500 fatalities in major incidents and more than seven times as many individual deaths. In virtually all of those, management failure was deemed to be a central cause of the incident.

A study of 739 deaths in the building and civil engineering industries during just four years from 1981 to 1985—the depths of Thatcherism—concluded that, in 70 per cent. of cases, positive action by management could have saved lives. Studying a range of industries in the early 1990s, the HSE concluded that management was primarily responsible in 54 per cent. of cases, and that, in 70 per cent. of cases,

"positive management action could have saved lives".

Most deaths through industrial negligence go virtually unreported. However, involvement with the Simon Jones campaign has shown me that such incidents not only destroy the lives of the victims, but tear apart the lives of their families and friends.

For some reason, workers in Scotland are a third more likely to die in workplace accidents than workers in the rest of the United Kingdom. In 1996–97, almost 30 Scottish workers died at work and another 12,000 were injured, more than 2,000 of them seriously. Last October, there was the case of Raymond Stevenson, a 28-year-old father of two who was overcome by toxic fumes and fell into a sludge pit that he had been ordered to empty. Paisley sheriff court levied pitifully small fines on the contractor and the site operator. The fatal accident inquiry report noted that safety issues

"were matters of little or no importance to senior management".

In 1997, Alan Dale, a 30-year-old married man, died of suffocation, buried alive at the bottom of a 29 ft deep bin containing concrete dust that he had been ordered to remove. The sheriff at the fatal accident inquiry, at Glasgow sheriff court, said that the tragedy could have been avoided if suitable rescue equipment had been available on site. The company was fined £1,000. Last year, John Curry, aged 37, was crushed to death when a tool rack fell on him, on Shell's Tern platform in the North sea. The company was fined £3,000.

William Veetch, a father of three in Cumnock, Ayrshire, died after being pulled into the rotating drum of a huge washing machine for washing coal. The company was fined £1,500. One of Mr. Veetch's sons said:

"I just cannot believe my Dad's life is worth just £1,500."

None of that should be construed as an attack on the Health and Safety Executive. For years, it struggled to civilise Britain's industrial landscape, while starved of the necessary resources and operating in an atmosphere of thinly disguised hostility from Tory Governments who saw the executive's activities as just another burden on business. Now, that atmosphere has been dispelled by the Labour Government and a substantial increase in funding is forthcoming. I hope, however, that my hon. Friend the Under-Secretary will agree that far more has to be done.

The HSE has a target of investigating one in five serious accidents in the workplace. I do not understand why its target should not be to investigate every serious accident in the workplace. Currently, however, the HSE is able to investigate only one in 20 serious accidents at work—only 5 per cent. of accidents that often involve the maiming, crippling or blinding of employees, and almost all of which mean that the victim will never work again. Thus, because of current investigation levels, more than 48,000 serious accidents every year go uninvestigated.

The Government should propose a clear timetable for progress in meeting the HSE target of investigating 20 per cent. of serious accidents in the workplace, and be ready to fund the level of inspectorate that meeting that target would require. The Government should reconsider the appallingly low level of fines levied in cases of serious accidents under current safety law, and speed the day when the new offence of corporate killing is added to the armoury of the law.

The Crown Prosecution Service should announce that Simon Jones's manslaughter will not go unprosecuted. EUROMIN and its bloodstained general manager, James Martell, must stand trial for the negligence that caused his death.

1.15 pm

**The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale):** I congratulate my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway) on securing this debate. He has always been a good soldier in the cause of workplace safety. I pay tribute to him not only for securing this debate, but for the many occasions throughout his political life, even before he was elected to the House, on which he has raised issues of workers

health and safety. I have listened with interest to the points that he made and assure him that—as he is fully aware—I and many of my colleagues in Government share many of his concerns.

I want first to respond to my hon. Friend's understandable concerns about the recent tragic death of Simon Jones. Nothing that I or any of my parliamentary colleagues say could make up for the loss to his family and friends, who have suffered deeply because of his death. As we are all aware, deaths at work cause immense distress. Anyone who has—as I have—witnessed someone being killed in the workplace will live with that memory for the remainder of his life. The loss of a young life such as Simon's is an appalling waste. My sympathies, and those of the Government, go out to his family.

On the day of the accident, health and safety inspectors visited the site to begin an investigation, and have since made several more visits to gather evidence about possible breaches of health and safety law by various parties. The company involved, EUROMIN, is a small one, importing aggregates and building materials. As my hon. Friend said, it is a wholly owned subsidiary of a large Dutch company. Worryingly—as he also said—apparently the only person with any authority in the United Kingdom is its general manager, Mr. Martell. As one would expect, the Health and Safety Executive has worked closely with Sussex police, who have investigated possible manslaughter charges against the company and, of course, its general manager, Mr. Martell.

A report has been sent to the Crown Prosecution Service, for it to decide whether there is sufficient evidence to sustain a prosecution for manslaughter. Contrary to what has been said, the CPS decision is still awaited by my Department. My understanding is that a decision has not yet been taken. If the CPS decides that the evidence would not support a prosecution for manslaughter, the Health and Safety Executive could—indeed, would—consider taking legal action under health and safety legislation.

I also advise my hon. Friend, and other hon. Members interested in the matter, that health and safety investigators have issued enforcement notices. Inspectors issued two prohibition notices preventing use of the excavator involved in the accident. For the benefit of hon. Members who may read the debate in *Hansard*, I should say that prohibition notices may be issued on the spot by inspectors if they believe that a work activity or a process poses a serious risk to workers. Failure to comply with a prohibition notice is a breach of the law.

In this case, health and safety inspectors also issued an improvement notice on provision of information, instructions, training and, of course, supervision. The issuing of improvement notices means that the inspectors require employers or other duty holders to take action to improve health and safety standards within a specified time scale. Compliance with those notices is regularly checked by HSE inspectors.

The Department of Trade and Industry has looked into the conduct of the employment agency involved. The employment agency standards inspectorate can take action under the legislation governing the conduct of employment agencies. The inspectorate gave serious consideration to the case, but unfortunately it concluded that there was no realistic possibility that a charge of breaches of the relevant regulations could be sustained. The DTI will shortly issue a consultative document on revised regulations governing the conduct of employment agencies. Any lessons learned from the Simon Jones case will be taken into account in the review.

My hon. Friend mentioned penalties. My colleagues and I are working hard to ensure that those guilty of breaking health and safety law are appropriately punished. The Law Commission has recommended replacing the existing law of involuntary manslaughter in England and Wales with new offences by individuals of reckless killing and killing by gross carelessness, as well as an offence of corporate manslaughter.

The Government are considering how best to take forward the Law Commission's recommendations. I would support the introduction of such offences. The Crown Prosecution Service recently charged Great Western Trains with seven offences of manslaughter through gross negligence, following the Southall rail crash. The case is scheduled at Ealing magistrates court on 25 March. The magistrates are expected to refer the case to a higher court.

I assure my hon. Friend that, when appropriate, the HSE will not hesitate to prosecute those who break the law. The number of prosecutions by the HSE has risen in recent years, from 1,500 in 1996–97 to 1,700 in 1997–98 and an estimated 1,900 this year. The HSE does not set targets for its enforcement activity, but it forecasts that the current level of prosecutions will be at least maintained. In recent years it has secured a success rate of 75 to 80 per cent. for the cases that it has taken action on under health and safety law.

The recent Howe judgment in the Court of Appeal said that fines for health and safety offences were too low and emphasised the seriousness with which breaches of the law should be considered. The judgment said that fines must be large enough to bring home to management and shareholders that they must provide a safe environment for all their workers.

There are already encouraging signs that the judgment has had an effect in recent health and safety cases. An NHS trust was recently fined four times the average amount following a death on its property. In passing sentence, the judge said that the Howe judgment was helpful in determining the fine. More recently, significant fines were awarded in the Heathrow airport tunnel case. The firm involved was fined a record sum in excess of £2 million.

The Government strongly support the work of the Health and Safety Commission and Executive. We are determined to give health and safety a higher profile than it had under the previous Administration. We are determined to raise the level of safety awareness and to drive up standards in every workplace.

Employees and the public rightly expect high standards of health and safety protection. Accidents at work and occupational ill health are neither inevitable nor acceptable. A healthy and well-protected work force is not only right, it is good for business and good for society. I want and expect industry to regard decent health and safety standards as the gateway to their prosperity.

We have a solid foundation from which to progress. The commission, the executive and the Health and Safety at Work, etc. Act 1974 have delivered significant improvements in standards of health and safety at work

*[Mr. Alan Meale]*

over the past 25 years. Our rate of workplace fatal injury is now lower than in all other European Union member states. Our unique tripartite approach to health and safety is widely acknowledged at home and on the international stage. However, we cannot afford to be complacent. Workers continue to suffer serious injury and ill health—and death, in the case of Simon Jones. There is still much to be done and we shall do more.

The Government are showing their strong practical commitment to the commission and executive by increasing their resources. We have already provided an extra £4.5 million to support their running costs in 1998-99. The budget will increase by £13 million in 1999-2000 and by a further £23 million and £27 million in the following two years. That extra funding will allow for an increase in HSE staff over the next three years of between 300 and 400 over provisionally planned levels. It will also enable the HSE to increase the resources devoted to front-line inspection work by about 30 per cent. next year compared with this.

As a result, the HSE will be able to make many more regulatory contacts, significantly enhancing its efforts to prevent accidents. It will be able to carry out more accident and incident investigations, for which my hon. Friend called. Accident investigations and enforcement work are relatively time-consuming activities for inspectors. The HSE receives up to 170,000 referrals in a year.

The extra resources will mean that next year the HSE can investigate over 10 per cent. more incidents compared with the current year. That is in addition to the continuing work being carried out on railway and nuclear safety. The enforcement of the new directive on the control of major accident hazards—COMAH—which covers the petro-chemical industry will demand greater HSE involvement. Last Monday, I spoke at a conference to launch the new COMAH regulations, which I signed this week.

The new resources for the HSC and HSE will enable them to take forward new initiatives to improve health and safety standards. Only last week, Ministers met the chairman and members of the commission to discuss its strategic plan for the next three years. We fully agree with that strategy. The plan will represent a real return on the new investment that we are making in health and safety.

Over the next three years, efforts will be focused on several key issues, including improving performance in important risk areas. Over the years, there has been a steady improvement in health and safety, but there are still problem areas and certain industries need further action. The Government are fully behind the commission's efforts to reduce accidents in construction and agriculture, not least because the construction industry's safety record is the second worst of any industry. That must be improved. We are also determined to restrict the use of asbestos.

I pay particular tribute to my hon. Friend the Member for Kelvin for the sterling work that he does on health and safety. I promise to write to him at the earliest opportunity about the issues that he has raised in this important debate.

## Road Congestion (West Kent)

1.30 pm

**Mr. Archie Norman** (Tunbridge Wells): I am glad of the opportunity to raise this matter, and grateful to the Minister for listening to what I have to say.

About a year ago, when some of us raised the question of the A21 and traffic congestion in the west Kent area, the Minister for Transport in London chose to give us a short lecture on the integrated transport policy. We understand the need for such a policy, and, in many respects, we sympathise with its objectives; but I hope that today we shall be able to deal specifically with the acute problems experienced by those in west Kent and areas to the south, caused by traffic congestion and the inertia in regard to transport policy—inertia that is blighting the area. This is the No.1 issue in west Kent. It is the No. 1 issue for residents and businesses in the area. It affects families, including people taking their children to school; it affects economic development; and it means serious blight for areas south of west Kent as far as Hastings, which is a relatively deprived area.

In response to a recent survey of businesses in the Tunbridge Wells area, no fewer than 39 per cent. of people said that they were considering moving because of the extent of the traffic congestion, while 92 per cent. said that they saw an urgent need for upgrading of the main trunk roads and the A21. Further delay in the improvement of trunk roads in the area will lead to acute problems. It will mean more and more rat-running through local villages—Speldhurst, Southborough, Pembury, Goudhurst and Horsmonden—which is blighting lives, and affecting areas of acute environmental sensitivity. It will also affect areas to the south, in the constituency of my hon. Friend the Member for Bexhill and Battle (Mr. Wardle).

Safety considerations are also important. In a moment I shall refer to the great dangers on the A21, but other areas will be affected, notably Colt's Hill. Kent county council's inability to finance—because of lack of Government support—a link road or bypass is blighting the lives of local residents, and what is effectively a country lane is carrying some 13,000 vehicles a day, more than a quarter of which are lorries. That is serious.

This is not just a business issue; it is not just a transport issue. It is an issue which affects human lives. I, like others, have received thousands of letters on the subject. Elizabeth Romaine of Bishops Down Park road in Tunbridge Wells writes:

"As a new driver I avoid the A21 for the simple reason that it is a death trap. As my grandparents live on this stretch of road, I have witnessed for 17 years many accidents that could so easily have been avoided."

Another letter—a very interesting letter—came from the head teacher of William Parker school in Hastings, who is a resident of Tunbridge Wells. He writes:

"Frankly it is scandalous that such a main artery to the coast should be of such poor quality. The drive is beautiful, yet slow and dangerous, especially at night. Now, like many Tunbridge Wells inhabitants, I avoid the Castle Hill section for journeys north, but only add to Southborough's traffic congestion."

That is a very good illustration not just of the pain that is felt, but of the blight that is afflicting surrounding villages.

We fully recognise the need for any road improvement to be seen in the context of an integrated transport policy. Such improvements must not be viewed in isolation; they must be viewed in relation to bus services, park-and-ride schemes and railway schemes. At present, however—I am thinking of the conurbation of Pembury, Tonbridge and Tunbridge Wells, and the routes to the south—no road improvement is taking place, apart from the Lamberhurst bypass. That has been given the go-ahead, for which we are deeply grateful. The integrated transport policy, however, has been translated into no policy at all.

**Mr. Charles Wardle** (Bexhill and Battle): I am glad that my hon. Friend is focusing again on problems in west Kent and the area to the south. The A21 runs into east Sussex, and links with the A259.

Does my hon. Friend recall that on 16 February, in a helpful letter, the Minister for Roads and Road Safety, Lord Whitty, said that it had not yet been decided whether the access to Hastings study would be included in the first tranche of the national studies programme? Until that study has been completed and the report has been submitted, the Secretary of State will not be able to deal with representations on the A259 schemes relating to Hastings, Bexhill and the Pevensey marsh, and no work can be started on those schemes for a minimum of two years after that. All those schemes were included in the Conservatives' road building programme, but the timetable applying to the studies programme is now uncertain.

**Mr. Norman:** My hon. Friend makes an important point. Time is now of the essence. I have the Minister's letter with me, and it is obscure about the timing. It seems that, whatever happens, it will happen some years from now. We accept that there will be a further review, but today we seek clarification in regard to its timing and purpose.

The fact remains that, so far, there has been no road improvement in the area. Nor has there been any rail improvement: it is well known that the Connex service has deteriorated over the past two years. Moreover, there has been no improvement in bus services. I am at a loss to identify a single bus service that has been added in the last couple of years. All that we have is a £380,000 grant for Tunbridge Wells borough council to put bus and bicycle lanes on the A26. Undoubtedly that money will prove very useful to the white paint industry, but it has done little to lessen traffic congestion. When I visited Arriva, the bus company, recently, I was told that since the bus lanes had been put in, not one extra bus had run on the A26, and there had been no increase in passenger traffic.

That illustrates something. It does not illustrate the fact that bus lanes are a bad idea; it illustrates the existence of a catch-22. Until the roads are improved and scope is created for park-and-ride and inter-modal connections, painting white lines on the A26 will not make any difference. In other words, without an integrated transport policy we cannot have road improvement, and without road improvement we cannot have an integrated transport policy. We are going round in circles.

In fact, the position is worsening. The roads review identified the A21 as a red spot area. At present, 100,000 vehicles are entering Tunbridge Wells each day between 7 am and 7 pm, and it is estimated that a 4 per cent. increase in that traffic—which is very likely in the next few years—would cause an extra 2.5 km of traffic jams.

The heart of the problem lies in a short stretch of the A21 at Castle Hill, about 2.5 miles long. It is the connection at the dual section at Pembury, between the main entry to the industrial estate and the heartland of Tunbridge Wells and Tonbridge. It is also a vital part of the arterial route to the south coast. At present, the first part of the A21 is dualled, while the second part is a single lane; then there is a dual bit, and a single lane; then, with the Lamberhurst bypass, there is another dual bit; then there is another single lane, and then another dual bit. It is go-stop, go-stop, go-stop. Every bit of the investment that has been made in the past is being under-utilised as a result of the subsequent bottlenecks.

This is the main route between Tunbridge Wells, Tonbridge, Pembury and Hastings, and it plays a vital role in providing access to amenities. Tunbridge Wells is a huge schools area: literally thousands of kids go to school there every morning, and have to sit in traffic jams for inordinate lengths of time. We hope to build a new hospital, but the site of the hospital will depend on the road. The emergency services are very worried about delays: ambulances may have problems in dealing with blue-light emergencies. The traffic generated by the hospital will pose a problem unless the road is improved.

At the last count, some six planning developments on the industrial estate were awaiting news of those improvements, some of which will have to be put off. We are talking about a stretch of only two and a half miles. There are many other local issues, but that section of road is the key to unlocking an improved and integrated transport policy for the area.

It is not a new issue, and there have been reviews in the past, including the 1992 public inquiry, and the Weald and Downs design, build, finance and operate programme, which was cancelled at a cost, we believe, of £6 million compensation to the contractor. Incidentally, the whole scheme costs £21 million—meaning that it need only have cost £15 million. A lot of money has been wasted, and we are getting review fatigue—as, I am sure, are the Government.

We understand that we must go through the next stage, but we need some specificity on timing, and a guarantee that the issue will be considered. We believe that the case is very strong, and that it was strong on the evidence submitted to the roads review. The document summarising the outcome of the review, "A New Deal for Trunk Roads in England—Understanding the New Approach to Appraisal", listed the statistical analysis conducted on each trunk road.

The Minister for Roads and Road Safety said that he felt that the case for Castle Hill was not strong, but analysis of his own data suggests that of all the A roads analysed in the report, the Castle Hill stretch of the A21 was the most stressed. That means that the volume of traffic in relation to the volume that the road was designed to bear was the worst of all the roads examined. The road had the fourth highest death rate of any A road analysed, and the sixth highest recorded accident rate. It had the seventh highest number of vehicles travelling on it per day of any A road—yet many of the A roads ranking far below the A21 were given the go-ahead. I hope that the

*[Mr. Norman]*

Minister can explain why, despite the strength of the Department's own analysis, other road schemes were given preference.

The Minister for Roads and Road Safety has said that if a dual-lane road were adopted—as opposed to a three-lane road—it would cost between £14 million and £15 million, giving the scheme the 11th highest cost-benefit ratio of any A road analysed. In other words, the economics of the scheme are strong on the data presented.

More seriously, we find on analysing the figures that there are some baffling flaws in the evidence, suggesting that the review has relied on outdated data or sloppy analysis. First, the journey time delay at peak times of the day at Castle Hill was estimated and quoted at only three and a half minutes. Locally, that figure is regarded as risible. Every morning and evening, people are waiting in long queues for between eight and 15 minutes—not three and a half minutes. Therefore, the economic benefits of the scheme—which were already strong—have been fundamentally underestimated.

Secondly, the environmental detriment of the scheme does not appear to be supported by any worthwhile analysis. We recognise that there may be an environmental downside, but there is an upside as well. The most alarming section—although no great weight has been attached to it—refers to one of the environmental detriments being that damage might be done to the great crested newt. I am sure that the Minister will join us in our sympathy for the great crested newt, but we have no evidence of its presence on the route of the scheme. I do not know whether officials have any evidence. No one locally has any evidence. Quite simply, we have been neutered by the great crested newt.

We were disturbed to hear from the Minister for Roads and Road Safety that very few representations had been received in favour of the scheme. That came as a staggering declaration to local people, most particularly because a petition of 8,000 signatures was handed to the former Minister for Roads and Road Safety outside this House immediately before the trunk roads review was completed. In other words, 8,000 signatures were as nothing, and considered not worthwhile representations.

Anybody with local knowledge will know that this is the No. 1 issue, and that it is not contentious. There will be some objectors to any road proposal, but local support is overwhelmingly in favour of the Castle Hill scheme at every level of the community, including local government, the county council and regional government. There is near unanimous support, and the strength of feeling is high. However, the sense of frustration is enormous. We have been delayed and delayed, and we find ourselves now confronted with another uncertain time scale.

I would like some assurances from the Minister. If he cannot give them today, perhaps he would be kind enough to write to explain the position. We accept where we are, and that we are to consider the access to Hastings study—yet another review. Incidentally, the A21 is only partly to do with access to Hastings. It is part of the picture, but the surrounding conurbation is as big as Hastings in aggregate, and the use of the road is not just to do with access to Hastings.

Will the Minister reassure us that the access to Hastings study will be in the first round of reviews, and will start as soon as possible? Can he tell us the dates on which he hopes to get the review off the ground, and when he hopes to have a report? Can he reassure us that the review will be able to consider not just road improvement as it affects Hastings, but road improvement as it affects towns along the route to Hastings? In other words, can we take into account the specific major congestion problem in west Kent caused by the bottleneck on the A21 at Castle Hill?

Can we consider the benefits to the communities in Pembury, Tunbridge Wells and Tonbridge of road improvement in that area, recognising that further benefits to Hastings are incremental to that? Even if the access to Hastings study concludes that little can be done further south, can we have a reassurance that that stretch of the A21 will be improved if the analysis proves that that is the right thing to do? We are strongly convinced that it will.

Will the Minister undertake to publish the background to the fatally flawed analysis in the document, so that local people have the ability to respond and to make corrections to the analysis? There is no downside for the Government—or anybody else—in being open about the underlying assumptions. Can he reassure us that, in the study, there will be adequate representation of the communities along the road down to Hastings—particularly the residents of Tunbridge Wells and Tonbridge?

We are asking the Minister to focus specifically on an acute problem—a serious issue for those who live in that part of west Kent and to the south. He must recognise the severity of a problem which affects everybody's daily lives in the area, and which is a major blight on economic development and on the environment. We are asking for clarity on the way forward, recognition of the need to get the next review completed and for a start in getting on with improvements to the roads.

1.48 pm

**The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale):** First, I congratulate the hon. Member for Tunbridge Wells (Mr. Norman) on securing this debate on a matter of great interest to him. I also congratulate the hon. Member for Bexhill and Battle (Mr. Wardle), whom I have known for many years in this place, on his contribution. He has always taken any opportunity available to him to refer to the transport infrastructure in his area.

It is both interesting and useful to hear at first hand about the impact that congestion is having on the economic and environmental well-being of west Kent. The hon. Member for Tunbridge Wells pointed out that that sometimes concerned the great crested newt—which some may have failed to appreciate. It is also useful to have the case for road and other transport infrastructure improvements in west Kent set out so strongly and clearly in their community, environmental and economic context.

Good communications are central to the economy and to our quality of life. As a trading nation—which is especially relevant to Kent—we need efficient transport links with our international markets and a transport system at home that functions effectively. Estimates vary, but the costs of traffic congestion to the nation are substantial, amounting to billions of pounds a year.

I would like to set the situation in west Kent in its wider regional context. As the hon. Member for Tunbridge Wells said, it is not a matter of one particular road: one must consider the whole economic and environmental structure of an area in dealing with such an important matter.

Transport infrastructure in the south-east is a strength, not a weakness. I know that the hon. Gentleman is fully aware of that, having spent his previous life outside the House being concerned about traffic flow and congestion. The range and quality of the region's international connections, its closeness to mainland Europe and its generally good transport connections to London benefit business and promote foreign and domestic investment. The region has the highest density of rail network in the country, which is an opportunity on which we must build. That is not to say that there are not some problems that we need to tackle.

The environment-transport interface, which is important throughout the country, is especially prominent in the south-east—excuse me for a moment, I seem to have a frog, or perhaps a great crested newt, in my throat—where population density is among the highest in the country outside London, development pressure is strong, levels of car ownership and use are high and about a third of the land area is designated as an area of outstanding natural beauty, 7 per cent. is green belt and about a tenth is urban or suburban.

West Kent has its share of designated areas—the Kent downs and High Weald areas of outstanding natural beauty—and historical sites, including Chartwell and Hever castle. Major roads in the south-east are the most heavily used outside London and nearly a quarter of the motorway network in England is in the south-east. Again, west Kent has its share. Eight in 10 households in the south-east have a car, compared with seven in 10 in the United Kingdom as a whole. The figure for Kent is just above the national average.

The region has one of the highest population densities in the country outside London, and household projections show it generating a higher number of additional households than any other region. In common with other regions, the trend in the south-east has been towards increasingly dispersed travel patterns and journey lengths. People living in the south-east also travel further than the average for the country as a whole—on average 8,100 miles a year, compared with a United Kingdom average of 6,500 miles. In 1997, 15 per cent. of the UK's road freight of 1.74 billion tonnes originated or was unloaded in the south-east.

Having outlined the scale of road use in the region, I would like to discuss the situation in west Kent, as I know that the hon. Gentleman is deeply interested in my getting to that point. As he said, on various parts of the trunk road network motorists suffer serious congestion and queuing. We are in that situation because past transport policies focused on road building, which is precisely why we announced a new direction in transport policy in "A New Deal for Transport", published last year.

The hon. Gentleman referred to congestion at some locations on the A21, notably at North Farm roundabout, Castle Hill and between Pembury and Lamberhurst. In particular, he asked that the Tonbridge and Pembury scheme be speeded up and considered separately from the access to Hastings study, but I have to remind him that the scheme was remitted to the study because we were not convinced that, taken to public inquiry, it represents a sustainable solution to the problems.

There are outstanding questions about whether dual three-lane standard is appropriate and we have concerns about the effect of the scheme on the landscape. I know that the hon. Gentleman is also concerned about that. We need to investigate further whether, and if so to what extent, the scheme contributes to the regeneration needs of the Hastings area. That is why it is right to consider the scheme as part of the access to Hastings study.

On present trends, and without action to implement "A New Deal for Transport", traffic is forecast to grow by more than a third on all roads over the next 20 years and by more than half on trunk roads. Few would suggest that such traffic growth should be accommodated by new road building programmes. All Kent Members would be horrified if that were to be the case.

That level of growth represents millions of additional and longer journeys. The impact of that amount of traffic growth and congestion on people, the environment and the economy would be substantial and adverse. The tranquillity of the countryside would be further eroded and the rush hour would become longer.

**Mr. Norman:** We know that road building cannot go on for ever, but does the Minister fully appreciate the fact that improving the relevant stretch of the A21 is crucial to creating the other integrated transport schemes, such as park and ride and access to stations, that would allow us to get traffic off the roads, and that the dualling will take traffic that is currently rat-running through the villages off those village roads and put it on the main trunk road where it should be?

**Mr. Meale:** I assure the hon. Gentleman that I am aware of the Tunbridge Wells area, although I have no elderly relatives, who seem to represent the shareholding population of the UK. I am well aware, from letters received in the Department, of difficulties with rat-running. I hope to deal with that a little more when I come to more localised responses to his queries.

The cost to business would soar if traffic growth were allowed to continue unchecked, and there would be grave damage to the environment and to our health. Transport—along with skills, site availability and housing—has been identified in the competitiveness strategy for the south-east as the highest priority for the region.

If sustainable solutions are not found, the economy will respond by losing activities that require better access than is currently available, becoming less flexible and competitive, and its potential for growth will become increasingly constrained. I believe that most people realise that the way in which we travel is changing our environment for the worse. Light pollution and noise from transport have changed much of our countryside. Road construction and car parking have made heavy demands on land, and climate change is one of the greatest environmental threats facing the world today.

*[Mr. Meale]*

That is why we are delivering the integrated transport agenda set out in the White Paper, which marked a turning point for transport policy in this country, setting out for the first time in 20 years a strategic framework for extending choice and delivering a transport system that is safe, efficient, clean, fair and available to everyone. It is clear that there is widespread support for the overall aim and objectives of our policy. Indeed, I am much encouraged by the work that is going on throughout the country to turn the objectives into reality.

The hon. Gentleman raised an awful lot of issues about certain junctions and side roads and requested dualling. I know that he has already met my noble Friend—

**Mr. Deputy Speaker:** Order.

*It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.*

*Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.*

# Oral Answers to Questions

## WALES

*The Secretary of State was asked—*

### EU Structural Funds

1. **Mr. Denzil Davies** (Llanelli): If he will make a statement on the impact of Agenda 2000 negotiations on the European Union structural funds. [72453]

**The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain):** The Agenda 2000 negotiations include preparing the European Union for enlargement and providing for simpler, fairer and more accessible European structural funds programmes.

**Mr. Davies:** My hon. Friend will have heard and read the figure of £1.5 billion to £2 billion as the possible amount that Wales would receive if it obtained objective 1 status. Can he confirm that such a figure is ring-fenced, or will it be affected by the current deadlock between the French and Germans in the negotiations? Will my hon. Friend clear up a slight mystery by confirming which is the lead Department involved in the negotiations on the structural funds? Is it the Department of Trade and Industry, the Foreign Office or the Treasury?

**Mr. Hain:** On the latter point, all three Departments are involved and the Welsh Office is taking a close interest. The negotiations as they are proceeding in Brussels at the moment are slow, but we hope that the issues will be resolved within the next month.

### Meningitis

2. **Mr. David Amess** (Southend, West): What meetings he has had with the National Meningitis Trust. [72454]

6. **Mr. Nicholas Winterton** (Macclesfield): What recent meetings he has had with the Meningitis Research Foundation. [72458]

**The Secretary of State for Wales (Mr. Alun Michael):** While I have not met the trust or the foundation personally, my officials have had regular contact with them over recent weeks. I have also invited both organisations to nominate representatives to join the group that we recently set up to examine meningitis in Wales. Both groups were represented at the first meeting. I can promise swift action on any recommendations that come from that group. In the longer term, the issue will be one which the National Assembly will wish to pursue.

**Mr. Amess:** There have been more reported cases of meningitis recently than there have been for 50 years, and 45 of those cases have been in Wales. As the father of young children, I empathise with those parents who are concerned when their children become ill about what the possible circumstances of that illness might be. Will the Secretary of State tell the House what tangible support the Government are giving to the National Meningitis Trust, which is currently beleaguered by telephone calls from concerned parents?

**Mr. Michael:** I understand the concerns that parents have in such circumstances, for personal reasons. My son had meningitis when he was a university student and for a few days we were very afraid, until we got the news that it was not life threatening. I understand the emotions of people in Pontypridd, for instance, which has seen a large number of cases. However, it is difficult to discover anything tangible that can be identified as linking cases and can lead to preventive and prophylactic action as appropriate. That is why we established a group, which is chaired by a distinguished medical expert, to consider the evidence. Although the available evidence suggests a statistical issue rather than something that can be identified as the cause of the cases that have occurred, we want to go further—for the very reason the hon. Gentleman mentioned—because we need to do everything we can to identify anything that could explain the number of cases that have arisen in a specific area at a specific time.

**Mr. Winterton:** The Secretary of State's responses are highly satisfactory, as far as they go. Like my hon. Friend the Member for Southend, West (Mr. Amess) with his children, I have an interest because of my young grandchildren. However, my interest lies not only in my own family, or with what has happened in Wales. There has also been a meningitis outbreak in Macclesfield, and both the National Meningitis Trust and the Meningitis Research Foundation have been overwhelmed by approaches from anxious parents. The two charities receive some Government assistance, but is the right hon. Gentleman prepared to give additional funds to take the charities through a period during which the demands on their voluntary helpers and paid staff are so dramatically heavy?

**Mr. Michael:** I understand the pressures that are resulting from people seeking information. It has put pressure on the public services as well. However, in seeking to deal with queries from the public and to provide the help that they need, we must consider the outcome of the work of the group to which I have already referred. If public information and co-operation with the voluntary sector are proved to be necessary, we shall consider acting on the recommendations of the group's report. For now, however, that issue is not at the forefront. The priority is to establish what can be done to identify links on which we can act.

**Mr. Allan Rogers** (Rhondda): My right hon. Friend will know that during the recent outbreaks, particularly that in the constituency of the Minister for Competition and Consumer Affairs, my hon. Friend the Member for Pontypridd (Dr. Howells), there was a great deal of scaremongering and ill-informed comment. The situation was not helped by certain people who used it for political purposes, which is much to be regretted. Will my right hon. Friend make available sufficient resources for a proper education programme to be developed in schools? The latest outbreak is one of half a dozen in recent years, and the public need to be educated if we are not to have such scaremongering again.

**Mr. Michael:** My hon. Friend is right. Comments were made that were unhelpful, but some were inspired by

genuine concern among parents and others. One problem is that dealing with meningitis is not easy. If it were simple to identify a specific strain, action would have been taken long ago. Steps taken include the establishment by the health authority of an outbreak control team, in which experts from the communicable disease surveillance centre and the Public Health Laboratory Service in Wales were involved along with voluntary organisations. I kept in close contact with my hon. Friend the Member for Pontypridd, as did the Under-Secretary, my hon. Friend the Member for Cardiff, Central (Mr. Jones).

The way in which the public services responded was entirely praiseworthy. They tried to make sure that information was made available as quickly and fully as possible to schools, and there was excellent co-operation between the education and health services. However, we must apply all tests to find out why the number of cases that emerged did so, as we are seeking to do with the advice and help of all available experts.

**Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy): We welcome the inquiry, but, to return to what the Secretary of State said earlier, is an appraisal being made of the usefulness of the recent diagnostic invention that can identify strains of the disease?

**Mr. Michael:** Yes, that is one of the issues that the committee is considering.

**Mr. Nigel Evans** (Ribble Valley): The Secretary of State has a deep concern about meningitis following his personal experience, as does the hon. Member for Pontypridd, because of what happened in his constituency. However, Wales has the second highest incidence of meningitis in Europe, and we seek swift action from the committee that is considering that dreadful disease. The group has met once. When will there be some positive guidance for parents who are deeply concerned by the outbreak so that they may be reassured? No one wants to create a panic, but proper reassurance and guidance must be given to the parents.

**Mr. Michael:** I thank the hon. Gentleman for way in which he made his point. I assure him not only that we will act swiftly on recommendations that come from the group, as I promised earlier, but that the group is tackling its job with a sense of urgency and hopes to report by the end of May. That will be the starting point for action. Longer-term actions are being taken in respect of identifying vaccines. We are not in that situation yet, but that work, with the short-term identification of anything that we can do, will be given the urgency that he seeks.

## EU Structural Funds

3. **Mr. Ieuan Wyn Jones** (Ynys Môn): What discussions he has had with the Chancellor of the Exchequer regarding matching funding from the Treasury for objective 1 funding. [72455]

**The Secretary of State for Wales (Mr. Alun Michael):** Once the European Commission and member states have agreed the new structural fund arrangements, the Government will consider the distribution of European receipts for wider programmes. In these discussions, I shall ensure that the interests of Wales are pursued vigorously. I hope that Plaid Cymru will support me in that endeavour rather than asking questions that it knows to be premature.

**Mr. Jones:** I am grateful to the Secretary of State for that stricture, but I have listened carefully to his public response on this issue. He has been remarkably coy. For us to assist him, now that he has discounted the reply that the Economic Secretary gave some months ago and says that the situation is different, does he expect the Treasury to be able to give extra cash under objective 1 funding?

**Mr. Michael:** Yes. The reply of the Economic Secretary was used in a reprehensible way by the Institute of Welsh Affairs. It was a letter that referred to the current situation, as Opposition Members acknowledged during exchanges last week. The reply to the hon. Gentleman's question is the one that I gave earlier. Once the European Commission and member states have agreed the new structural fund arrangements, and we know the dates and figures and so on, the Government will consider the way we meet the requirements of the European Union. The British Government have met those requirements, and I am certain that my Government colleagues will co-operate fully in trying to ensure that we get the best possible deal for Wales within the decision made by the EU.

I must say gently that the hon. Gentleman's party was not originally optimistic that we would succeed in getting objective 1 status. We are on the verge of succeeding in that, and I hope that we will have his support in ensuring that we get the best for Wales.

**Mr. Ted Rowlands** (Merthyr Tydfil and Rhymney): What are the figures? Are there proposals to cut the structural funds in the European budget savagely? If so, will the Government oppose them?

**Mr. Michael:** My hon. Friend knows that the impact of enlargement, with the new countries that were not in the previous round, means that there are considerations that make it difficult to predict figures until we get to the end of the process. The discussions that are going on were mentioned earlier. We maintain a close interest in them and are very optimistic that we will have a positive outcome. We can then get on with the discussion necessary within government to turn the decision into practical action.

**Mr. Lembit Öpik** (Montgomeryshire): Has the Minister considered where he would find the resources to match fund initiatives in areas of Wales that may qualify for objective 2 status?

**Mr. Michael:** There is much confusion between additionality and matched funding, which makes simple answers difficult. I assure the hon. Gentleman that one of the things that we are doing is considering the strategy for developing the economy of the whole of Wales during objective 1 status and also trying to ensure that there are opportunities for areas outside objective 1 status, which have their own needs, to ensure that the overall strategy works. I assure him that that is at the forefront of our minds.

**Mr. John Smith** (Vale of Glamorgan): I hope that the whole House will support my right hon. Friend in his bid

for objective 1 status, but I, too, am concerned about areas outwith objective 1, such as the coastal strip of Cardiff, the Vale of Glamorgan, and Cardiff international airport, which is a valuable strategic asset for the whole of Wales and requires development support.

**Mr. Michael:** Yes. My hon. Friend is right to point to the fact that, outside objective 1 areas, other communities in Wales have needs. Our aim is to do the best for the objective 1 areas that are objectively those in the greatest need in terms of low GDP and high unemployment, but also to be conscious of the needs of other areas in discussions on assisted status and in our economic strategies throughout Wales. I accept the point that my hon. Friend makes.

**Dr. Liam Fox** (Woodspring): In the interests of clarity, will the Secretary of State tell us what discussions he has already had with the Treasury about potential matched funding, should this fortuitous situation come about? Should not such money be available from the Treasury, and would such funding be an appropriate use of funds within the Welsh block?

**Mr. Michael:** The hon. Gentleman is playing the tune that I asked Plaid Cymru not to play. He is asking questions that cannot be answered until we get to the point. I assure the hon. Gentleman that we will have discussions with the Treasury. Both my right hon. Friend the Chancellor and my hon. Friend the Economic Secretary are aware of the likely impact of a decision to give objective 1 status to large parts of Wales. There will then be discussions within the Government. The hon. Gentleman knows full well that that is the way in which these matters proceed, and they will. I shall make sure that we get the best possible deal for Wales in those discussions.

**Dr. Fox:** Does not that answer betray everything about the Secretary of State's position? It is a perfectly simple question. Has he already had discussions with the Treasury or not? That is hardly a difficult one for him to answer, but he could not give a commitment either on behalf of the Government or on behalf of the Welsh Assembly that it would be appropriate to use the Welsh block. He is not free to make that commitment, should he become the leader of the Welsh Assembly, because he does not have the ability to do so. Nor is he free from the collective responsibility of the Cabinet, which would enable him to be free from Treasury decisions. He is in an unworkable position and he cannot do what he initially said in response to the question that he would do. He cannot pursue Wales's interest vigorously because he has to pursue the interests of the Labour party first.

**Mr. Michael:** That rather confused question betrays the cynicism and opportunism that the hon. Gentleman brings to the Dispatch Box. He knows full well the way in which the discussions take place. He and his colleagues tried to cast doubt on the Government's ability to get the NUTS 1 boundary agreed in order to achieve objective 1 status. His cynicism then is followed through by his cynicism now. We will make sure as a Government that the best possible agreement is reached to enable the decisions that are made in Europe to flow through to action in Wales in the best interests of Wales.

**Mr. Llew Smith** (Blaenau Gwent): The Minister will be aware that my constituency is one of the poorest in Wales, with some of the highest levels of unemployment, the lowest incomes and the worst health problems in the United Kingdom. He will also be aware that the future of the constituency is to a great extent dependent on obtaining objective 1 status. While I understand that my right hon. Friend cannot make a statement today about matched funding, is it possible to estimate the kind of moneys that would come from Europe should we obtain objective 1? Lots of figures are being bandied about.

**Mr. Michael:** Figures as high as £2 billion have been bandied around, but I have to stress that those are guesstimates rather than estimates until we have the final decision and until decisions are made on when the money will come forward. We want to make sure that the opportunity of objective 1 money is used strategically so that it changes the economy for the long term. We must not be in the position that money has come in, we have used it, and we have not changed the economy of Wales. I am certain that that will be one of my hon. Friend's priorities.

### Lucas-SEI Work Force

4. **Mr. Richard Livsey** (Brecon and Radnorshire): What progress he has made in finding alternative employment for the work force of the Lucas-SEI factory at Ystradgynlais in the upper Swansea valley. [72456]

**The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain):** The nine-point action plan that I announced on 1 February is being taken forward actively and, so far, job referrals have been made to about half the Lucas work force. Following the transfer of functions, this issue will be a matter for the National Assembly.

**Mr. Livsey:** I know that the Minister and his Department have been working hard on this issue, but I am sure that he appreciates that only 30 of the employees of Lucas-SEI have found work. It is a serious situation. The leaflet that I hold in my hand was produced by the overseas trade services department of the Welsh Office. It says:

"It's not too late to take the plunge into Poland."

An event is taking place on 10 March that is aimed at Welsh investors. Would it not be better if those Welsh investors invested in the upper Swansea valley instead and provided jobs on the Ystradgynlais site, where there are many women, but 500 of them cannot leave their community to work? They have no transport, they have children at school, and they have a sore need for employment.

**Mr. Hain:** I pay tribute to the role that the hon. Gentleman has played with me in advancing and protecting the case of the Lucas workers. However, he fundamentally misrepresents what the export mission is about. As a Government, we should support Welsh businesses, including those in the Swansea valley, that want to export to Poland and elsewhere in the world; we should protect jobs, increase growth opportunities and strengthen those businesses. That is what the mission organised by the Welsh Office, the Department of Trade and Industry and the Foreign and Commonwealth Office is about. It is not in conflict with the attempt to rescue the

situation in the Swansea valley; it complements that effort, because it strengthens Welsh businesses that want to sell their goods and services abroad.

**Mr. Alan W. Williams** (East Carmarthen and Dinefwr): Although I feel every sympathy for the 700 people—a large fraction of whom live in my constituency—who will lose their work at Ystradgynlais, may I express my strong support for my hon. Friend's handling of the problem? Regrettably, it was necessary to deal with it in a hard-headed way, in that the jobs went to Poland to people paid only about a quarter of the wages paid here. Is there any possibility of that multinational company bringing alternative work to Ystradgynlais? Obviously, we must redouble our efforts to bring other work to that area.

**Mr. Hain:** I am grateful to my hon. Friend for those comments. I have held discussions at the highest levels, in America and Britain, with the company and its new owner to try to secure the future of the site for the Swansea valley and to provide alternative job opportunities. However, the message from Lucas-SEI deals a savage blow to the Swansea valley, because the jobs that are being created in Poland and Slovakia pay only a quarter of the wages that were being paid in south Wales. That shows that the Government's strategy of driving the Welsh economy upwards to a high-skill, high-quality economy is the only one that will safeguard jobs in the future.

**Mr. Desmond Swayne** (New Forest, West): Does the Minister acknowledge that there is a lesson to be learned about the importance of lower levels of regulation and social cost, and especially—in relation to the Polish example—about the transformation of an economy that can be wrought by capitalism?

**Mr. Hain:** I realise that the hon. Gentleman stumbles into Welsh debates with a certain amount of clumsiness, but I must point out to him that the lesson of the Lucas fiasco is that the Tory strategy, pursued in Wales for 18 bitter years, of attacking the work force and closing down jobs does not work. The only strategy that will work is to drive up the quality of the Welsh economy so that it is a high-skill, world-class economy in which people want to invest. People will want to remain operating in Wales because we in Wales have the best work force and the best economy.

## Carers

5. **Ms Julie Morgan** (Cardiff, North): What plans he has to help carers in Wales. [72457]

**The Secretary of State for Wales (Mr. Alun Michael):** The national strategy for carers was launched on 8 February, and outlines the Government's new co-ordinated approach to ensure that the needs of carers are addressed. It prepares the way for the work of the Assembly in that sphere of activity. Our aim is to provide improved information, care and support for carers throughout Wales, and to give carers the quality of life that we believe they deserve.

**Ms Morgan:** I thank my right hon. Friend for his reply. What would he say to the hundreds of carers who are meeting in Llandrindod Wells today about the future availability of respite care? As he is aware, respite care in Wales is currently dependent on where one lives. How will he ensure that affordable respite care is available to all carers throughout Wales, especially in view of the announcement about England?

**Mr. Michael:** Yes. The Under-Secretary, my hon. Friend the Member for Cardiff, Central (Mr. Jones), met social services representatives at the end of last week, and we are actively discussing the matter with them. We are pursuing the integration of health and social services so that people receive proper standards of care in all areas. The review and reform of the health service that I described to the House last week are very much a part of that process.

**Mr. John Bercow** (Buckingham): What specific, new carer-friendly employment practices does the right hon. Gentleman envisage? Does he suppose that, on the whole, they will be spread through exhortation or via legislation?

**Mr. Michael:** I think that they will be spread through partnership. We are working closely with the health service and local authorities in Wales—bodies which were once at each other's throats as a result of the divisive reforms of the health service introduced by the previous Government. We are working hard to ensure that the health service, local government and voluntary organisations co-operate in the best interests of carers whose needs are great—and whose needs are respected on the Government Benches.

**Mr. Huw Edwards** (Monmouth): I assure my right hon. Friend that the national carers strategy is particularly welcome in Wales. However, concern has been expressed about the allocation of resources for respite care. Some £140 million has been devoted to respite care for local authorities in England. Can my right hon. Friend give me an assurance that a proportionate amount will be allocated to Wales?

**Mr. Michael:** My hon. Friend may be labouring under a misapprehension because Wales and England use different systems. Money allocated to local authorities in Wales is unhypothecated. That is why I referred to the discussions that my hon. Friend is having with Welsh local authorities, social services departments and the Welsh Local Government Association. We want to do our best for carers, but the allocation in Wales is different because the method is different.

## Meningitis

7. **Mr. James Gray** (North Wiltshire): What new guidelines have been issued to schools, universities and general practitioners following the outbreak of meningitis in south Wales. [72459]

**The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones):** The chief medical officer issued a letter to all doctors in Wales on 20 January 1999 to remind them about the importance of early recognition

and prompt intervention in meningococcal infection. Helplines and advice are made available to local people by health authorities when an outbreak occurs. In addition, bilingual leaflets containing advice on recognising the signs and symptoms of meningitis are widely available. This information is targeted particularly at new mothers and university and college students.

**Mr. Gray:** I thank the Minister for his reply. None the less, is he concerned that conflicting messages may have been sent to parents in Wales? On the one hand, they have been directed to use accident and emergency services only for emergencies and, on the other, they are naturally concerned about the meningitis crisis. Should the Government not make it absolutely clear to all parents that, if they have the slightest concern that their children might be suffering from meningitis, they must contact the nearest accident and emergency unit as soon as possible?

**Mr. Jones:** There is clearly cause for concern whenever an outbreak occurs, and special advice is provided at the time. It would normally be appropriate for parents to consult their GPs, and Welsh GPs have received up-to-date advice about how to act promptly when signs of meningitis are identified. That procedure has worked in the case of outbreaks in Wales. I know that parents have been hugely concerned, but local authorities and particularly teachers acted promptly and gave of their own time to ensure that parents were well informed and that action was taken immediately.

### Unemployment Rates

8. **Mr. Dafydd Wigley** (Caernarfon): If he will make a statement on the percentage of the population currently unemployed in *(a)* Gwynedd and *(b)* Wales. [72460]

**The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain):** In January 1999, 7.8 per cent. of the population of Gwynedd were unemployed and the figure for Wales was 5.9 per cent.

**Mr. Wigley:** Does the Minister accept that both those figures are far too high? Does he accept also that, if we achieve objective 1 status for the west of Wales—which includes Gwynedd—and the European Union gives its highest priority to the problems of that area, the United Kingdom Government should do likewise in reviewing the assisted area map and give the whole of the objective 1 area in Wales top-level priority?

**Mr. Hain:** We are giving the whole objective 1 area of Wales top-level priority. Because of the Labour Government's achievements, we have the chance of delivering one of the best boosts that the right hon. Gentleman's constituency, west Wales and the valleys have ever had, by drawing down European funding.

Since Labour came to power, 300 youngsters in the right hon. Gentleman's area have been given the chance of a job with training under the new deal and £7 million of regional assistance has been provided to companies in his constituency to bring in 1,000 new jobs or safeguard existing jobs.

## PRIME MINISTER

*The Prime Minister was asked—*

### Engagements

Q1. [72483] **Mr. Christopher Gill** (Ludlow): If he will list his official engagements for Wednesday 3 March.

**The Prime Minister (Mr. Tony Blair):** Today, I had meetings with ministerial colleagues and others. I was also briefed on the hideous murders of eight tourists in Uganda. The high commission is seeking to establish the facts, and we are obviously in close consultation with the Ugandan authorities. The House will know that four of the dead—Joanne Cotton, Martin Friend, Mark Lindgren and Stephen Roberts—were British, and the thoughts of the whole House will be with their friends and families, to whom we pledge to do all in our power to bring their killers to justice.

**Mr. Gill:** Given that his Secretaries of State for Wales are partial to forbidden fruits, what steps will the Prime Minister now take to ensure that moments of madness involving beef on the bone do not, in future, constitute an offence? Will he now revoke the ridiculous and discredited ban on beef on the bone, or is it the case that his European puppet masters will not let him?

**The Prime Minister:** I thought for one moment that we would get through a question from the hon. Gentleman without a hit on Europe, but I was mistaken. On beef on the bone, I gather that the event to which his question relates was designed to promote the Welsh beef industry, and I can only say that it had considerable success. The ban is in place because, as he knows, the chief medical officer has given us what he terms his strong advice that there should be further tests. Obviously, we shall lift the ban as soon as that is consistent with medical advice.

Q2. [72484] **Ms Julia Drown** (South Swindon): Is the Prime Minister aware that this Sunday will mark 300 days until the new millennium? Is he aware also that in those 300 days, the level of debt repayments from poor countries will mean that the lives of millions of children in Africa alone will be lost? I congratulate the Government on their good work on debt relief, including today's announcements, but, as the millennium approaches, will my right hon. Friend agree to consider the outright cancellation of the debt of those poorest countries that are committed to tackling poverty, so that we can take a lead in ending that unnecessary loss of children's lives?

**The Prime Minister:** My hon. Friend raises an issue of concern to millions of people in this country and throughout the world. She will know that my right hon. Friend the Chancellor announced the millennium target for debt relief of £50 billion to the world's poorest countries by the end of 2000. That is right, and we shall lead the campaign internationally to cancel as much debt as possible. She will know also that the new Labour Government have increased the overseas aid budget by

the largest amount ever, and after years of that budget declining as a percentage of our national income, it is now rising for the first time in two decades.

**Mr. William Hague** (Richmond, Yorks): I associate the Opposition with the Prime Minister's remarks about the tragic events in Uganda.

On a subject closer to home, the Prime Minister may recall that he and I received a letter from Mr. Nelson, an NHS patient who has been told to wait 80 weeks to see a consultant in a trauma and orthopaedic clinic. Will the Prime Minister confirm that people waiting in that manner, of whom there have been many more in the past two years, do not appear in the waiting list figures that were published yesterday?

**The Prime Minister:** The waiting list figures are published and calculated under this Government in exactly the same way that they were under the previous Government. Partly as a result of providing money over and above what the Conservatives promised for the national health service, we are bringing waiting lists down.

**Mr. Hague:** The figures are calculated in the same way and they reveal that waiting lists are longer under this Government after two years, and that the real scandal is the number of people, such as Mr. Nelson, who are waiting to be on waiting lists. That figure is double what it was two years ago. Is not the truth that there are now nearly half a million people waiting for hospital appointments as a direct result of managing the national health service for the sake of appearances rather than patients? Are not the Government now just spinning the figures and playing with politics instead of serving the patients?

**The Prime Minister:** No. First, I am grateful for the right hon. Gentleman's confirmation that we are indeed calculating the figures in precisely the same way as the last Government, as his shadow health spokesman has been saying the opposite month after month. Secondly, we have brought down health service waiting lists after years of rising lists. As for the number of out-patients, I can give him the latest figures. During the third quarter of 1998–99, 68,000 more were treated than in the previous quarter.

**Mr. Hague:** I will give the right hon. Gentleman the figures, too—468,000 people waiting for hospital appointments compared with 248,000 only two years ago. The Government calculate the figures in the same way, but they have moved people who would have been on waiting lists to waiting to be on waiting lists. The chairman of the British Medical Association consultants committee himself said:

"If all you are doing is shortening your waiting times for operations and waiting lists to see a consultant are going up, then your proper waiting list is getting longer."

Should not the Prime Minister stop spending £150 million on dragooning GPs into new bureaucracies and concentrate it on this instead, and reduce the real waiting lists in our health service?

**The Prime Minister:** No, because the right hon. Gentleman is wrong on both counts. Not merely are we treating more out-patients than before, but we are treating several hundred thousand more in-patients; so in respect of both in-patient and out-patient lists, we are treating more people. In addition, from 1 April, the Government are going to introduce £21 billion extra spending in the national health service, having sorted out the mess left behind by the Tories. That £21 billion is opposed by his party, and described as reckless and irresponsible. That is why this country will trust us, not him, with the health service. *[Interruption.]*

**Mr. Tam Dalyell** (Linlithgow): Was it on purpose or by mistake that the oil pipeline between Iraq and Turkey was hit?

**The Prime Minister:** I am sorry; I did not hear the first bit of that question.

**Madam Speaker:** Nor did I. This is a very noisy House; it ought to be a little quieter. Mr. Dalyell, let us have your question again.

**Mr. Dalyell:** Was it on purpose or by mistake that the oil pipeline between Iraq and Turkey was hit by a missile or bomb?

**The Prime Minister:** No, it certainly was not on purpose, but we do not yet even know the extent of the damage, if any. Let me explain to my hon. Friend again why it is necessary that we police the no-fly zones. In Iraq, it is necessary in order to protect both the Kurdish people and the Shia Muslims from the brutality of Saddam Hussein. If he wants to stop those patrols, he can come back into line with the United Nations resolutions, stop butchering people for whom he has responsibility, and start behaving like a responsible leader in the world.

**Mr. Paddy Ashdown** (Yeovil): As the Serbs mass troops and armour on the Macedonian border and as Kosovo slips back into widespread conflict, will the Prime Minister give us his assessment of the realistic prospects for success at the reconvened Rambouillet talks, when they take place?

**The Prime Minister:** It would be a brave person who predicted an optimistic outcome. On the other hand, we have made good progress in two ways. First, the framework for autonomy in Kosovo is now in place and agreed. Secondly, there is significant progress—not yet total agreement—on the idea of having an outside force in Kosovo in order to make sure that the agreement works. The implementation conference is on 15 March. I believe that there is every prospect that we may get the two sides in agreement. We will obviously do everything that we can in the meantime to make sure that that happens.

**Mr. Ashdown:** But is it not the case that the west's attempts to find peace in Kosovo have been severely hampered by our reluctance to state clearly what it is we are trying to achieve? Is it not now essential that we recognise what everyone understands to be the truth, but which no one has yet dared to say—that the actions of the Serbs in Kosovo have removed from them the moral authority to govern Kosovo on the basis of 5 per cent. of the population, that the only sensible interim status for

Kosovo is as an international protectorate, and that although independence cannot be a solution in the short term, it cannot be excluded as a long-term option?

**The Prime Minister:** The way that we have set out is more practical. The right hon. Gentleman says that our objectives are not clear; they are clear. They are, first, to get agreement on the constitutional programme for Kosovo, which has now been agreed by both sides—that is why it is not very helpful to talk about a different constitutional settlement altogether—and secondly, to establish a force in Kosovo in order to police that settlement and make it happen.

In the meantime, the two most important things in my judgment are, first, sending a message to Kosovo Albanians that they must avoid provoking new clashes, and that we are not going there in order to be their fighting force for independence—that is not our role—and secondly, our responsibility to say very clearly to President Milosevic that, if there is renewed repression in Kosovo, we remain ready immediately to take military action against him. Giving that clear message to both sides and making progress on the constitutional settlement are the best way forward. The danger of the way forward outlined by the right hon. Gentleman, which may have attractions for one side in the dispute, is that we would fail to get general agreement.

**Dr. Phyllis Starkey** (Milton Keynes, South-West): In view of this Government's important additional investment in science, engineering and technology, does my right hon. Friend welcome the launch last week of the Athena project, which aims to increase women's participation in science, and to retain women in science and progress them in scientific careers? Will he confirm that Departments that employ scientists will be at the forefront in implementing the project's aims?

**The Prime Minister:** I confirm both those points. We welcome the project and the fact that it offers the opportunity to open up prospects for more women in science. Britain has the potential to lead the world in many areas of science and technology. We are working on ensuring that inventions and scientific achievements in this country are also exploited commercially in this country for the benefit of our future prosperity.

Q3. [72485] **Mr. Andrew Lansley** (South Cambridgeshire): Where in the Labour manifesto did it warn that the effect of Labour policies would be to reduce the rate of economic growth from 3.5 per cent. to just 0.5 per cent. in less than two years?

**The Prime Minister:** The hon. Gentleman may recall the recent report by the Organisation for Economic Co-operation and Development, which said that that rate of growth was unsustainable—*[Interruption.]* It says that the only way in which to ensure proper growth in this country is to pursue the policies for economic stability that this Government have undertaken, such as Bank of England independence, which Conservative Members oppose, the sorting out of public finances, so that we do not have the doubled national debt that we inherited, and, of course, an end to—[HON. MEMBERS: "Boom and bust."] Boom and bust, exactly.

**Mr. Dale Campbell-Savours** (Workington): In reply to my hon. Friend the Member for Linlithgow (Mr. Dalyell), my right hon. Friend referred to accidental damage to the oil supply line from Iraq to Turkey, which carries oil under the United Nations oil for aid programme. Is he aware of the other, unofficial supply of oil between Iraq and Turkey, which is for cash? It is funding the Baghdad regime and supplying money to keep the Republican Guard in place. Given that it is in breach of UN resolutions, will he raise with his American counterparts the need to take military action to block that supply, which is carried by truck? Many of us believe that if that line is broken, the Baghdad regime will fall.

**The Prime Minister:** One of the targets in the military action that we took before Christmas was precisely directed at ensuring that the sanctions regime was upheld. My hon. Friend's point is absolutely right and justified. We cannot say often enough that Saddam Hussein is able to sell as much oil as he wants for food and medicine for the Iraqi people. We will not allow him to get round the sanctions and use that oil money to build up a weapons arsenal.

Q4. [72486] **Mr. James Clappison** (Hertsmere): In his manifesto, the Prime Minister promised to promote saving, which is a key to growth in future. Why is it then that, under his Government, the savings ratio has gone down by a third?

**The Prime Minister:** We are promoting savings and we are doing it, first, by introducing the pensions reforms that will allow people, many of them lower-income people, to save for the first time in years. As for pensions and savings, what most people remember are the pension mis-selling scandals under the previous Government, which we sorted out when we came in.

Q5. [72487] **Mr. Jim Cousins** (Newcastle upon Tyne, Central): On Monday, the treaty banning landmines came into effect—and I hope that we can all take some credit for the part that our country, our Prime Minister and our Foreign Secretary played in that—but Russia, China and the United States have not signed up to the treaty. We can be sure that, since Monday, more mines have been laid in the world than have been cleared. Can the Prime Minister assure us that Britain will not be a home to anyone who deals in landmines, or to any dirty money that is generated by selling them? No amount of laundering can wash the filth from profits that are made by planting landmines to maim women and to cripple children.

**The Prime Minister:** My hon. Friend will know of the very strong position that we have taken internationally on that issue. We will continue to do so. Last week, we announced the destruction of the last of our land operational anti-personnel mines, which happened four years ahead of the deadline that was set in the Ottawa convention. We are also increasing our annual funding for demining-related activity. I can assure him that we will do all we can not merely to implement the convention, but to try to persuade all members of the international community to do the same.

Q6. [72489] **Mr. Martin Bell** (Tatton): I wonder whether the Prime Minister would consider the advantages of the political parties allowing their Back Benchers more freedom to speak their minds and to vote

with their consciences, so that this place might become rather more the free Parliament of a free people, and rather less a rubber-stamp assembly.

**The Prime Minister:** As the hon. Gentleman is in a party of one, it is obviously a fairly easy issue for him, but I happen to believe that we are perfectly entitled as a Government to put through our programme. What is important is that we do deliver that programme. That is precisely what we are doing.

Q7. [72490] **Mr. Barry Jones** (Alyn and Deeside): Does my right hon. Friend agree that the day that Wales elects its National Assembly will be a day of historic importance not only for Wales, but for the British state? Does he agree that what Wales must avoid like the plague is nationalism and separatism? Does he also agree that what my constituents are looking for are real jobs, better hospitals and improved school services?

**The Prime Minister:** That is precisely what the £2.4 billion plans that were announced by my right hon. Friend the Secretary of State for Wales will deliver for Wales: better schools and hospitals. The new deal will deliver better jobs and the economic policy of the Government has delivered lower mortgages.

**Mr. William Hague** (Richmond, Yorks): Three weeks ago at Question Time, the Prime Minister failed to answer a question asking by how much he had increased taxes in the past two Budgets. In fact, he said:

"business tax has come down under this Government."—[*Official Report*, 10 February 1999; Vol. 325, c. 316.]

The Confederation of British Industry says in its Budget submission to the Chancellor of the Exchequer that taxes on businesses are up by £5 billion a year, so who is the telling the truth: the Prime Minister or the CBI?

**The Prime Minister:** Actually, the CBI has welcomed our reform of tax. *[Laughter.]* Yes, it has. If the right hon. Gentleman is talking about the reform of tax credits, of course, that will yield from the next couple of years onwards a £4 billion tax cut for business. I assume that it is his policy to reverse the policy now, in which case it will be interesting to know how he pays for it, but it is under this Government that corporation tax and small business tax are the lowest that they have ever been.

**Mr. Hague:** Evidently, we have as much chance of getting a straight answer out of the Prime Minister as of meeting the Minister for the Cabinet Office in economy class, or of meeting the Secretary of State for Wales at a meeting of the Electoral Reform Society. The truth of what the CBI says is that the previous two Budgets resulted in an extra tax burden on businesses of more than £5 billion a year since Labour's election. That figure is not confined to the taxes that the right hon. Gentleman mentioned; it includes more corporation tax, more fuel duties, more stamp duties and lost dividend tax credits. Will he now acknowledge that his claim three weeks ago that business taxes have come down was complete and utter rubbish?

**The Prime Minister:** No, I will not. As I have just said to the right hon. Gentleman, we have cut corporation tax. If we consider the figures, the tax burden will increase over this Parliament at or below the level predicted by the Conservatives in their last Budget. What the right hon. Gentleman is saying is wrong. However, at the same time, we have managed to sort out public finances, to get interest rates at their lowest level for more than 30 years and to get inflation back under control, all of which the right hon. Gentleman's Government failed to do.

**Mr. Hague:** The Prime Minister told the House that business tax had come down and it is an indisputable fact that it has gone up by billions of pounds. Contrary to specific election promises and contrary to every statement in the House, the Government have raised taxes on businesses by stealth and on the whole country by stealth. Before we debate next week's Budget, is it not time that the right hon. Gentleman started to tell the truth about the previous one?

**The Prime Minister:** I am delighted to say that the Government, by introducing the working families tax credit, will make 1.5 million families better off, some by up to £20 a week. Child benefit is coming in—an extra £130 a year to 5.5 million families—*[Interruption.]* Hon. Members think that it does not matter that these families are getting more money. National insurance has been cut, as has value added tax, corporation tax and long-term capital gains tax.

As for the right hon. Gentleman's mention of the petrol duty fuel escalator, it is correct that there is such an escalator. Under this Government, it is 6 per cent., and 5 per cent. of it was introduced by his Government. If it is not now out of order to quote the right hon. and learned Member for Rushcliffe (Mr. Clarke) to Conservatives, I shall read out what the then Chancellor said when he introduced the escalator. He said:

"Any critic of the Government's tax plans who claims also to support the international agreement to curb carbon dioxide emissions will be sailing dangerously near to hypocrisy."—[*Official Report*, 30 November 1993; Vol. 233, c. 939.]

The other part of the business tax is the windfall tax. I take it that the right hon. Gentleman is opposed to that, too.

**Mr. Hague** *indicated assent.*

**The Prime Minister:** There we are. So he is opposed to the new deal. So hundreds of thousands of young and unemployed people know that if they vote Tory, they will get put out of a job. It is this Government who are developing not only low interest rates and not only Bank of England independence, but £40 billion of extra spending, and the new deal is delivering jobs where the Tories delivered despair.

Q8. [72491] **Dr. Desmond Turner** (Brighton, Kemptown): Will my right hon. Friend join me in congratulating the royal commission on its report on the problems of continuing care for the elderly, caused by the acutely difficult and unsustainable system left to us by the previous Government after implementation of the Community Care (Residential Homes) Act 1993? Does he agree that the sooner the Government are able to address the recommendations of the report, with all the resource difficulties that are involved, the more grateful the British public will be?

**The Prime Minister:** We set up the royal commission and it says that it wants a full public debate on the

proposals; I hope that that takes place. We need a solution that stands the test of time. It is worth pointing out, as I am sure that my hon. Friend will acknowledge, that, in the meantime, it is this Government who have been breaking down barriers between health and social services. We are providing an extra £750 million over three years to promote rehabilitation and prevention. We have introduced the new strategy for carers, which is worth £140 million over the three years. We must have the debate on the royal commission's report. We will come out with the best affordable solution possible. If we can manage to do that, we will have undertaken a task for the country which was avoided for 18 years under the previous Government.

**Mr. Ian Taylor** (Esher and Walton): The Prime Minister may have noticed recent newspaper reports that he is considering putting some money into the international manned space station. As much as he and I might like to compare notes on which of our colleagues we would like to put into orbit, does he accept that current moneys spent on space science and earth observation are very thinly spread, and that many excellent science projects could be backed by the Government if they were prepared to put further funds at their disposal, not least the Beagle 2 Mars lander project?

**The Prime Minister:** I have a feeling that we might just agree on the people we would put up in space. I also accept the hon. Gentleman's comments. We shall make a decision on the matter in the near future. What is important is that the money that is available is put into science projects that will really bring a benefit to the United Kingdom. When we make the decision, we shall announce it, and I shall write to him.

Q9. [72492] **Miss Anne Begg** (Aberdeen, South): As you can see, Madam Speaker, as there are so many people on the Government Benches, more of us have taken to bringing our own seats.

I do not suppose that my right hon. Friend the Prime Minister has been able to see a copy of this morning's Aberdeen *Press and Journal*. If he had, he would have read that the oil price has dropped to $10.91 a barrel—which is obviously quite a concern to my constituents, as it may affect their economic well-being. Does my right hon. Friend agree that the low oil price blows a huge hole in the economic policies of the Scottish National party, and that the biggest threat to my constituents' economic future is the SNP plan to divorce Scotland from the rest of the United Kingdom?

**The Prime Minister:** Very little adds up with the SNP. However, my hon. Friend is absolutely right in pointing out that the drop in the oil price demonstrates the importance of our having a balanced economic strategy to develop the whole of the United Kingdom. The Government have not merely delivered a lower unemployment level in Scotland, more jobs for Scotland and lower mortgages for Scotland, but—if we pursue the right stable economic policies—there will be a prosperous economic future for Scotland. That would not happen under separatism or with divorce.

**Mr. Roger Gale** (North Thanet): Three or four weeks ago, the Prime Minister made great play and many soundbites about how the nation owed a debt to carers. I wrote to him about two of my constituents—one of whom is a carer, and the other of whom is her disabled husband—who are being made homeless at least in part because of a failure of his Government's Department of Social Security. When he wrote back, he told me that the money owed to them had been paid, but he did nothing and suggested nothing about how they could be prevented from being made homeless. How does he dare to claim that he cares about carers? When he answers that question, will he also tell my elderly constituent, Mrs. Hollanby—who is currently awaiting assessment of a glaucomatous condition—the difference between a pending list, a waiting list, and a waiting for a waiting list?

**The Prime Minister:** On the first point—as I wrote to the hon. Gentleman, explaining the circumstances—we have done exactly what any Government would do in those circumstances. As he rightly said, it is not correct to suggest that the situation is all the result of the Department of Social Security. Secondly, on his other point, we are putting extra money into the national health service precisely to get the waiting lists down, after years of rising waiting lists under the previous Government. I remember that when the hon. Gentleman sat on the Government Benches, waiting lists were going up year after year, and he never said a word about them.

Q10. [72493] **Judy Mallaber** (Amber Valley): Yesterday, we heard from the Health Secretary that 140,000 qualified nurses no longer work in the health service. May I tell my right hon. Friend of a nurse in my area who wants to return to work after maternity leave, but who cannot do so because the shift patterns are incompatible with her child care needs? I welcome the Health Secretary's statement that he has now told health trusts to offer family-friendly policies. Does the Prime Minister agree that all Departments should lead by example in offering and encouraging family-friendly policies, and that getting people back to work is good for families, good for the health service and good for the economy?

**The Prime Minister:** I agree entirely. The civil service is looking at how it can improve its flexibility in employing women with families, particularly younger families. My hon. Friend is right to say that a big problem in recruiting people back to nursing in the health service is the inflexibility of the present system. My right hon. Friend the Secretary of State for Health has pledged to change that. The child care tax credit and the additional money that we are putting into child care provision should also help. People must be allowed to balance the work that they need with the family that they love. That is the purpose of our policies.

## Points of Order

3.30 pm

**Mr. Ian Bruce** (South Dorset): On a point of order, Madam Speaker. I know that you deprecate this House constantly being left out of the loop on legislation. The minimum wage legislation comes into effect on 1 April, but the House has not discussed the regulations until today. The Standing Committee on Delegated Legislation is being asked to amend the Minimum Wage Act 1998 by regulations. The amended Act is then being used to make regulations. The regulations that we are being asked to pass initially are ultra vires.

Where is the Committee to go if it discovers that it cannot make the regulations that are to come into force on 1 April because the legislation is defective? The Department of Trade and Industry announced that it finished its consultations in November. Surely the House should not be asked to bring in such important regulations, which affect almost every employer in the land and a large number of employees, without proper notice to allow employers can take the necessary action.

**Mr. Nicholas Winterton** (Macclesfield): Further to that point of order, Madam Speaker. I support my hon. Friend in his point of order. At this late stage, owing to the lack of consultation, a children's charity providing holidays for children from deprived backgrounds may have to close because of the extra costs resulting from the regulations.

**Madam Speaker:** As both hon. Gentlemen know, when regulations are laid is not a matter for the Chair but a matter for the Government. The hon. Member for South Dorset (Mr. Bruce) is fully aware that I am not in charge of the business of the House. That is dealt with by the usual channels. He might approach them. As for his point about the Committee, the procedure is that in the first instance the matter must be resolved by the Committee. It is then open to the Committee to make a report to the House if it is not satisfied.

**Mr. Tam Dalyell** (Linlithgow): On a point of order, Madam Speaker. Have you had a request from the Department for International Development, the Foreign Office or the Ministry of Defence—a Department which might be involved in the oil-for-food programme—to make a statement on how the destruction of an oil pipeline might affect Iraq's ability to take advantage of the programme?

**Madam Speaker:** No, I have not had any indication that any Department is seeking to make a statement on that. The hon. Gentleman was fortunate enough to catch my eye during Prime Minister's questions, when he put a short and succinct question to the Prime Minister—one that I rather approved of, because most questions are too long. I tend to approve of his questions. On this occasion, however, he might have extended his question a little and got a little more information.

**Mr. James Paice** (South-East Cambridgeshire): On a point of order, Madam Speaker. Last Wednesday, my hon. Friend the Member for North Dorset (Mr. Walter) asked the Prime Minister when an invitation would be issued to the European Commission to send inspectors to examine our facilities before beef exports could resume. The Prime Minister replied:

"We have of course invited the inspectors"—[*Official Report*, 24 February 1999; Vol. 326, c. 386.]

That afternoon, I tabled a question to the Minister of Agriculture, Fisheries and Food asking when the invitation was issued. On Monday this week, the Minister of State, Ministry of Agriculture, Fisheries and Food said that he would reply as soon as possible.

I have a copy of a letter to the director-general of DG XXIV at the Commission from MAFF's chief veterinary officer, which was faxed to Brussels at 5.04 pm on Thursday, issuing that invitation to the inspectors. I have spoken to the recipient, who confirms that was the first that he knew of the invitation.

It seems plain to me that the Prime Minister misled the House last week, and that a panic-stricken Government rushed out an invitation the next day. Agriculture Ministers clearly do not know what is going on. Will you, Madam Speaker, instruct the Prime Minister to come to the House, apologise for his answer to my hon. Friend and tell the House and the industry what is really being done about getting the beef ban lifted?

**Madam Speaker:** I have no authority to instruct any Minister, let alone the Prime Minister, to come to the House. Opposition Front Benchers had ample opportunities today to put such questions to the Prime Minister if further elucidation was required—which it seems to have been.

## BILLS PRESENTED

### Crown Prerogatives (Parliamentary Control)

Mr. Tony Benn, supported by Mr. Norman Baker, Mr. David Davis, Mr. Tam Dalyell, Mr. Derek Foster, Mrs. Teresa Gorman, Mr. Robert Marshall-Andrews, Rev. Ian Paisley, Mr. Richard Shepherd, Mr. Alan Simpson, Mr. Dafydd Wigley and Audrey Wise, presented a Bill to make the exercise of certain Crown prerogatives subject to the assent of the House of Commons: And the same was read the First time; and ordered to be read a Second time on Friday 23 July, and to be printed [Bill 55].

### Xenotransplantation

Mr. Norman Baker presented a Bill to prohibit the transplant of living cells, tissues or organs from animals into humans: And the same was read the First time; and ordered to be read a Second time on Friday 16 April, and to be printed [Bill 56].

## Motor Accident Injury Compensation

3.36 pm

**Dr. Desmond Turner** (Brighton, Kemptown): I beg to move,

That leave be given to bring in a Bill to ensure compensation for persons injured as a result of road traffic accidents.

My Bill seeks to deal with problems that remain outstanding. First, it takes a long time to secure any compensation payments for people who have been injured in road accidents. Under the Bill, rather than waiting for years, road accident victims would receive interim compensation within three months. Secondly, all of us who drive cars and take out comprehensive insurance probably think that we are covered. We know that our passengers are covered—they can normally sue for up to half a million pounds—but, as the small print shows, cover is limited to £5,000 for all but those who are exceedingly lucky and have gold-plated policies. To those who, through no fault of their own, but as a result of an accident that cannot be pinned on anyone else, become vegetables for the rest of their lives, £5,000 is nothing in comparison with the cost of maintaining themselves and, perhaps, their families for the rest of what would have been their working lives. The cover, such as it is, is grossly inadequate. Thirdly, there is the possibility of total evasion of any responsibility for the consequences of an accident.

Let me give a simple example. Let us suppose that someone driving down the high street is unfortunate enough to suffer a heart attack, become unconscious and accidentally drive the car into a bus queue, killing half the people in it. As the law stands, that person's insurance company can deny all liability, because the person was not in control at the time of the accident, and therefore cannot be blamed. The whole culture of blame leads to a great deal of hardship—not, fortunately, for a massive number of people, but the results can be stressful and harrowing for individuals, groups of individuals and families who are caught out.

It has long been recognised that a serious problem exists. A few years ago, the Lord Chancellor's Department took that problem seriously enough to issue a report that considered ways of tackling it. One suggestion was the establishment of a no-fault compensation fund. That suggestion did not find much favour. It was the first solution that occurred to me, but, as soon as I discussed it with others, I realised that it would get nowhere. I have approached the matter by way of the conventional structure of insurance.

Two constituency examples illustrate the problems that I have in mind. In one case, a young woman, her husband, her sister and her sister's husband were driving home from the weekly supermarket shopping when they were in collision with a police van, which veered on to the wrong side of the road and hit them head on. All the family were seriously injured and laid off from work for months on end. The young woman driving the car lost her baby—which was due in a month's time—and had to be hysterectomised to save her life because of her critical condition.

For two months, the driver of the vehicle—who was to be prosecuted for dangerous driving—tried the automatism defence. He tried to pretend that instead of having simply fallen asleep at the wheel, he had suffered a blackout because of a previously undiagnosed brain problem. Had he succeeded, the insurance company would not have accepted any liability or paid any compensation.

Fortunately, the family were able to keep their home. They had no way of making their mortgage payments and ran into heavy mortgage arrears. They were able to keep their home only with the support of friends and family. In addition to suffering horrendous physical injuries, enormous physical stress and emotional trauma, they had enormous financial stress. It is those stress factors and inadequacies that I wish to remove.

The second example is of a man who, while driving along the motorway, fell asleep at the wheel. He ended upside down, and is now a paraplegic. He does not contest the fact that it was his fault, but he now requires a total 24-hour care package from the local authority, and he must be housed at the expense of the state. The costs to the state over his life will be probably about £1 million. If an insurance system equivalent to the one that I am proposing had been in operation, the costs would have been borne by insurance, instead of being picked up by the state.

I propose, first, that there should be interim compensation payments within three months of an accident and, secondly, that automatism should be eliminated as an excuse for evading liability in road accidents. To finance the system, there should be compulsory appropriate first-party cover in motor insurance. I have talked to the Association of British Insurers, which could live with such a system and would be happy to operate it.

Everyone has reservations about increases in insurance premiums, but they would not be outrageous—they would be of the order of 5 per cent., and up to an absolute maximum of 10 per cent. For that, people would have the peace of mind of knowing that they and their family were totally covered. We would not have a situation where everyone could walk away from an accident, leave a mess and deny liability.

I fear that the proposal does not have Government support. We are not at loggerheads—it is much more polite than that. However, there is difficulty, because the proposal is thought to be no-fault compensation. It is not. It is no different in principle from the way in which we regard the insurance of the car.

We are quite happy to deal with the bent metal through the insurance mechanism, but not the bent people. The Bill advocates dealing properly with the bent people. It will save enormous problems for the few—we hope—who suffer very badly. It is workable and cost-sustainable and I think that it will save considerable public expenditure.

The problem will not go away, and, even if I cannot persuade my noble Friend the Lord Chancellor to lift his objections this Session, I hope that the Government will consider the matter seriously in the near future, so that we can resolve it.

*Question put and agreed to.*

Bill ordered to be brought in by Dr. Desmond Turner, Mr. Michael Jabez Foster, Mr. David Lepper, Mr. Ivor Caplin, Mr. Paul Flynn, Mr. Robert Marshall-Andrews and Dr. Michael Clark.

MOTOR ACCIDENT INJURY COMPENSATION

Dr. Desmond Turner accordingly presented a Bill to ensure compensation for persons injured as a result of road traffic accidents: And the same was read the First time; and ordered to be read a Second time on Friday 19 March, and to be printed [Bill 57].

# Orders of the Day

## House of Lords Bill

*Considered in Committee [Progress 16 February].*

[SIR ALAN HASELHURST *in the Chair*]

### Clause 2

REMOVAL OF DISQUALIFICATIONS IN RELATION TO THE HOUSE OF COMMONS

*Question proposed,* That the clause stand part of the Bill.

3.46 pm

**The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon):** As it has been agreed that clause 1 should stand part of the Bill, the remaining clauses should fall naturally into place as consequences of it. Clause 2 deals with the fact that, under the common law, confirmed in the case concerning Bristol, South-East in 1964 and my right hon. Friend who is now the Member for Chesterfield (Mr. Benn), peers are prevented from voting in elections to the House of Commons and from standing as candidates.

The clause allows hereditary peers to vote in parliamentary elections and to stand for election to, and be Members of, the House of Commons. It is an appropriate response to their loss of the right to sit personally in Parliament by reason of their hereditary peerages.

Some of the disadvantages, as well as the privileges, of peerage are tied to membership of the House of Lords. The excusing by right of peers from jury service, for example, is a statutory bar arising from their membership of the House. That will lapse with their loss of membership of the House of Lords.

It was confirmed, however, in the case fought by my right hon. Friend the Member for Chesterfield, as he reminded us on Second Reading, that some of the attributes of peerage are found in the blood. The status of not being a commoner, and being therefore ineligible to have any direct connection with the House of Commons, is one of them, so it is necessary to overturn, by statute, peers' inability to vote, stand or sit. The rights will not flow automatically from the loss of membership of the House of Lords.

That is the purpose of the clause and I do not think that anyone, in fairness, could object to it. I should add for the sake of completeness that clause 4(3) contains the transitional provisions needed to ensure that effect can be given to the clause by the time that the 2000-01 electoral register comes into force.

**Mr. Dominic Grieve** (Beaconsfield): I do not dissociate myself in any way from the thrust of the clause, but a question arises on which I would appreciate the Minister's views. The hereditary peers will be allowed to vote at future general elections, but they are summoned to Parliament personally for the duration of the Parliament and, being at the present Parliament, they are deprived of the right to vote because they represent themselves. Is there not a serious constitutional anomaly concerning their

civic rights if they are deprived of their right to sit in another place halfway through a Parliament and not at the end of it?

**Mr. Hoon:** I was about to deal with that point. If the hon. Gentleman reads clause 4(3), he will see that we propose that the Secretary of State may by order make such transitional provisions as he considers appropriate about the entitlement of holders of hereditary peerages to vote at elections for the House of Commons or for the European Parliament. That provision is to deal with precisely the situation that the hon. Gentleman describes. It would allow the Home Secretary to make appropriate provision to allow those hereditary peers who have lost their right to sit in the other place to be included on electoral registers in time for them both to vote and stand before any subsequent general election. That is why clause 4(3) has been included in the Bill.

**Mr. Grieve:** I follow the Minister's argument, but it does not get round the problem: the peers will be disfranchised for the remainder of this Parliament from having representation, either in the upper House by themselves, or in this House by virtue of having been able to exercise their right to vote at the general election. That would be a serious denial of civic rights to 759 people. I would be interested to hear the rationale behind the proposal, and the Minister's view on that point, which I have made on several occasions to the Leader of the House without getting a reply.

**Mr. Hoon:** The hon. Gentleman is making heavy weather of this. As a distinguished lawyer, he will know that it is not usually appropriate for Parliament to legislate retrospectively, which is what he suggests. If we were to remedy the problem that he describes, we would change the rules retrospectively and, if we did that, he would be the first to challenge us.

**Mr. Grieve:** I was not suggesting that we should alter matters retrospectively. My point was that, to keep an equality of civic rights, the measure to deprive the hereditary peers of their right to sit should come into force at the end of a Parliament, when they can then vote for the election of a new one.

**Mr. Hoon:** As I have said, the provision in clause 4(3), if accepted by the Committee and ultimately by the House, will allow transitional provisions to be made that will give the hereditary peers the opportunity to vote in any subsequent general and European elections. That seems to me to be an appropriate response to the problem the hon. Gentleman describes.

**Mr. Robert Maclennan** (Caithness, Sutherland and Easter Ross): In the event of the Government accepting the Cranborne proposition, will it follow that clause 2 would also have to be amended, or would any hereditary peers sitting as a result be disqualified from voting or being elected to this House?

**Mr. Hoon:** The right hon. Gentleman tempts me to speculate about an amendment that may or may not be accepted by the other place or by this House. It would not be wise for me to follow his speculation, but I would say that it is not clear—if such a proposition were to be accepted—whether those peers would sit by virtue of their hereditary peerages or as a result of some other mechanism.

**Mr. Nigel Evans** (Ribble Valley): I understood fully the Minister's response to my hon. Friend the Member for Beaconsfield (Mr. Grieve), but it does not get round the problem. Nobody is asking for retrospective legislation—rather, we are asking for fairness in legislation, although I can see the Minister scoffing at the mere suggestion that we might request that the legislation should be fair. The peers could not vote at the general election because they had representation in their own right in the other place. That will be taken away before the next election and they will have been denied their human and civic rights to vote for people to represent them in this House.

**Mr. Hoon:** Is not the answer to the hon. Gentleman's problem the fact that the peers have been enjoying rights in the House of Lords since the general election and will continue to enjoy those rights unless and until the Bill is passed?

**Mr. Evans:** The point at issue is the date on which the Bill will be enacted, and on which the hereditary peers will be denied their right to sit and vote in the other place. We suggest that the natural time at which that should occur would be the next general election when they could use their civic right to vote for representation in the House of Commons. That is fairness. The Minister must appreciate that the timing of the Bill's enactment as currently planned will mean that 700 or so peers who are not part of any arrangement by which some hereditary peers may sit as life peers after the Bill is passed, will have lost their right to vote for representation in this Parliament.

No one denies the simplicity of clause 2, but questions arise because the Leader of the House has said that she is minded to accept at some stage an amendment tabled by Lord Weatherill or others in the other place that would allow a certain number of the present hereditary peers to remain after the Bill becomes an Act. Three questions arise, and I should like the Minister to deal with them.

First, what will happen in the other place to those who will be among the 91, or any other number, who are retained?

**Dr. George Turner** (North-West Norfolk): On a point of order, Sir Alan. I have become used to the idea that hon. Members must address the business of the Committee as listed on the amendment paper. Must we endure hour after hour of "what ifs", or of matters that may arise at a later date? Would you make it clear to the Committee whether hypothetical questions such as those being put by the hon. Member for Ribble Valley (Mr. Evans) are properly the business of the Committee today?

**Mr. Andrew Tyrie** (Chichester): On a point of order, Sir Alan.

**The Chairman of Ways and Means (Sir Alan Haselhurst):** Let me deal first with the first point of order.

I have heard nothing out of order. The questions raised are matters of debate. I am concerned to ensure that points made are relevant to the Question before the Committee.

*[Sir Alan Haselhurst]*

There is, conceivably, some overlap between the points being made on clause 2 stand part and matters that we may reach when we consider clause 4. However, I am satisfied at the moment that all that has been said has been in order.

**Mr. Evans:** Thank you, Mr. Deputy Speaker.

**The Chairman:** Order. The hon. Gentleman may have been led astray, so I should mention that we are in Committee.

**Mr. Evans:** Thank you, Sir Alan.

**Mr. Nigel Griffiths** (Edinburgh, South): What happened to the other point of order?

**Mr. Evans:** The point of order has been more than adequately dealt with. Labour Members like to close down debate whenever they can, but the House of Commons is here to scrutinise the Bill before us. If we cannot do so here, where can we do so?

**Mr. Tyrie:** Has not the problem that we have just encountered arisen as a direct result of our having before the Committee a Bill which will almost certainly be amended in the other place? We are not being given the opportunity to debate what it is almost certainly the Government's intention to put on to the statute book.

**The Chairman:** Order. This is not a debate about a debate. It is about clause 2.

**Mr. Evans:** In that case, I shall add nothing to my hon. Friend's excellent intervention, Sir Alan.

Clause 2 is about a certain number of people who will retain their titles, but lose their rights to sit and vote in the other place. However, a number of hereditary peers will receive sitting and voting rights after the Bill becomes an Act. However great that number may be, does the simplicity of the clause mean that those peers will have no right to vote at a general election because they are continuing to represent themselves in the other place?

The second question relates to the number of peers who will be elected by other peers in the other place. A number of hereditary peers will help to elect a group of peers who will remain in the upper House for some indeterminate period of time. We do not know when stage 2 will come about. We are talking only about a transitional House, which could be with us for a long time. We simply do not know how long it will exist. There is the example of other changes, such as that of 1911. It took 88 years for us to get round to this reform. Who is to say that it will not be a further 88 years before we get round to the reform now proposed?

4 pm

Will the hereditaries who will be able to vote for other hereditaries to remain in the Lords be allowed to vote at general elections and or even stand for this House, even though they will have helped to elect legislators for the other place? That is a straightforward question, but it is one of the anomalies thrown up by clause 2. Such peers will be allowed to vote once for a group of people in the upper House and once for someone in this House. The Minister may say that that will affect only those who vote in the election for hereditary representatives. All hereditaries will be eligible to vote for the peers to remain in the upper House, but some may not take up their voting rights. Is the Minister about to say that peers who vote for legislators in the upper House cannot stand for this House or vote for legislators in the lower House? If they do not take part in the first election, will they have full rights? That would mean that they would vote only once, for Members of this place.

The Minister and the Leader of the House think that this is a simple Bill, but it has not been thought through. As with many of the constitutional changes, the Government have not fully considered its effects. Will the Minister direct his attention to some of the anomalies raised by clause 2?

**Mr. Douglas Hogg** (Sleaford and North Hykeham): This is the first time that I have participated in a debate on the second Chamber. I have an interest to declare in that, in the fullness of time, I stand to inherit a hereditary peerage and could benefit from the provisions of clause 2 as drafted. I therefore have a personal interest in it, which I make plain. You will perhaps forgive me, Sir Alan, if I do not declare that interest in every debate in which I might subsequently participate.

I wish to support what my hon. Friends have said, but first I want to tell the Minister that I broadly support clause 2. I have long thought that the second Chamber needed fundamental reform. I believe that we should start with functions. Its powers need to be substantially increased so as to be a check on this House. That can be done only if we are prepared to confer proper legitimacy on it. I favour a second Chamber that is wholly, or very largely, directly elected. The consequence of that is that I support clause 2 as a natural corollary of my general position.

I come now to the personal point, which causes great concern. It is known that the Weatherill amendment—or is it the Cranborne amendment?—may well receive sympathetic attention from the Government. I would be deeply concerned if, as a consequence of creating a college of hereditary peers capable of electing 91 or any other number of representative peers in the second Chamber, people such as myself who may wish to remain a Member of this House, but still take a peerage, would find ourselves disfranchised or disabled from doing so. That point was made by the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) and my hon. Friend the Member for Ribble Valley (Mr. Evans). The Government must address it, because people such as myself would be deeply distressed if the consequence of accepting the Cranborne-Weatherill amendment was disapplication of the provisions of clause 2 to persons such as me and one or two other right hon. and hon. Members.

I have one other point in support of what my hon. Friend the Member for Ribble Valley said. There will have to be some amendment to clause 2 if we accept the Cranborne-Weatherill amendment. Once we create a college of hereditary peers who elect representative hereditary peers to sit pro tem in the other place, unless we disqualify that group—those who are in the electoral college—we shall have given them two votes. We shall

have given them the ability to vote within the electoral college for representative peers as well as to vote for people in this House.

**Mr. Tyrie:** It could not happen to a better group.

**Mr. Hogg:** That may be so, but the question whether it is democratic is one to which the Committee must turn its attention.

So I have a personal interest that I do not seek to conceal. I do not wish to find myself unable to take advantage of clause 2 should I decide to do so. There is a serious problem. It cannot be resolved finally today, but I hope that the Minister of State will understand the force of the arguments that my hon. Friend the Member for Ribble Valley, the right hon. Member for Caithness, Sutherland and Easter Ross and I have made and that he will deal with the problem should the Cranborne amendment be moved and accepted.

**Mr. Mark Fisher** (Stoke-on-Trent, Central): It is a great pleasure to follow the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). I agree with a great deal of what he said. I was interested by his choice of words in his initial remark: he said that he was one of those who would benefit from the Bill. Anyone who believes in democracy will agree with him. He will be relieved of the duty to go and sit in another place. He will be able to continue sitting and speaking in a democratic Chamber chosen by the people of a constituency and to be accountable to them. The things that go to the heart are the things which we value most in our democracy.

If the right hon. and learned Gentleman will benefit, it follows that those who are left in the other Chamber—the life peers chosen not by heredity but by patronage—will be at a distinct democratic disadvantage. The clause discriminates against life peers if we believe, as I do and the right hon. and learned Gentleman does, that to sit in a democratic Chamber is an advantage, a benefit and a precious right. The condemnation of people in the other House to be the only people in our democracy who are not part of it is something which the House ought to consider before it proceeds with the Bill.

Like the right hon. and learned Gentleman, I think that the Bill is a fine and historic piece of legislation. I agree specifically with the clause in so far as it advances the argument. However, it has the unfortunate consequence of, probably inadvertently, disadvantaging life peers. Hereditary peers gain enormously from the clause, as the right hon. and learned Gentleman said. They become electors. They become eligible for election. They can be chosen by vote. They will sit in this House, which is about as great a privilege as anyone can have in our democracy. But the life peers will not be chosen by the people and be accountable to them. They will be chosen by oligarchs. They will be chosen by the few—oligos. That is an extremely sad and wrong position for them to be in. It is extraordinary for this House, as a result of a reform taking us into the 21st century, to be creating a new oligarchy—that is what the new electoral college will be, and that is wrong. It can be put right. The Bill is not the end of the story.

I hope that when my hon. Friend the Minister replies he will emphasise that when the royal commission looks at the next stage it will be able to correct the inadvertent defects and consequences of the clause and the Bill. If he does not, and if the royal commission decides that the second Chamber will not be part of our democracy, because it is not directly and democratically elected but chosen by oligarchs, that will be wholly wrong and we should be extremely wary of that. In my view, and that of many hon. Members on both sides of the Committee, we shall have reformed one enormous defect of the other place—its hereditary principle—but not the other great defect, which is that the second Chamber is neither chosen by, nor directly accountable to, the people of this country. It is not part of our direct democracy.

I hope that my hon. Friend the Minister will give the Committee some reassurance that Lord Wakeham and the royal commission will give that matter serious consideration. One of the commission's options, as laid out in the White Paper, is to consider a directly elected Chamber that would avoid any taint of oligarchy. Only then can Members of that Chamber benefit in the way that the right hon. and learned Member for Sleaford and North Hykeham rightly tells us he, too, will benefit.

**Mr. Grieve:** I endorse most of the sentiments expressed by the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) and the remarks about the long-term issues that the Committee must address. We are concerned with stage 1—we hope that it will be a stage 1 and not, as I greatly fear, a prolonged stage during which we become bogged down considering what should happen next. It is an interesting reflection of the bizarre way in which we are going about the process that we end up with all those small but important points, such as the one made by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg). If the Weatherill amendment were to be accepted—as we have been told that it will—we would end up with the potential anomaly of Members of the House of Lords having two votes.

**Mr. Oliver Letwin** (West Dorset): Does my hon. Friend agree that what we have been told is that the amendment will be accepted if the Government get their way and succeed in parliamentary blackmail against their lordships?

**Mr. Grieve:** I agree with my hon. Friend. Perhaps I was presuming the success of the blackmailing tactics that the Government might employ. Based on the words of the President of the Council, I must accept that there is an intention, in certain circumstances, to accept that amendment. In that case, a number of bizarre constitutional anomalies will be created, whereby certain hereditary peers will be given the right to elect representatives in both the other House and this place unless an adjustment is made.

I should like to drag the Minister back to the point that I made in my intervention. It is only a small point, but the Government seem to have made a notable attempt to slip away from the central thrust of the matter and not to address my point properly. When the Bill is passed, there will be a most peculiar anomaly: hereditary peers who did not have the right to vote at the last election, because they had the right to represent themselves for the duration of the coming Parliament, will lose that right halfway through that Parliament without ever having had any right to influence the formation of the House of Commons. It might be said that the numbers are so small and

*[Mr. Grieve]*

insignificant in relation to the total electorate that that does not matter; or that, even if it does matter, the Government have decided in their wisdom that it should not matter, because they consider it to be an accident and that they cannot make an omelette without breaking eggs. I should be grateful if the Minister would tell the Committee if that is the case.

I can recall a number of results in the last election that might well have been different if the total number of hereditary peers living in particular constituencies had had the right to vote—for example, Winchester, which is stuffed full of hereditary peers and where, after the first count, the majority was only two. The matter is not completely academic.

A principle is involved. Not long ago, we incorporated the European convention on human rights, which has a specific clause about the need for fairness in elections and for the legislature to reflect the will and the expression of the will of the electorate. We are breaking that convention and I want to know why it is so necessary to do so in the middle of a Parliament, whereas the proper procedure would be for the changes to come about at the end of a Parliament. If we did that, we could roll stages 1 and 2 into a single process. We could establish the clear principle that the hereditary peers will go by legislating now on stage 1 and then move on to stage 2.

I have raised a legitimate point, and I would like an explanation of why certain people's civic rights will be discarded arbitrarily by this legislation.

4.15 pm

**Mr. Alan Hurst** (Braintree): Several interesting points have been raised in this discussion—notably by the hon. Member for Beaconsfield (Mr. Grieve), who has just spoken. It should be possible to deal with the fairly minor anomaly of losing a position in the House of Lords as a result of the hereditary principle and then having the right to vote in a democratic election. If my memory serves me correctly, peers of the realm appear on electoral registers so that they may vote in local authority and European elections. Therefore, it should be relatively simple to amend the process, as the procedure and the lists are already in place.

On the point about how many hereditary peers may be affected, I believe that there are some six or seven peers in my division—some of whom may be life peers. While I am never over-confident about election outcomes, just as the law does not take account of trifles, we should sometimes be bolder in our analysis of how things turn out. That issue can be dealt with.

I could not follow—it may be my fault—the point raised by my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher), who said that life peers would be disadvantaged by the present proposals. I cannot understand why that should be so. If life peers are to remain in the upper House—I believe that the upper House should not comprise any peers at all, but that is a matter for another day—they will presumably have chosen to go to that place. In that sense, they are in a different position from hereditary peers, who are there as a result of the consequences of history and their ancestors.

**Mr. Fisher:** Is it not true that life peers chose to join an hereditary House that comprised a vast majority of hereditary peers? Many life peers chose to move to the upper House in an attempt to dilute the influence in another place and act as a democratic restraint upon an hereditary House. Many would not have chosen to go to the other place if they had known that it would be democratically elected in the future. Many life peers came from this place and a lifetime of representing and being accountable to people. They benefited from and cherish democracy, and they went to the other place only as a second-best option when their time had passed here.

**Mr. Hurst:** That may be so in part—it is not possible to read the motives of each appointment to the upper House over time, or to say whether people went to the other place to dilute the influence of hereditary peers or as a last resort because their careers were slipping. It is difficult to analyse the reasons at this stage. In any event, if hereditary peers are removed, by numbers alone the upper House will become more powerful because of the nature of those who then constitute it. If men and women go to the other place as life peers, and hereditary peers disappear from the Chamber, the influence of the former group will be much greater.

**Mr. Hogg:** I have a great deal of sympathy with the hon. Gentleman's remarks about life peers—they have made a choice. However, the hon. Gentleman should also bear in mind the fact that Ministers have adopted a different approach regarding hereditary peers of the first creation, of whom there is at least one in the House of Lords at present, the noble Lord Whitelaw. As I understand it, he is able to take advantage of clause 2—although he has chosen to be an hereditary peer—whereas the great class of life peers cannot. There is already a distinction.

**Mr. Hurst:** I take the right hon. and learned Gentleman's point. I am sure that my Front-Bench colleagues will have noted his concerns, which may be dealt with in detail when the Bill returns from the House of Lords. In many ways, our debate on this clause is hypothetical, because we are assuming that certain changes will be made in the upper Chamber, and that they will be accepted when the Bill returns here. It is not for me to suggest whether we are straying from the confines of the matter before us, but in many ways we are speculating about what may occur.

Those points may be dealt with in due course, but I remain unconvinced by the argument of my hon. Friend the Member for Stoke-on-Trent, Central that life peers will be disadvantaged. I should have thought that they would be advantaged by the current proposals if we then moved on to having an elected upper House, which I trust we would not. If we took that course, it might be open to them to disclaim their life peerages.

**The Chairman:** Order. The hon. Gentleman has been of assistance in pointing out to the Committee something that I must now emphasise. Although it is possible to anticipate certain changes, there will be a proper place to deal with them in detail, and the Committee might deny the House the opportunity of doing so at the proper length and in the proper detail if too much is said now. If certain changes are made in the other place, they will come to

this place and there will be an opportunity for debate and amendment, so I am not minded to allow this debate to run on endlessly.

**Mr. Eric Forth** (Bromley and Chislehurst): Bearing in mind what you have just said, Sir Alan, it strikes me that nothing could illustrate better the difficulty in which we find ourselves than the comments of my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg). We seem to be debating a clause on the assumption that it will end up being different, and that gives the debate a rather unreal quality. However, we must deal with that.

We seem to be saying that under clause 2, hereditary peers would be able to vote for candidates for the House of Commons, stand as candidates for the House of Commons and, if there were an election in the upper House, vote for their equals to become members of a category that we have not yet defined and which may or may not exist. We are now considering the possibility of hereditary peers taking part in a series of democratic processes that are oddly unrelated.

Making sense of the Bill, giving it coherence and setting it in the context of what we believe to be stage 1—never mind any stage that may lie beyond—is proving rather difficult for me and, I suspect, for most hon. Members present. The hon. Member for Braintree (Mr. Hurst) illustrated that point well. We shall now be asked to approve of the clause although we have the strong suspicion that it will be irrelevant sooner or later. That is an unusual position in which to put a Committee. We usually legislate in good faith and respond to what the Government of the day or hon. Members have to say about a Bill on the assumption that what we see is what we will get, but here we are faced with the odd situation of being pretty certain that what we see is not what we will get. We shall end up with something different.

Dealing satisfactorily with that question is a difficult proposition. We shall be guided, of course, by you, Sir Alan, and you will keep us on the straight and narrow. However, because we shall be kept on the straight and narrow, and the problem will recur throughout our deliberations on the Bill, we must ask ourselves how valid or legitimate our deliberations can be given the circumstances in which we find ourselves and the Government's threat or promise—I am not sure which it is—about what may or may not happen when the Bill leaves here and goes to the other place. That question is left hanging over us.

I have another difficulty on which I would be grateful for guidance from the Minister. I am left wondering whether the Minister is absolutely satisfied as to the propriety of the procedures set out in this clause, and in the Bill so far as we know it, should there be an election at any time between now and the expiry of the five-year fixed maximum term of this Parliament.

It is possible to conceive of circumstances in which an election called by the Prime Minister might intervene at one stage or another of the proposals on which we are deliberating.

**Mr. Hogg:** My right hon. Friend is making a serious judgment, and he is right to do so. The transitional arrangements, which are set out later in the Bill, and which would, if enacted, give hereditary peers the right to vote in elections, are permissive, not mandatory. If we want to ensure that, if the Bill is passed, hereditary peers have a right to vote and so on, the provisions that we will address later need to be mandatory rather than permissive.

**Mr. Forth:** I am grateful to my right hon. and learned Friend. I shall of course take into account what he says, although I will not pursue it at this stage, Sir Alan, because you might take a rather dim view of my doing so. I hope for guidance from the Minister at this stage, as this point will become relevant later.

I hope that the Minister will be able to tell us where he feels the calling of a general election by the Prime Minister would leave the Bill, in whatever stage we had reached in our deliberations of it or with regard to stages 1 and 2 or whatever. I say that with particular reference to the point made by my right hon. and learned Friend the Member for Sleaford and North Hykeham in respect of safeguarding the rights of Members of the present upper House when they might be being changed by the Bill. We would want to make sure that they would still be validated in the event of an election being called, perhaps unexpectedly, for reasons that none of us can know now, perhaps not even the Prime Minister. It is an important point.

It is peculiar to our electoral arrangements that the Prime Minister has the power to call an election at any time. As soon as we start—

**The Chairman:** Order. I have been listening carefully to the right hon. Gentleman. Essentially, what he is saying is more suitable for a Third Reading debate rather than for the clause 2 stand part debate, because of its wide applicability.

**Mr. Forth:** I am grateful, Sir Alan. I shall not pursue the matter, but I was making my point in the context of the words "voting at elections". I have probably made my point sufficiently, and the Minister has understood it. I may return to the issue at a later stage, as you suggest.

All I wanted to say is that we are in difficult waters, so it is especially important that the Minister should guide us at this stage and explain how he sees matters developing. In that way, we might have a better context in which to conduct our subsequent debates; we might be better informed and, I hope, reassured that nothing in the Bill will create difficulties not foreseen by the Government and not covered either by subsequent amendments or by the text of the Bill itself. They are the reassurances that I seek at this stage, and I look forward to the Minister giving them.

4.30 pm

**Dr. George Turner:** I shall make two points. First, I am surprised that the Committee wants to waste time now discussing business which might properly be conducted later. If we were hearing complaints from the Opposition that the Government were not giving sufficient time to discuss something which was before the Committee because it had been moved as an amendment in another place, I should have considerable sympathy with them because I do not think that constitutional changes should be made without proper debate. However, what we are achieving—

**Mr. Forth:** On a point of order, Sir Alan. Will you confirm that we cannot conceivably be wasting time

*[Mr. Forth]*

unless you were to tell us that we were doing so, and that this is a legitimate debate, and will continue to be so for as long as you are guiding us and permitting it to continue?

**The Chairman:** The right hon. Member slightly anticipates me. I was hoping that the hon. Member for North-West Norfolk (Dr. Turner) was not inadvertently implying criticism of the Chair for allowing this debate to take place. Clearly, all that I have heard has been in order. I have given the Committee a ruling on the limits of this debate, but it is a perfectly legitimate debate.

**Dr. Turner:** I was not disputing your ruling, Sir Alan; I was trying to support the one that you have just made. You suggested that, if we prolonged this debate, it may prevent time from being allocated to a more appropriate debate. I was simply urging through you, Sir Alan, my right hon. and hon. Friends on the Front Bench not to waste too much time on such a hypothetical matter.

Opposition Members are seeking to protect the privileged few, who for many years, as well as the first two years of this Parliament, have been able to vote on legislation without having been democratically elected. I know that many Labour Members believe that an end to such privilege cannot come too soon. Any injustice that results in a lack of representation in this House, but not elsewhere, for only one half or two thirds of a Parliament is minor indeed compared with the privilege that many families have enjoyed for centuries.

**Mr. Hogg:** The hon. Gentleman has done an injustice to what has been said from the Opposition Benches. I can only assume that he has not been listening very carefully. I do not particularly blame him for that. I, for one, am not defending the hereditary peerage. I want an elected Chamber. I know that that is the view of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and my hon. Friend the Member for Beaconsfield (Mr. Grieve), as it is of my hon. Friend the Member for Chichester (Mr. Tyrie), who will seek to catch your eye, Sir Alan. To argue that we are seeking to protect entrenched interests in the other place is to misunderstand what has been said in this debate.

**Dr. Turner:** My mother used to say, "Watch and see what they do, as well as what they say." Opposition Members have been in favour of reform of the other place for 80 years, but it has not happened yet. I want to ensure that it happens in this Parliament. Those who seek to delay such reform are, like their party for most of this century, seeking to protect the privileged few. This House needs to get on with the Bill, and agree this clause.

**Mr. David Winnick** (Walsall, North): Conservative Members say that they are not defending the hereditary principle, but during the 18 years—let alone before then—in which they were in government, not a single step was taken to do away with it. How have they suddenly become so radical?

**Dr. Turner:** My hon. Friend answers his own question. I have heard very little from Conservative Members about their great concern to reform the other place.

**Mr. Martin Linton** (Battersea): On the alleged disfranchisement of hereditary peers for part of this Parliament, does my hon. Friend agree that they knew at the election that their right to vote and sit in the Lords may be abolished? Indeed, they have known that that was Parliament's intention since 1911, from the preamble to the Parliament Act. Did they not know that when they claimed their peerages? Have they not, since 1963, had the right to disclaim their peerages and stand for and be elected to the House of Commons?

**Dr. Turner:** My hon. Friend's point is valid.

The driving principle behind my strong support for this measure in our manifesto is that, without reform of the other place, and from what I have seen in the short time that I have been in this place, we would get but a fraction of our business through in the final two years of this Parliament, and therefore fail to deliver on our manifesto commitments. That was well illustrated in the past 12 months. The sooner that this Bill is enacted—and I support this clause as part of it—the better.

**Mr. Desmond Swayne** (New Forest, West): My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) was concerned that the debate had been, if not constrained, certainly coloured by potential hypothetical amendments which may be introduced in another place. That is not so much anomalous as absurd and insulting, because such amendments were tabled by me and my hon. Friends the Members for Epping Forest (Mrs. Laing), for Beaconsfield (Mr. Grieve) and for Tewkesbury (Mr. Robertson), and rejected by the Committee. That should be the end of the matter. It strikes me as odd that we should continue as though that had not happened.

My hon. Friend the Member for Beaconsfield pointed out the injustice that hereditary peers would suffer, certainly for the remainder of the Parliament, if they were, in effect, disfranchised. The hon. Member for Braintree (Mr. Hurst) discounted that on the ground that their votes would have been unlikely to affect the result in any way. With the greatest respect, I do not think that that is the point.

I know that the hon. Member for Braintree is something of an enthusiast for the British electoral system, of which we enjoy the benefits now, and has suspicions about continental intrusions into that system. One of the arguments which is advanced for such intrusions is that, if one casts a vote that is not for the winning candidate, it is, in effect, a wasted vote. I fear that, by discounting the votes of hereditary peers in that manner, the hon. Gentleman is playing into the hands of his enemies on the central question of the validity of our electoral system.

The hon. Member for Battersea (Mr. Linton) went even further and suggested that, as the hereditaries had known for some time that the reform was liable to happen, they could accept that jeopardy. In a democracy, it is important that the system should be seen to be principled and fair. The obvious remedy is to delay implementation of the measure until the end of the Parliament.

**Mr. Linton:** Does the hon. Gentleman accept that, since 1963, hereditary peers could have voted in general elections or stood for election to Parliament simply by disclaiming their peerages?

**Mr. Swayne:** That is true, but those peers had no wish to do so. It is absurd to say they should have done so in anticipation of a measure such as clause 2.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) said that his potential support for a measure such as clause 2 was conditioned by his enthusiasm to see the other House strengthened, that that required an elected House, for which the clause was an important corollary, and that that was an argument for supporting the clause. I am rather persuaded by that argument, but I have reservations.

One reservation is that perhaps we are projecting into the other House desires that should be focused on the House of Commons. By projecting those desires into the potential strength of another House, we may undermine the coherence of the entire constitution. I remain to be persuaded of the argument of my right hon. and learned Friend.

Many Members—certainly many Conservative Members—have drawn attention to the independent nature of members of the hereditary peerage, but the clause would give those independent members a means of standing for the House of Commons, of improving the independent-minded nature of its Members and, therefore, the overall quality of Members' scrutiny. My view of that argument is that it will take a long time to take effect, whereas, very shortly, we shall be deprived of the independent views of hereditary peers in the other place. I prefer the principle that we should not change what we have before we know precisely with what we are replacing it. For that reason, I am against the clause standing part of the Bill.

**Mr. Tyrie:** To take up some of the detailed points which have been made, my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) pointed out that the transitional arrangements in clause 4 were permissive and not mandatory. I shall be grateful if the Minister will explain why that is so and why the arrangement cannot be made mandatory. Is this in any way connected with the possibility that another clause will be added in another place? This clause may be sitting here to enable the Bill to go through later, with the addition of the Weatherill amendment.

Anomalies have been raised in respect of people finding themselves in a privileged position for a brief period in the other place if the Bill is passed. One way of dealing with that is to consider delaying implementation until the end of the Parliament, rather than the end of the Session.

**The Chairman:** Order. The hon. Gentleman will be aware that I have selected an amendment, which I expect to call later, about commencement and duration. I therefore counsel him not to refer to those matters now. It would be inappropriate to do so and it would not enable the hon. Gentleman to expand on them very much under a further group of amendments. I think that he is raising matters that should be left until later.

**Mr. Tyrie:** May I point out, Sir Alan, that the anomalies derive from clause 2 and that there is an inevitable interaction between clauses 2 and 4 in that respect? It is inconceivable that we should discuss how to go about implementing clause 2 without considering the transitional arrangements. Such arrangements are integral to the problem. However, I shall not pursue the matter. I merely say that, if we were to follow your ruling to its conclusion, we would be required to debate part of clause 2 when considering clause 4, which I think would be equally messy.

**The Chairman:** Order. On another interpretation, I would have to rule that we are debating the Bill as it is, not as it might become. There will be an opportunity, as there is in any bicameral system, for the House of Commons to face other proposals at a later stage. There is nothing new in that. I have allowed a stand part debate on clause 2 on the understanding that it is a general debate by virtue of being a stand part debate. Other details will be dealt with under my selection of amendments.

**Mr. Tyrie:** Thank you, Sir Alan, for your ruling. As I said a moment ago, I was not intending to pursue the matter any further. However, I would be grateful to receive an answer from the Minister.

Clause 2 will remove the common law disqualifications on hereditary peers to sit in the House of Commons or to vote in general elections. A more drastic approach that hereditary peers can take is to exercise their right to renounce their peerages under the Peerage Act 1963. That route was opened up—it has already been discussed this afternoon to a degree—after a struggle by the right hon. Member for Chesterfield (Mr. Benn), who is not in his place, Alec Douglas-Home and Quintin Hogg, the father of my right hon. and learned Friend the Member for Sleaford and North Hykeham. They all decided that the House of Commons was a better place than the Lords to pursue a political career. In a way, this is a nobler place, because it carries democratic legitimacy.

This is not a suitable opportunity to debate those matters, and I do not intend to do so. I merely say that the interim House may find itself so shorn of credibility and so evidently a patronage-dominated House that life peers feel the need to have the right of a disclaimer such as that which hereditary peers already enjoy.

Life peers are to be discriminated against in one sense. They will be stuck in what may become a wholly neutered and irrelevant Chamber. Interim Houses have a habit of lasting a long time. Life peers had the choice of deciding whether to join the current upper House, but they have not had the choice of deciding whether to join a putative—probably severely damaged—rump of a House, which we shall have to know henceforth as the "interim Chamber".

I ask Ministers to consider offering the right to life peers of moving from the Lords to the Commons by extending the disclaimer provisions of the 1963 Act. My new clause 22, would have that effect. Although it has not been selected, I should still be very interested to know whether the Minister thinks that the Government might view such a provision sympathetically.

4.45 pm

**Mr. Evans:** My hon. Friend is dealing with the interesting point, which was dealt with also by the hon. Member for Battersea (Mr. Linton), that the hereditaries should have got out when they were given notice to do so, in 1963 or whenever, and that they therefore should not feel aggrieved at not having been able to vote at the previous general election. If life peers are given the same power to get out, we will not know what the stage 2 House

*[Mr. Evans]*

of Lords will look like. It could well be that life peers, too, are not only denied the right to vote at general elections but thrown out halfway through a Parliament.

**Mr. Tyrie:** I entirely agree with my hon. Friend that that would be iniquitous. Hereditary peers are given a one-off choice—they have one year—to renounce their peerage. The Government should certainly consider making some provision for the right to be exercised at any time, rather than for it to be restricted or time limited. I should be grateful if the Minister would address that issue also.

**Mr. Hogg:** As we are in Committee, Sir Alan, I gather that it is perfectly in order for hon. Members to speak twice in a debate. I should like to ask the Minister—I ask now so that I do not have to intervene in his speech—for his interpretation on one point.

On the right provided in clause 2(a), for hereditary peers to vote at elections, and the "transitional provision" right provided in clause 4(3), my understanding is that the clause 2(a) voting rights will come into effect automatically at the end of the Session in which the Bill is passed and that those rights are not dependent on the transitional arrangements provided in clause 4(3). If I am wrong about that, and the voting rights are dependent on the clause 4(3) transitional arrangements, my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth)—and I—must be right in saying that the rights should be mandatory. Will the Minister tell us about the relationship between the two provisions?

**Mr. Hoon:** The Committee should congratulate the hon. Member for Ribble Valley (Mr. Evans) on setting the tone for this debate. His ingenuity in drafting questions suggests that he may have missed his vocation. Unfortunately, there are not many vacancies for mediaeval philosophers these days—but clearly he has a future in counting angels on pinheads.

The hon. Member for Ribble Valley purported to ask me three questions, but he asked me only one. I had already answered the question from the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan), but the hon. Member for Ribble Valley asked me the same one. I give him the same answer: it is not necessary for us to speculate now about what other amendments might be passed in another place. It remains to be seen whether we shall have a debate on those matters.

**Mr. Evans:** Does the hon. Gentleman agree that the Leader of the House has already said that she is minded to accept the Weatherill amendment when it is tabled in the other place? Does he accept that that is the Government's position?

**Mr. Hoon:** The hon. Gentleman knows full well that there will be an opportunity to debate such an amendment when and if it is passed. I am sure that he would not want to anticipate that debate today, or to spend unnecessary time in Committee considering the rather arcane questions that he asked.

Opposition Members occasionally complain that the Government anticipate the results of votes and take votes for granted. Is that not what Opposition Members are doing by suggesting that that amendment will, at some stage or other, be debated in Committee or in the House? We are simply working on the basis of the text that is before the Committee. We hope that that text will come before the House, but that depends on the outcome of votes.

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) made some more thoughtful points. He referred sensibly to the situation that might arise in relation to a college of hereditary peers, but he answered his question by saying that he would seek to address the House should any further amendment be debated. I should prefer to leave the matter on that basis. It would be more sensible to wait until there was such an amendment—if there was one—before going into such details.

I agree with the right hon. and learned Gentleman's interpretation of clause 4(3) and its relationship to clause 2(a). They do not depend on each other. However, I draw the opposite conclusion. The provisions in clause 4(3) should be permissive rather than mandatory, because we might not need them. Changes might not be needed in the electoral register, so it is more sensible to have the maximum flexibility available.

**Mr. Hogg:** The Minister's point is fair to an extent. However, does he agree that, if there were a by-election before the end of this Session—which might happen—it would be important, if we were to do justice by electors, to make provision by transitional arrangements for the right to vote and to stand?

**Mr. Hoon:** I am sure that my right hon. Friend the Home Secretary would consider that in such an eventuality, but we are getting into unnecessary detail which does not assist our discussion.

My hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) wondered whether life peers might be discriminated against by the provisions. I do not agree with him. The Bill is not about the rights of life peers, but about the rights of hereditary peers. Life peers will not leave the other place if the Bill is passed, so there is no reason to give them the right to vote in elections to the House of Commons. They do not need a Member of Parliament to represent them here because they can represent themselves. Moreover, they have made an informed decision to accept a life peerage, with all the benefits and penalties that that implies.

**Mr. Tyrie:** Does the Minister accept that the benefits and penalties will be fundamentally altered by the reform?

**Mr. Hogg:** The company in the Dining Room will be different.

**Mr. Tyrie:** The company in the Dining Room will be completely different, and there will be many other changes besides. If the House is fundamentally changed, it should be right to give the life peers an opportunity to decide whether they wish to remain there. If the place is not being fundamentally changed, why are we going ahead with the reform?

**Mr. Hoon:** I was about to deal with a point that the hon. Gentleman had raised. No one is forced to accept a

life peerage. As we heard on Second Reading, there is usually a queue of people anxious for such preference. In those circumstances, we do not need to worry unduly about the position of life peers, not least because, if the Bill is passed, their ability to represent themselves in the other place will be strengthened. Instead of their voice being diluted by those of a large number of hereditary peers, they will be a far more significant element of the other place, so their position will be enhanced rather than weakened. I hope that my hon. Friend the Member for Stoke–on–Trent, Central will accept that.

**Mr. Fisher:** I must have failed to make myself clear. It is not a question of the life peers leaving. They are being left outside our newly democratic constitution. That is why they will be at a disadvantage. The Government made it clear in the White Paper that this House has primacy. The life peers are being left by democracy, condemned to remain in an illegitimate rump. That is why they are at a disadvantage. That is not the contract that they were offered when they were invited to join that House. They were invited to become a member of a complicated and historic House. Many of them believed that they were going in to introduce some restraint in an hereditary system that they did not believe in. We are changing that hereditary system, but we are not giving life peers what we are giving hereditary peers: the right to move into the full sunshine of a democracy. I find it both baffling and unfair that life peers should be condemned to inhabit a democratic hulk.

**Mr. Hoon:** I appreciate my hon. Friend's concern for life peers, but, as I said, they will be much more able to represent themselves once the Bill is passed. That is the underlying reason for the common law disability affecting peers. They have the right to represent themselves in the legislative process, and it is that legislative process that is important. That is why it is recognised that peers should not vote in elections to this part of the legislative process, which would give them two opportunities to influence the content of legislation. That is, I think, a proper response to my hon. Friend's fears.

**Mr. Evans:** As has been said, several hundred peers who thought that they were going into a body of a certain kind will instead find themselves in a new transitional House. We do not know what stage 2 will involve. What is the major objection to allowing life peers who no longer wish to be part of that upper House, but wish to vote for Members here or, indeed, stand for election here, to do just that?

**Mr. Hoon:** I have already answered that question. The problem is that, under the common law, peers have the right to represent themselves and are part of the legislative process sitting in the House of Lords. Allowing them to vote for Members of this House would, in effect, give them two opportunities to vote. Opposition Members have made that point themselves.

**Mr. Tyrie:** That is not the point that my hon. Friend the Member for Ribble Valley (Mr. Evans) was making. His point was that life peers should be given the chance to leave the other place if they wanted to do so, because the place that they joined would no longer exist after the Bill was enacted.

The Minister is right in saying that future life peers will know what they are getting in to; but existing life peers will not. Will he deal purely with the position of existing life peers? Why should they not be able to choose whether to remain in the other place, or leave and have the opportunity to vote and sit in this place?

**Mr. Hoon:** I am not aware of the concerns that the hon. Gentleman is expressing on behalf of life peers. I have received no representations along those lines; nor, I suspect, has the hon. Gentleman. I do not see that the choice exercised by those who have decided to accept a life peerage will be affected in any way.

**Mr. Winnick:** Are we to believe that those who accepted life peerages did so on the basis that they would go to the other place simply because it was made up of life peers and hereditary peers? Surely the thought never entered their heads. They accepted life peerages because they considered it an honour, and wanted to contribute accordingly. Whether the House contained hereditary peers was irrelevant.

**Mr. Hoon:** My hon. Friend makes the point much more succinctly than I have.

I sometimes think that the hon. Member for Beaconsfield (Mr. Grieve) must have become the hon. Member for Bizarre Constitutional Anomalies. He has clearly built that phrase into his word processor. He referred to the European convention on human rights, but did not seem to accept that his criticism of what we are doing would fall foul of case law against retrospection under that convention. It is clearly stated on the front of the Bill that it is compatible with the convention, an endorsement that is now necessary in the case of all legislation. I am surprised that the hon. Gentleman should make such a point.

**Mr. Grieve:** I have never sought a retrospective element. I was concerned about the enactment of the Bill before the end of this Parliament, rather than at the end of the Session. There was no question of my seeking some retrospective application.

**Mr. Hoon:** The way in which I understood the hon. Gentleman—it is still the way in which I understand him—was that to correct the problem, it would be necessary to legislate retrospectively.

**Mr. Letwin:** Does the Minister agree that my hon. Friend the Member for Beaconsfield (Mr. Grieve) would not have had to become the hon. Member for Bizarre Constitutional Anomalies if the Government had not created so many?

5 pm

**Mr. Hoon:** So far, I have not identified any. If I can be blunt, a simple and straightforward Bill is being used to try to find difficulties that do not exist. I accept that, in a Committee, it is perfectly proper for Opposition Members to seek to find difficulties. So far, they have been unsuccessful.

**Dr. Liam Fox** (Woodspring): Does the Minister accept that a point of principle has been raised by my hon. Friend

*[Dr. Liam Fox]*

the Member for Beaconsfield (Mr. Grieve)? Hereditary peers were unable to vote at the last election because they were guaranteed a seat in this Parliament. Had they known that their right to remain in Parliament would be removed, they would have been in a different position. The fact that they are losing their rights halfway through a Parliament creates the anomaly. The way to get around that is not through any form of retrospection, but simply by not applying the measure until the end of the Parliament.

**Mr. Hoon:** I do not accept that—that would simply delay the operation of the Bill, which we hope the House will accept. The hon. Gentleman's proposal would be no more fair than the situation arising when someone attains the age of 18 after a general election. They do not have the opportunity of voting for the period between becoming 18 and any subsequent election, yet there is no suggestion from the Opposition that that is in any way unfair. The position for hereditary peers will be precisely the same. They will lose the right to represent themselves in the other place if the Bill becomes law. By virtue of clause 2, they will then have the opportunity of voting and standing for elections for this place.

If a gap or difficulty is created by the need to prepare electoral registers well in advance of any general election, that can be remedied by the operation of clause 4(3). That is a simple, straightforward and—above all—fair package. Opposition Members—particularly those on the Front Bench—have to say whether they would prefer another solution to clause 2, which is a fair way of dealing with hereditary peers.

**Dr. Fox:** I am impressed by the elegant way in which the Minister comes up with some of his arguments, but the argument about someone attaining the age of 18 is not the same. In one case, we are increasing the franchise by allowing those who knew that they were to take part eventually to do so and, in the other, we are disfranchising those who did not know that they were to be disfranchised.

**Mr. Hoon:** They should have read the Labour party manifesto a little more carefully.

**Mr. Grieve:** My hon. Friend the Member for Woodspring (Dr. Fox) has, in part, picked up on the point that I wished to make. The parallel of the 18-year-old is not valid. However, the issue is not whether hereditary peers read the Labour manifesto—that is irrelevant. The point is that a class of people over the age of 18 are entitled to vote for election to this House. The only ones who are deprived of that right—apart from those disqualified because they are lunatics or felons—cannot vote because they are entitled to represent themselves during the currency of the Parliament.

It is halfway through the Parliament—and not at its end—that the Government are intending to deprive those people of their power to represent themselves without giving them the power to vote on what happens in this Parliament between the time that they are disqualified and its end. I believe, therefore, that they should be removed and disqualified at the end of the Parliament.

**Mr. Hoon:** The hon. Gentleman made precisely the same point earlier, and I will not weary the Committee by responding precisely as I did then.

I think that I have dealt with all the points that were raised. I considered carefully the points made by the right hon. Member for Bromley and Chislehurst (Mr. Forth). He is always anxious that I should deal in detail with his observations. I think that I have done so. I will not speculate on how precisely clause 4(3) will operate. That is why we have made it permissive. We may not need to use it, and that would be the best solution.

*Question put and agreed to.*

*Clause 2 ordered to stand part of the Bill.*

## Clause 3

REPEALS

*Question proposed,* That the clause stand part of the Bill.

**Mr. Forth:** In the cause of trying better to understand the clause, I have had a look at the Peerage Act 1963, to establish what is affected by the schedule to which the clause refers. It would help me if the Minister were briefly to explain what the clause does and why.

I am especially interested in the reference to section 2 of the Peerage Act 1963, which may touch on the matter raised by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg). That section is entitled

"Disclaimer by members of the House of Commons and parliamentary candidates",

and covers the eventualities in which there is an overlap between membership of the two Houses.

That affects the matter of timing. Unless I am misreading the situation, which is entirely possible, because the Act is rather dense—no, nobody has risen to the bait—the provision may not be as relevant as it might be to my right hon. and learned Friend and to any other Member of Parliament who is in the fortunate position of being the possible inheritor of an hereditary title.

The schedule deletes altogether sections 4 to 6 of the Peerage Act 1963, which refer to

"Parliamentary qualifications of Scottish Peers, Irish Peers and Peeresses in their own right".

For example, section 4 says:

"The holder of a peerage in the peerage of Scotland shall have the same right to receive writs of summons to attend the House of Lords, and to sit and vote in that House, as the holder of a peerage in the peerage of the United Kingdom; and the enactments relating to the election of Scottish representative peers shall cease to have effect."

That is to be repealed. What lies behind that? I may be the only one who has not understood, and if so I offer the Committee my apologies, but if others have shared my difficulty in grasping the relevance and impact of the schedule, it would be helpful for the Minister to give us some background.

**Mr. Swayne:** I, too, have had the benefit of reading the Peerage Act 1963. I was able to follow the logic of the exclusions in the schedule, which flow from clause 2 of the Bill, save in one respect. It may show only my ignorance, but the ignorance of a member of the

Committee is a proper concern for the Minister. My query relates to the extent of the repeal as it affects section 2, which states:

"Where a peerage is disclaimed under this Act, no other hereditary peerage shall be conferred upon the person by whom it is disclaimed, and no writ in acceleration shall be issued in respect of that peerage to the person entitled thereto on his death".

That provision will be repealed, and I hope that the Minister will explain why.

**Mr. Forth:** I noticed that point as well, but I did not mention it because I did not want to make my comments any longer than was necessary. However, I wondered whether that was the very mechanism that had benefited Lord Cranborne and whether there was a sinister element in its repeal, given recent events.

**Mr. Swayne:** I hope that the Minister will be able to clear up any doubt on that score.

**Mr. Edward Garnier** (Harborough): I wish to ask the Minister a more fundamental question than the subtle ones that have been asked by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and my hon. Friend the Member for New Forest, West (Mr. Swayne). Why does any part of the Peerage Act 1963 need to be repealed in the light of the Bill? If it does nothing else, the Bill will prevent holders of hereditary peerages from sitting, voting and speaking in the other place. It will specifically allow holders of hereditary peerages to vote in elections for this House and to become Members of Parliament. Someone who today sits in the other place could become a Member of this House and use, if they wanted to, their hereditary title. The Speaker would call—

**Mr. Letwin:** Lord Speaker.

**Mr. Garnier:** Yes, we could even have a Lord Speaker or Lady Speaker. That aside, the whole purpose of the Bill is to disable hereditary peers from taking part in the legislation of the other place and to enable them to take part in the legislation in this House. The Peerage Act 1963, in the long title, authorises

"the disclaimer for life of certain hereditary peerages".

The whole Act will become otiose, because by implication, it will be entirely repealed by the Bill. I hope that the Minister can deal with that point.

The purpose of the Peerage Act 1963 was to allow successors to hereditary peerages—we remember the case of the right hon. Member for Chesterfield (Mr. Benn), or Lord Stansgate as he was for a short time—and, presumably, unwilling peers to renounce their hereditary titles, which after all were awarded to their forebears and not to them, so that they could stand for election to this House.

5.15 pm

**Mr. Edward Leigh** (Gainsborough): Is it true that the Peerage Act 1963 would become otiose? What would happen if one of the Weatherill peers died towards the end of this Parliament? Would he be succeeded by his eldest son or would the other peers elect a new peer?

**Mr. Garnier:** I do not know, but I would guess that the son of a Weatherill peer, as my hon. Friend called them, would be entitled to inherit the honour and the name, and be entitled to call himself the second or third Lord Leigh of Gainsborough, or whatever it might be. He would not, as a consequence of his father's death, be able to step into his shoes as an elected hereditary peer. I do not know whether the Government have yet invented a system for by-elections within that class of hereditary peers who will be members of the new House of Lords.

**Mr. Letwin:** Does my hon. and learned Friend agree that it would be extraordinary if the Government had invented any such mechanism, because they deny all knowledge of the proposal to which he refers?

**Mr. Garnier:** I am sorry to disappoint my hon. Friend, but for the very reason that the Government deny it, I would not find it in the least bit extraordinary. I have dealt, in interrogatory form, with the first part of the long title of the Peerage Act 1963. It continues:

"to include among the peers qualified to sit in the House of Lords all peers in the peerages of Scotland and peeresses in their own right in the peerages of England, Scotland, Great Britain and the United Kingdom".

By definition, the only people who are included in that class of peer are hereditary peers. Since 1963, no new life peerages that would fall within that description have been created.

**Mr. Hogg:** Hereditary peerages.

**Mr. Garnier:** Hereditary peers have been created, but there have been no new hereditary peers in the peerage of Scotland or any new creations of peeresses in their own right in the peerages of Scotland, England, Great Britain and the United Kingdom, although life peeresses have been created, of course. I suggest that there are no peers in that class who would not already be caught by the provisions of the Bill and expelled from the other place.

The long title continues:

"to remove certain disqualifications of peers in the peerage of Ireland in relation to the House of Commons and elections thereto; and for purposes connected with the matters aforesaid."

Unless the Minister can provide me with some ingenious examples of peers of Ireland whose rights will be unaffected by the Bill, I suggest that clause 3 and the schedule are unnecessary.

**Mr. Swayne:** I apologise to the Minister. When I asked my question a few moments ago, I read out correctly the part of the Peerage Act 1963 that confused me, but I misidentified it. It is section 3(2) that contains the exclusion that I wish to be explained.

**Mr. Hoon:** Clause 3 is a simple, straightforward measure and part of a determined campaign by the Government to keep the statute book as simple and straightforward as possible. It introduces a schedule to the Bill. As a result of clauses 1 and 2, certain provisions of the Peerage Act 1963 will no longer be required—for example, those which require a peer to disclaim a peerage before he or she may stand for membership of the House of Commons, a point that the hon. and learned Member

*[Mr. Hoon]*

for Harborough (Mr. Garnier) reached eventually—and the schedule repeals those provisions. It is as simple and straightforward as that.

**Mr. Hogg:** Will the Minister tell us which bits of the 1963 Act are required?

**Mr. Hoon:** As ever, the right hon. and learned Gentleman goes straight to the point. Certain of its provisions are required, and I shall write to him in due course about them.

**Mr. Garnier:** When the Minister writes to my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), will he not only identify which parts of the 1963 Act are required, but provide a full explanation of why they are required?

**Mr. Hoon:** I shall certainly do that.

**Mr. Hogg:** Would the Minister put a copy of his letter in the Library of the House of Commons?

**Mr. Hoon:** Of course.

**Mr. Swayne:** I suspect that the Minister's explanation was written before the debate because he has made no attempt to address my specific question. I understand entirely that the exclusions follow from clause 2, except in respect of the subsection to which I drew attention. May I also expect a letter from the Minister?

**Mr. Hoon:** Yes.

**Mr. Leigh:** My intervention was brushed aside by the Minister and the Leader of the House. May I offer the Committee a scenario that could happen to one hon. Member of this House. Let us say that an hon. Member has a father who is an hereditary peer—I can think of at least one. Let us say that the father is elected to be a Weatherill peer. Let us say that the father subsequently dies before the end of this Parliament. At present, the situation is quite clear. If one's father is an hereditary peer and one is a Member of the House of Commons, one's office is immediately closed by the Serjeant at Arms and one is not allowed to sit in this Chamber. One then makes one's choice.

Under the new arrangements, if an hon. Member has a father who is an hereditary peer, but not a Weatherill peer, there will be no problem. He will go on sitting in this House. However, what would happen if his father was a Weatherill peer? Would the hon. Member be allowed to make his choice between sitting here and being allowed to stand later for election as a Weatherill peer? If so, we should be giving that person—as I have said, I can think of at least one example of an hon. Member to whom this situation might apply—an entirely unfair position. He would be able to sit in this House, or to stand as a Weatherill peer.

**Mr. Forth:** I am beginning to regret the brevity of my remarks. I had skipped over this matter. I pointed out that the deletion of section 2 of the Peerage Act 1963 took out the bit that referred to disclaimers by Members of the House of Commons and parliamentary candidates. My hon. Friend has picked up a point with which I failed to deal adequately. The deletion of the whole section, in a way that the Minister has not yet been able properly to explain, would leave us in a serious position.

**Mr. Leigh:** That is part of the difficulty that we face. We know perfectly well that there will be a class of Weatherill peers, but the Government refuse to acknowledge that those peers will exist. They claim that it is a hypothetical situation. My point is perfectly justifiable. The Minister has argued that one cannot have one's cake and eat it, and that one cannot be a Member of the other House and be allowed to stand for this place. Why, then, should someone whose father happens to be an hereditary Weatherill peer be placed in the uniquely advantageous position of being able to choose, in his own time, whether to stay here or go to the other place?

**Mr. Hoon:** I shall repeat my earlier mantra on whether or not there are to be amendments to deal with the arrangements suggested by Lord Cranborne. It may or may not occur, and we may or may not have the kind of debate that the hon. Member for Gainsborough (Mr. Leigh) referred to.

The hon. Gentleman has at least saved the taxpayer the cost of a first-class stamp, however, as I can now deal with the point made by the hon. Member for New Forest, West (Mr. Swayne). I was right in my earlier comments.

**Mr. Garnier:** He is sometimes right.

**Mr. Hoon:** Every so often, that is so.

Clause 3 and the schedule are a tidying-up measure. They reduce the size of the statute book. The hon. Member for New Forest, West was concerned about writs in acceleration. Our repeal ensures, for the avoidance of doubt, the removal of writs in acceleration, which might otherwise have been available had the provision been left in. This is a tidying provision arising from the 1963 Act, which dealt, as it had to, with writs in acceleration. Those writs will no longer be possible, because they apply only to hereditary peers, who will not have the right to sit. This is simply a means of ensuring that a piece of legislation that is no longer necessary is removed from the statute book, which I am sure the hon. Member for New Forest, West would welcome.

*Question put and agreed to.*

*Clause 3 ordered to stand part of the Bill.*

**Clause 4**

COMMENCEMENT AND TRANSITIONAL PROVISION

**Mr. Letwin:** I beg to move amendment No. 5, in page 1, line 14, leave out 'Session of'.

**The Chairman:** With this, it will be convenient to discuss the following: Amendment No. 6, in page 1, leave out lines 15 and 16.

New clause 1—*Duration of Act (No. 1)*—

'.—( ) This Act shall cease to have effect at the end of the Parliament in which it is passed.'.

New clause 2—*Duration of Act (No. 2)*—

'( ) This Act shall cease to have effect twenty four months after the publication of the final report of the Joint Committee of both Houses of Parliament announced in Command Paper 4183.'.

New clause 10—*Purpose of Act*—

'.—The purpose of this Act is to make interim provision for the membership of the House of Lords pending further legislation to substitute for that House a Second Chamber constituted on a different basis.'.

New clause 13—*Duration of Act (No. 3)*—

'( ) This Act shall cease to have effect and the repeals referred to in section 3 shall be ineffective when the present Parliament is dissolved unless a subsequent act has been passed affecting the composition of the House of Lords.'.

New clause 18—*Termination of Act*—

'This Act shall cease to have effect at the expiry of the period of three years beginning with its passing.'.

**Mr. Letwin:** The intended effect of all the amendments and new clauses is the same, although they seek to achieve it by different means. The need for them arises from the shambles and the constitutional outrage being perpetrated by the Government. I do not use those words lightly; this is the least impressive example of major constitutional reform that has been engaged in in the entire English-speaking world. The Government have introduced a Bill—in particular, clause 4—without having the slightest idea of the medium-term and long-term shape of the arrangements that will replace what is being removed. The Government have admitted as much.

Under those extraordinary circumstances, which historians who write the history of this patch of the Government's activities will find even more extraordinary than they seem to us to be, there is a need to try to introduce some semblance of constitutional propriety. The amendments and new clauses seek to provide that semblance. They do so by the simple expedient of asking the Government to alter the Bill so as to produce the effect that they say they wish to produce. It does not seem particularly outrageous to require that of a Government.

The effect in question is to make the interim Chamber an interim Chamber, rather than its being what many Government Members have said they believe it will be—namely, a Chamber that will exist, if not in perpetuity, at least for a period comparable to the 88 years during which the current Chamber has existed under not wholly dissimilar circumstances. We do not want a five-clause Bill that contains not the slightest description of that Chamber—and on which the greatest of efforts have been made to prevent the Committee from debating the constitution of that Chamber—to produce an 88-year Chamber.

Strangely, the Government do not want that either. We seem to agree on that matter. All we ask, therefore, is that the Government should ensure that the replacement Chamber cannot be more than an interim Chamber.

There are two means by which that can be achieved. The Minister will have noticed that we are trying both.

**Mr. Hoon** *indicated assent.*

**Mr. Letwin:** We are never shy in trying to find means by which the Government may get themselves off the hook. The first means is to delay the effective introduction of the Bill until such time as, by the grace of God and Lord Wakeham and his colleagues, it will have been possible to define what the long-term Chamber will look like. The other is a sunset clause that would curtail the life of the interim Chamber, thereby presumably forcing some substitute to be constructed.

5.30 pm

It is a dangerous business for anyone, certainly for an Opposition, to speculate on the reasons why Her Majesty's Government, in all their might and with all the wise advice at their disposal, should so far have proved resistant to enacting as modest a measure as the implementation of their own stated desires in their own legislation. In the spirit of constructive opposition, rather than speculation, I offer the Minister four possible explanations of that bizarre reluctance.

The first possibility is that the Government do not believe that they will be able to enact stage 2 because of the serious internal division in the Labour party which has become abundantly apparent from many admirable contributions.

The second possibility is that the Government will not accept measures that would ensure that the Chamber was interim because they do not believe that they can enact stage 2, and do not intend that stage 2 should be enactable, given the royal commission and the Joint Committee, until after the next general election, which they believe they will lose. That view is not shared by most pollsters, but perhaps the Government know something that we do not.

The third possibility is much more generous to the Government's acuity but perhaps less so to their motivation, so I advance it only tentatively. They may not wish to enact stage 2. They may regard the interim Chamber as semi-permanent. That would make abundant sense of their reluctance to accept amendments and is a coherent rational position. Alas, it is not one that they have ever announced. It would be interesting if, in his no doubt admirable summary, the Minister revealed that the Government had changed their mind and that the royal commission was the farce that its terms of reference—though not its membership—suggest it may be intended to be, and that they had not the slightest intention of implementing stage 2 during their tenure of office, before, or, as they may hope, after the next general election.

The fourth possibility, Sir Alan—I am sorry. My goodness me, Mr. Winterton, there has scarcely been a more pleasurable moment than seeing you, alas not yet ennobled, in the Chair. In due course, you may gain a hereditary peerage of first creation and yet be able to sit in this Chamber and in the Chair.

**The Temporary Chairman (Mr. Nicholas Winterton):** I am grateful to the hon. Gentleman. It is long overdue that I should be recognised.

**Mr. Letwin:** The first three possibilities induced little enthusiasm among Ministers. I think the fourth is much the most plausible. I think that the four describe the universe of possibilities. The fourth possibility is, of course, that the Government have not the slightest idea whether the interim Chamber will be long, medium or short term. They hope that it might be short term but do not know whether the royal commission will produce anything acceptable or whether the divisions in the Labour party will prevent proposals from being accepted

*[Mr. Letwin]*

even it they are acceptable to the Government. They do not know whether they want a second Chamber in any event. They want to keep us in a sort of animated suspension. That is the interpretation that the British public are most likely to place on the Government's reluctance.

That approach speaks well for the Government in some ways because it suggests that there is no deep and malign intent. However, it brings us back to the point, which the Government can rebut only by accepting some or all of the amendments and new clauses, that this is a constitutional outrage. To proceed with a Bill of this magnitude without, if my speculation is correct, the slightest idea of whether what is being created will last a long or a short time is genuinely irresponsible. When the history books come to be written, the Government will be held to account.

**Mr. Hogg:** Does my hon. Friend agree that his points are made even stronger by what the Prime Minister said but a few days ago at a press conference when explaining his commitment to the retention of duty free—that one should not change existing arrangements unless one can see the nature of what will succeed them? If he was prepared to adopt that position with regard to duty free, why does my hon. Friend suppose that a different policy has been adopted on reform of the other place?

**Mr. Letwin:** As so often, my right hon. and learned Friend makes a particularly acute point. The Committee can speculate that the reason why the Prime Minister has taken that view in one case but not in the other is that he believes that it is popular to keep duty free and popular with some of his Back Benchers to get rid of hereditary peers. In short, we, and constitutional change, are being governed by the Prime Minister's desire to do what he believes to be politically expedient. That is why I call this a constitutional outrage.

**Dr. George Turner:** Has not the hon. Gentleman missed out the entirely honourable possibility that we were elected on a manifesto commitment to abolish in a single stage the hereditary right of peers to sit in the other place? Our manifesto spelled that out as a stand-alone commitment. Is it not honourable for the Government to deliver on their manifesto—or is that news to Conservative Members?

**Mr. Letwin:** It is perfectly honourable. We do not question the legitimacy of the Government's seeking to abolish the hereditary peerage. They were quite properly plain about it in their manifesto. They received an overwhelming endorsement for that—and, alas, for many other policies—from the British public, and they are now enacting it. We do not agree with it, but we do not complain about its propriety. However, it would have been proper for the Government either to work out what they wanted do in the long run or to ensure, as they could by accepting the amendment and new clauses, that the interim Chamber thereby created was genuinely interim, as it was described in the manifesto. We do not question the validity of the Government's getting rid of the hereditaries. We question the creation of an interim Chamber for which the Government have made not the slightest reasoned case and in whose interim nature no one, including members of the Labour party, can have any confidence. This is a modest proposal. The Minister should relax from his partisan tactics and consider whether he can justify the idea of an interim Chamber being created without its being in some way curtailed and, therefore, interim. That is all that we ask.

**Mr. Winnick:** The hon. Gentleman said that the Prime Minister is trying to be popular with his Back Benchers. I am always pleased when that happens. Certainly, such policies win my approval, including the removal of hereditary peers from the Lords. That is an important gain for all Labour Members. It is only right and proper that the longer term should be given more consideration. There are bound to be divisions of opinion. Why should we apologise for that? Some want a fully elected second Chamber, as the Tories now want—or claim to want. Others, like me, have different views. What is wrong with that? The royal commission should consider all those aspects and there should be a proper public debate on its recommendations.

**Mr. Letwin:** I do not have the slightest argument with the hon. Gentleman. He is right that it is appropriate that those long-term matters should be considered by a royal commission. So they will be, although alas not with the right terms of reference, not over the right period and not starting at the right time. The process could have started 21 months ago. The commission would have had 30 months to think about the matter. It did not start because the Leader of the House decided not to set it up. That is not our problem, although it will be the problem of the whole country, but we do not have the slightest disagreement with the hon. Gentleman that these things should be considered. Nor do the amendments and new clauses seek to prevent that occurring.

We merely seek to ensure that at the end of the royal commission's deliberations, there is a long-term Chamber in place or, failing that, that the Act does not come into force. All that we are asking is that the passage of the Act be made contingent on the Government doing what they say they want to do.

**Mr. Swayne:** If I understood correctly the intervention of the hon. Member for North-West Norfolk (Dr. Turner), he suggested that simply abolishing the rights of hereditary peers was all that was required to meet the manifesto commitment, and that the question of an interim Chamber did not arise. That is a perfectly proper and honourable position to take, but it is inconsistent with the position that the Government have taken. The Government maintain the fiction that they are creating an interim Chamber. Therefore, there is a gulf between the Government and the hon. Member for North-West Norfolk.

**Mr. Letwin:** My hon. Friend, as so often, moves us to the centre of the debate. As we go through the amendments and subsequent amendments before the Committee, we shall discuss the serious question of how the interim Chamber is to work. It is a question that, alas, the Government have not addressed. In no doing so, the Government have failed to resolve a number of serious practical questions about how the constitution will operate in the interim. The new clauses and amendments, alas, cannot in themselves resolve that problem.

At a later stage, owing to the admirable selection of amendments and new clauses, we shall have the opportunity to discuss those matters. I shall not trespass on your good will by describing them now, Mr. Winterton. These new clauses and amendments seek to ensure that there is sufficient pressure, or else a sufficient pressure valve, to ensure that there is not an interim Chamber without a proper constitution for ever. That is the modest intent.

The reason why we are so urgently concerned with that matter is that when the Government decided to get rid of the hereditary peers, they did not consider—this was the precise point made by my hon. Friend the Member for New Forest, West (Mr. Swayne)—whether the Chamber that they thereby created would be capable of doing the job for longer than a very short period indeed.

There are severe problems with a Chamber that is the result solely of patronage, which is inevitably what the interim Chamber will be at first. From a sedentary position, the Leader of the House is quietly making remarks about appointments, commissions and Cross Benchers, but—

5.45 pm

**The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett):** I would hate to mislead the hon. Gentleman. I was making the point that the peers are all there as a result of patronage.

**Mr. Letwin:** Yes. That was my point. They will all be there as a result of patronage.

**Mrs. Beckett:** No; they are now.

**Mr. Letwin:** Indeed, but they will all be there as the result of the direct patronage of recent Prime Ministers. A larger proportion of them will be there as a result of the patronage of the present Prime Minister. But there will be rather few of them. There will be many fewer working peers than now, and they will have to do rather a lot. It is by no means clear to us how they will carry out their tasks. I do not believe that it is clear to the Government either. We shall discuss some of the details in subsequent amendments, but it is clear that if the onus of those tasks is placed on a small number of individuals with their relatively slight attendance for a long period, the problem will be aggravated to the point at which the process of legislation will be impeded.

It is not in the Government's interest, let alone in the interests of parliamentary democracy, that the interim House should endure, with its admittedly temporary nature—this is the Government's admitted position—in the sense that it has not been constructed carefully or after due reflection but has simply had part of the previous Chamber removed. It will be a kind of teeth extracted House.

**Sir Patrick Cormack** (South Staffordshire): Wisdom teeth extracted.

**Mr. Letwin:** The Government have an interest in ensuring that such a House with, as my hon. Friend says, its wisdom teeth removed, is not a long-term proposition.

**Mr. Gordon Prentice** (Pendle): Is the hon. Gentleman not making the point that if the transitional House cannot carry out its functions because its Members are too lazy to attend, any idea that it could become the long-term solution is fanciful?

**Mr. Grieve:** Would that it were.

**Mr. Letwin:** From a sedentary position, my hon. Friend says exactly what I should have liked to say. I share entirely in the hon. Gentleman's ambition. The House proposed in the Bill will not be capable of doing its job. It is not in the Government's interests, our interests or the interests of Parliament that it should continue for long. We are in agreement. The new clauses and amendments seek merely to ensure that there is a logical consequence—namely, that it is does not do its job at all, under one arrangement, or, if the Government do not accept that, that it does not do its job for longer than a couple of years.

If the Minister replies that two years is not quite long enough, we are reasonable men and women and we shall be happy to concede a longer period. We are trying to be practical. We have a common interest in getting it right. I urge the Minister to think about it. I know that he will not accept the amendments and new clauses tonight. Alas, that is the way in which this place works. We are discussing a serious matter. I hope that the Minister will go back and reflect on whether it would not be in the Government's interests to do something along the lines that we suggest. It would restore the faith of people who elected the Government and convince them that they are a serious Government engaged in serious constitutional change, and that when they say they are creating an interim Chamber, they will, indeed, ensure that it is interim.

**Dr. George Turner:** The hon. Gentleman possibly does not recognise that many Labour Members do not think that the present House of Lords is doing a good job. I know many Labour Members who believe that simply removing the hereditary peers will make the interim Chamber a better place that is able to do a better job than the existing House. That does not mean that we do not want a second change, but I am convinced that Conservative Members and many others in this country would address the real issue in a different fashion if they were discussing both questions together.

**Mr. Letwin:** I am genuinely surprised by the hon. Gentleman's intervention. It may be a sincere reflection of his lack of agreement with me about what goes on in the House of Lords. Or perhaps he has spent so much time attending debates in this House that he has not spent much time watching their lordships at work. Anyone who had the privilege to read or hear the recent debate on the White Paper in the House of Lords will know that the quality of debates in that House is very high. It is a House capable of performing its tasks. The interim Chamber will contain many of the same distinguished figures, but it will have about half the number of working peers. The burdens placed on working peers today are immense. The burdens placed on them in the interim House will be twice as great. I wonder whether the hon. Gentleman has considered what the workings of this country's constitution will be like if there is no limit to that increased burden.

*[Mr. Letwin]*

I think that it was on Second Reading that the President of the Council made what might, in the long run, be her most famous remark. When challenged, she said that nothing could be worse than the present position; that seems to be the doctrine espoused by the hon. Member for North-West Norfolk. I fear that, alas, history will prove them wrong. If the interim Chamber continues for long, it might well prove to be even worse. I do not mean that in a political sense, but simply in the sense that the Chamber will not be able to do its business properly.

If the Government deny that proposition, it is open to them to revise their views and to take what I described as route 2—or route 3: they can argue that they do not want a final stage and that they will never have one, but will build a proper House from the interim Chamber; however, that has not been their proposition. Until now, their proposition has been that the interim Chamber will be merely interim. They admit that it will not do its work properly and that they do not like it, but nothing could be worse than the current position; so surely the consequence has to be that the Chamber must be temporary. They seem to have accepted that consequence, except in the Bill. We ask only that the Bill should reflect the Government's intention.

No doubt, many hon. Members will say that I have already laboured my point and I do not want to detain the Committee, but I have one final plea to make. Even if the drafting of the amendments and new clauses, or the numbers included in them, do not suit the Government, I ask them not to put a flag in the ground that they cannot remove. On the contrary, I ask them to take the elegant position that there might be something wrong with the drafting—something that they cannot accept—and to come back with some equivalent that serves roughly the same purpose. If that opportunity is missed, a time will come when the Government, as much as the rest of us, live to regret it.

**Mr. Forth:** I am grateful to my hon. Friend the Member for West Dorset (Mr. Letwin) for introducing the group of amendments and new clauses. He has provided an important test of the Government's good faith. We now have the opportunity to find out what they think about the forms that we are considering—for example, what does stage 1 mean? Is it genuinely an interim stage that will be defined or curtailed in some way, or is it part of a subterfuge whereby stage 1 will be stretched out into the far future?

I have one small question. It is self-evident that some of the new clauses, even those tabled by my hon. Friends, are contradictory. Therefore, will my hon. Friend the Member for West Dorset ask you, Mr. Winterton, that they be voted on separately? They will all have different effects: for example, the Committee must decide whether we want the Act to cease

"at the end of the Parliament in which it is passed",

as new clause 1 states; or whether we want it to cease after 24 months as specified in new clause 2. Setting aside remarkable coincidences—although they are always possible—those two provisions will have different effects. Part of what we are discussing is the relative merits of different approaches and, for that reason, we shall almost certainly want an opportunity to vote on the new clauses separately. I leave it to my hon. Friend to make that request to you, Mr. Winterton, as I think that it would need to be he who did so, but I want to put down that marker so that the Committee can do justice to all the issues covered by the group of amendments and new clauses.

**Mr. Tyrie:** As my right hon. Friend is aware, new clause 18, which I tabled, provides for a period of 36 months. I do not know whether he thinks that that is a sensible time, but the reason I chose it is that if we are to have a year for the work of the royal commission, it is only reasonable and sensible that there should be two years after that during which the necessary legislation can be passed. It is important that those who propose amendments should demonstrate that their proposals will provide sufficient time to enable sensible stage 2 legislation to be introduced.

**Mr. Forth:** Indeed. I hope that my hon. Friend will expand those remarks and explain more fully why he believes that three years is the option to be preferred.

At this stage, my own view, for what it is worth—I speak tentatively because I have not yet heard the arguments of my hon. Friend—is that his three years is on the long side. My preference would be for the timetable to be as tight as possible, not because I am unduly suspicious of the Government—although I am—but because I believe that at this stage, we are surely able to set out for ourselves a timetable for the work of the royal commission and the deliberations that will follow that is much more demanding even than my hon. Friend's three years. That is my view, but perhaps my hon. Friend wants to persuade the Committee otherwise.

On new clauses 1 and 2, my hon. Friend the Member for West Dorset wants us to have the option of a deadline that is either the end of this Parliament or 24 months after the publication of the final report of the Joint Committee of both Houses. That deadline conceals a longer time scale that might approach the three years advocated by my hon. Friend the Member for Chichester (Mr. Tyrie). We seem to be considering an earliest possible limitation date at the end of this Parliament, followed by either the deadline in new clause 2 or that in new clause 18.

**Mr. Letwin:** I am grateful to my right hon. Friend for giving way and hope that he will recognise that we tabled this smörgåsbord of possibilities to show the Government that we had no fixed view on the precise time that should be offered. My hon. Friend the Member for Chichester (Mr. Tyrie) offers another possible view, and if my right hon. Friend has a particular preference on that menu—for example, the herrings rather than the mackerel—his view would weigh heavily with all of us.

**Mr. Forth:** My hon. Friend does not often make a fishy point, but this might be one of those rare occasions. I am slightly disappointed that he is being so generous to the Government, unless—I will share his generosity for a moment—he believes that the Minister will, at some point in this debate, offer the possibility that one of those reasonable time limitations will be acceptable to the Government. Only in those circumstances will we receive the reassurance that we seek. Why do we seek that reassurance? It is because, so far, neither I nor my hon. Friends have heard anything that would suggest that the

Government are serious in claiming, as they have sometimes done, that stage 1—as it has come to be known—will be only interim and temporary and will be followed by stage 2.

To be reasonable, my hon. Friends are offering rather generous—indeed, overly generous—time limits, so let us take them as workable propositions. I shall not dissent unduly because, although I shall express my preference in a moment, I tabled no amendments and the implication is that I am prepared to accept one of those offered by my hon. Friends. We believe that the Government should be perfectly capable of coming to a proper conclusion about the second Chamber that will emerge within the reasonable time limits that we are offering in the new clauses. The Government envisage that the royal commission will undertake the substantive work of analysis, and there will then be a Joint Committee of both Houses which will enable the parliamentary part of the process to be undertaken. It strikes me that 24 months after the publication of the final report of the Joint Committee of both Houses is a more than adequate length of time for this important process.

**Mr. Gordon Prentice:** Twenty four months would take us beyond the date of the next general election. If there were the kind of immobility on the part of the Government that the right hon. Gentleman anticipates, the issue would become a matter of contention between the three political parties in their manifestos for the next general election. Under the circumstances, it is not credible to challenge the good faith of the Prime Minister—who has staked his personal authority on this matter—by saying that the Government will not advance proposals for stage 2 if there is consensus by the next general election.

6 pm

**Mr. Forth:** The hon. Gentleman invites me to express my utter faith in the Prime Minister, but I am reluctant to do so at this stage.

**Mr. Letwin:** Did my hon. Friend understand the hon. Member for Pendle (Mr. Prentice) to say in his intervention that he interpreted the Prime Minister as saying that he would bring forward proposals for a fully fledged, long-term second Chamber if there were a consensus? Does my hon. Friend agree that that is an extraordinary caveat when there is clearly no such consensus on the Labour Benches?

**Mr. Forth:** Indeed. Comments such as that—uttered in good faith by the hon. Member for Pendle (Mr. Prentice), I accept—add to the unease of Opposition Members.

**Mr. Grieve:** May I reinforce the point made by the hon. Member for Pendle (Mr. Prentice)? His remarks are made in good faith because they are a precise reproduction of the words of the Prime Minister, with all the accompanying caveats. The hon. Gentleman has accurately reflected the Prime Minister's precise comments on this subject.

**Mr. Forth:** I will leave it to the hon. Member for Pendle to decide whether he wishes his remarks to be categorised in that way. I am grateful to the hon. Gentleman for raising a most important point by asking whether we believe it is proper—indeed, essential—to resolve the matter during this Parliament and to put in place the appropriate mechanisms that would define, and perhaps establish, the new, permanent stage 2 upper House by the next general election.

There is no doubt that we face a serious dilemma: how do we see the relationship developing between the final, reformed upper House and the House of Commons? How will the interplay of forces leading up to the next general election for the House of Commons affect the final definition of the upper House? I share the view expressed by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg): I believe that we should have a properly and directly elected upper House. For that reason, it is particularly important to define as soon as possible, the relationship between elections to this place and elections to the upper House. That is why the hon. Gentleman's point is so important.

**Mr. Letwin:** Does my hon. Friend agree that—unless it is disavowed by his Front Bench—the hon. Gentleman's intervention represents a change in policy? The foreword to the White Paper does not mention consensus. It states:

"New Labour in government will . . . carry out . . . longer-term reform of the House of Lords as a whole."

**Mr. Forth:** Indeed—and it would probably be better not to intrude into this area. I am sure that it would be a most unusual experience for the hon. Gentleman if he and his Front Bench were to disagree on this matter.

**Mr. Gordon Prentice** *rose—*

**Mr. Forth:** I will give way to the hon. Gentleman if he wishes to elaborate on his views.

**Mr. Prentice:** I am not entirely sure what the Prime Minister said—and I cannot recall the antecedents of the word "consensus". However, in the context of the royal commission that has been established and will report speedily by the end of the year, I am sure that most reasonable people would accept that, if a consensus emerged between and among the political parties, it would be possible to move towards stage 2 and reach an agreement on that by the end of the Parliament.

**Mr. Forth:** The hon. Gentleman has added something very important.

**Mr. Prentice:** The right hon. Gentleman keeps saying that.

**Mr. Forth:** I shall continue to do so as long as Mr. Winterton allows it. If the hon. Gentleman's Front-Bench colleagues echo his comments—which he has made on his own behalf or on behalf of his party—that will introduce a new factor. I do not know what "consensus" means. I have always been very suspicious of consensus as a political concept: it is not something with which I have ever felt particularly comfortable. Perhaps the hon. Gentleman and I could discuss over a cup of tea exactly how consensus would emerge, how it would be defined and identified and how far any dissent from that consensus would be accommodated. We could discuss all of those things some other time. If the hon. Gentleman is saying that the matter will be resolved in a timely fashion only if

*[Mr. Forth]*

consensus—however that is defined—emerges, my unease is multiplied. I believe that that adds to the argument in favour of the new clauses that we are discussing.

**Mr. John M. Taylor** (Solihull): I, too, am troubled by the word "consensus". It is usually achieved in one or two ways—although there may be more. The first involves some kind of deal brokered between party managers and the second, perhaps cleaner and more straightforward, involves a guillotine. Is that the way to achieve consensus?

**Mr. Forth:** My hon. Friend and I share the burden of having served in the European Parliament. He and I moved in an environment of consensus for longer than I wished—and perhaps for longer than he wished. We have experience of a political system that is based on consensus—which may be shared by the hon. Member for Pendle, I know not. That perhaps explains the unease with which I greet this new element that has been introduced into the debate—and my hon. Friend obviously shares my unease.

**Mr. Taylor:** My hon. Friend is perfectly right to refer to a time when he and I were Members of another place in Strasbourg, where consensus politics was practised—although I am not sure whether it was the same as the consensus perceived by the hon. Member for Pendle (Mr. Prentice). Under that consensus politics, the spokesmen of nine or 10 groups would spend 24 hours working out a text to which all could agree, by which time the text would be completely meaningless.

**Mr. Forth:** That is the danger. We cannot have anything that is meaningless when dealing with such crucial matters. In this group of new clauses, we are considering whether it is our duty to try to ensure, as far as we are able in this Committee and the House of Commons, that the process upon which we have embarked and upon which the Government have taken us will be completed properly in a way that may be anticipated and defined.

**Dr. George Turner:** I do not share the right hon. Gentleman's concern about the speed of the process. However, one of the amendments seeks to involve existing hereditary peers in the debate about what will replace them, and the other two amendments seek to resolve any kind of unforeseen delay by bringing back hereditary peers. That is the effect of the amendments. Will the hon. Gentleman explain why bringing back hereditary peers or allowing them to be involved in the debate addresses his concern?

**Mr. Forth:** It would concentrate the Government's mind rather wonderfully; that is self-evident.

**Mr. Grieve:** Labour Members seem to have completely missed the point that nothing would prevent a subsequent Government from returning within the period and saying, if they so wished, that the interim arrangements should remain for eternity. At least the Government would have to come back to the House and state that that was their policy decision regarding stage 2. Under the present system, they need not say anything at all and the process may meander along for ever.

**Mr. Forth:** Of course, my hon. Friend is right. We are trying to guard against incompetence or, worse, a deliberate attempt, which could be made only by the Government, to prolong the interim arrangements of stage 1 in a way that would be unacceptable not only to most of my hon. Friends, but to most Labour Members. I hope, therefore, that we shall find consensus on that matter as the debate develops. Who knows?

I do not want to take up undue time.

**Mr. John M. Taylor:** I am almost as near cross as I could be with my right hon. Friend, because in the previous debate, he confessed to his colleagues that he had not sufficiently prepared his work and that he could have said a great deal more. I hope that he will not say that to us all over again.

**Mr. Forth:** No, I assure my hon. Friend that I have covered most of the ground that I wanted to cover in the way that I intended.

In conclusion, I say to my hon. Friend the Member for West Dorset that although I support the new clauses in his name and the names of other hon. Friends, I hope that he will ensure that at some stage we have the option of making a proper choice between the time scales in his new clauses, after we have had the debate to find out hon. Members' views. Unless the Government give us more assurances about what is in their mind and what commitment they are prepared to make, we should certainly press one of the new clauses so that it can form part of the Bill and we can reassure the people of this country that there is no possibility of this legislature having an interim upper Chamber that is not fully formed, fully supported or fully accountable.

**Mr. Winnick:** I get the impression that the Conservatives have changed their ploy because it is not popular in the country, to say the least, to be seen to defend the hereditary principle. They have decided that that is out of the question because they know, as we do, that they are not likely to win much public support by doing so. They have therefore changed their tactics. Instead of giving the impression that they will fight tooth and nail for the hereditary principle, all the emphasis is now—as it has been during the Committee proceedings—on whether the second stage should happen sooner or later. That is purely a ploy.

**Mr. Letwin:** I want to correct an impression. I hope that the hon. Gentleman will agree that we have made it abundantly clear that we support the hereditary principle in the monarchy, where property is concerned and in other respects. We accept that there is great merit in the proposition that hereditary peers should not have the right to vote in the House of Lords.

**Mr. Winnick:** Yes, but it is remarkable that not once during their time in office did the Conservatives take any action to undermine the hereditary principle. When the Bill becomes law and perhaps after a few years have elapsed, the Conservatives may want to give the impression to the country that it was they who did their

best to get rid of the hereditary peers. They are quite capable of doing so, and the way in which they have claimed credit for the welfare state should give us cause for suspicion. *[Interruption.]* I do not know what the right hon. Member for Bromley and Chislehurst (Mr. Forth) is saying from a seated position, but I know that at no stage in the previous Parliament or any other Parliament in which I sat during those ancient times have the Conservatives made any proposals to get rid of the hereditary peers. They might as well admit it because everyone knows that to be the case.

**Mr. Letwin:** The hon. Gentleman ought to admit that it is slightly odd for a member of the current Labour party to complain about another party having adopted somebody else's clothes.

6.15 pm

**Mr. Winnick:** I have made it clear that the Conservative party came to the conclusion that there is no point in defending the hereditary principle; there are no votes in doing so, and the party would be discredited at the next general election if it tried to do anything of the kind. All the Conservatives' emphasis is therefore now on stages 1 and 2. The gist of their argument is that it would be highly undesirable to implement only stage 1 and we should know about stage 2 and when that will be implemented.

**Angela Smith** (Basildon): Will my hon. Friend join me in welcoming what appears to be a recent conversion by the Conservatives to not supporting the hereditary principle for the House of Lords? In its 1997 election guide, the Conservative party supported that principle.

**Mr. Winnick:** Indeed, my hon. Friend makes a valid point, but we know how opportunist the Conservative party is. As Conservative Members would no doubt argue privately—

**The Temporary Chairman:** Order. I remind the Committee that we are debating a specific group of amendments and new clauses, and we should not go wide of that.

**Mr. Winnick:** I return to the point from which I did not want to depart—the argument about the first and second stages. No one knows what the royal commission will recommend. Indeed, we do not know whether there will be a consensus among its members. However, I have long thought that it would have been arbitrary of the Government to propose a long-term solution for the other place without having an inquiry such as that by the royal commission and, following that, a proper public political debate about what should occur.

I do not for a moment accept that as a result of the elimination of hereditary peers—not literally, I am glad to say—in the first stage, it will be difficult for the other place to function, as the hon. Member for West Dorset (Mr. Letwin) argued from the Dispatch Box. There may be problems, but he greatly exaggerated the possibilities, and serious problems will not occur. I am sure that the other place will be able to carry out its functions without the hereditary peers.

**Mr. Letwin:** Has the hon. Gentleman read the list that has been compiled of the amount of time that Labour working peers appointed by this Administration spend in the House of Lords? If he does so, he will discover that one such noble Lord—to avoid embarrassing people who are not present, I shall not read out names—who is a major donor to the Labour party's coffers, has participated in none of the possible votes and has attended the upper House twice. There are many others who have attended for less than 50 per cent. of the possible time. That is in stark contrast to the high attendance of some of those working hereditary peers who will be removed. I do not criticise the noble Lords concerned—they are out there earning an honest crust.

**The Temporary Chairman:** Order. I criticise the hon. Gentleman for something unforgivable—an overlong intervention.

**Mr. Winnick:** The bulk of work is undoubtedly carried out by life peers.

**Mr. Letwin:** No.

**Mr. Winnick:** Yes, it is, and I could quote statistics, but I do not want to prolong the debate. Moreover, there is no doubt that, although their lordships may have to work longer hours, they will be able to carry out their functions properly in the first stage.

I turn now to a serious point that was the subject of a leading article in *The Times* on Monday—the nature of the second stage. The hon. Member for West Dorset said that there were differences of opinion on the Labour Benches. Yes, there are, and why should there not be? Are we to believe that every Opposition Member now thinks that the second Chamber should be elected?

**Sir Patrick Cormack** *indicated dissent.*

**Mr. Winnick:** I see that the hon. Gentleman shakes his head. There are differences on the Labour Benches, just as there are on the Conservative Benches.

When we get to the second stage, I want—preferably on the basis of consensus, although that may not be possible—a long-term solution to the membership of the upper Chamber. That is why I am pleased that we are not rushing into the second stage and that we are having a royal commission. It is also why I argue strongly that, following the recommendations of the royal commission, we should have a full and proper debate—to some extent, that debate will take place within the parties themselves.

I do not for one moment dispute that I am reluctant to see a fully elected second Chamber—not, I hope, because I have ceased to be a democrat, but because I am concerned about the powers of this House. I want us always to take the leading role, so I am bound to be concerned that a fully elected second Chamber, with all the legitimacy of a directly elected House, could challenge the role and authority of this place. Some hon. Members believe that that would be right, but I do not. All that I am saying is that we need to pause, have a debate and come to a conclusion in due course which will, in the main, meet the wishes of the vast majority of the Members of the House of Commons.

**Mr. Garnier:** Is not the hon. Gentleman a little surprised that in the 18 years of thinking time that the

*[Mr. Garnier]*

Labour party had, it did not come to the House much earlier with definite ideas about stage 2? We still do not know what the Government think about stage 2.

**Angela Smith:** The Conservatives did not do much thinking.

**Mr. Winnick:** As my hon. Friend the Member for Basildon (Angela Smith) rightly says, the Conservatives did not do much thinking. *[Interruption.]* The hon. and learned Member for Harborough (Mr. Garnier) is conceding what I said earlier—there was no wish to change the composition of the House of Lords. We have heard from his mouth what we already knew.

If the present Government came up with a blueprint and said that they were going to do away with hereditary membership of the House of Lords and rush into the second stage, I know what the reaction of Conservative Members would be. They would say that it was being imposed arbitrarily, that there had been no royal commission and that it was wrong that such a step should be taken.

In effect, what we are doing is in accordance with what we said during the election. We said that we would remove the hereditary peers and then give proper consideration to the make-up of the second Chamber. What is wrong with that? What is undemocratic about that?

**Mr. Grieve:** The hon. Gentleman is making an interesting soliloquy on the Government's approach to the Bill, but we are dealing with precise amendments. Does he agree that those amendments allow for all the things that he is seeking, but also say simply that there will be a limit after which a decision on the final form of the second Chamber has to be made and brought to the House?

**Mr. Winnick:** I do not believe that there should be such a strict limit, which is why I oppose the amendments and new clauses. I do not believe that it is desirable. As my hon. Friend the Member for North-West Norfolk (Dr. Turner) said in an intervention, if the amendments were carried, there would be a possibility that the hereditary peers could be brought back, which is just about the last thing that Labour Members want.

**Sir Patrick Cormack:** The hon. Gentleman is very generous in giving way. However, what he says is not so, and he knows it. The amendments and new clauses would simply concentrate the Government's mind. The Government would have to come to the House for a renewal of the lease of the interim House, and this House would then decide. In a new Parliament, this House may take a very different view from the present one. It is very important that we do not lurch or drift, which is the Government's policy at the moment. Frankly, it is unacceptable with such an important constitutional issue.

**Mr. Winnick:** If it is not desirable to lurch or drift, as the hon. Gentleman puts it, it is also not desirable to fix a wholly inflexible time limit which has no purpose whatsoever.

When the party battles are over and this measure becomes law—this is not simply a party political point in support of my Front-Bench colleagues, although I support the line that they are taking—we must, in all seriousness, find a proper balance between the two Houses. If possible, we should reach a consensus between the three main parties about the make-up of the second Chamber. That would be more desirable than introducing legislation for the second stage in a controversial way, as we are doing in respect of hereditary peers. It is necessary to pause, as I have said, and give the royal commission time to make its recommendations.

**Sir Patrick Cormack:** Does the hon. Gentleman concede that the time that the royal commission has been given is indecently short?

**Mr. Winnick:** No, I do not. I cannot agree with the hon. Gentleman even about that. It is desirable that the royal commission should report as soon as possible. Judging by the arguments deployed by the Conservatives today, I should have thought that that was their point of view, too. Indeed, I believe that the hon. Member for Chichester (Mr. Tyrie) agrees that the time given to the royal commission is right.

All in all, I believe that we are taking the right step. I have served in the House for a long time, and I am pleased that I sit on the Benches of a Labour Government who are at long last doing what no previous Labour Government have been able to do—remove the undesirable principle whereby people should sit in Parliament for no reason other than their ancestry. Once that is done, it will be possible—if there is good will—to move to the second stage.

There is no reason why the amendments should be accepted. They are wholly inflexible and, as I said, they are simply a ploy by the Conservatives who know that they can no longer defend the hereditary principle.

**Mr. Maclennan:** If one peers through the miasma of conflicting options and the spun arguments in support of them put to us by the official Opposition, one sees that, notwithstanding their contradictory nature, there may be a grain of concern which we should address in respect of the undesirability of the stage 1 settlement lasting indefinitely. On that there seems to be no division among the hon. Members who have participated in this debate, and no difference of opinion with the Government. Indeed, I venture to say that those who have expressed uncertainty about consensus have witnessed consensus on that point.

It has been clear from the beginning that stage 1 is a phase of reform that is being embraced to improve the upper House, but it is by no means to be the last resting place for the second Chamber. I find it puzzling that the official Opposition keep coming back to the same point. They see no reason to accept the Government's commitment on this issue, but the Government's record on constitutional reform has not been one of delay, dither, uncertainty or unwillingness to take major, remarkable and almost revolutionary steps—quite the reverse. The record of this as yet rather short-lived Government is one of unparalleled readiness to change. Notwithstanding that record, why are the official Opposition hung up about the Government's commitment to consider a plainly democratic, representative and accountable second Chamber?

6.30 pm

**Mr. Letwin:** If the right hon. Gentleman is right about the Government—he may be—does he accept that they ought to agree to some amendments, such as those before us?

**Mr. Maclennan:** No, I do not, and for the following reason. Incidentally, the hon. Gentleman has not told me which of his amendments he would prefer Liberal Democrats to attach themselves to. We listened to him at some length, but at no point did he say, "This is the one on which I propose to make my stand." When dealing with possible constitutional alternatives, a little clarity, certainty and perhaps even priority are needed.

We should not embrace such a mechanistic device when proposing constitutional change. Indeed, it is odd that the Conservative party, which is noted for its interest in promoting stability, should seek to include in legislation something as unstable as any of the amendments that it has tabled, which would create massive uncertainty. Plainly, it would be fantasy to cling to what Parliament is legislating now, in the expectation that we could resurrect what it replaces. The idea that we could get rid of hereditary peers under the Bill and that, somehow, they might rise from their graves with their cerements around them and reinvent themselves as a legislature is extremely fanciful.

**Mr. Letwin:** Surely the right hon. Gentleman accepts that all we are trying to do is to trigger a need, as my hon. Friend the Member for South Staffordshire (Sir P. Cormack) said, for the Government to renew the lease. Is that not a reasonable device?

**Mr. Maclennan:** I like the hon. Gentleman's word device; that I agree with. The proposal is a device—not a constitutional settlement—which we should not accept. It is a device for a debate—

**Mr. Grieve:** Will the right hon. Gentleman give way?

**Mr. Maclennan:** I am dealing—I hope adequately—with the point made by the hon. Member for West Dorset (Mr. Letwin). The proposal is a device to enable us to focus on the undesirability of our living with an all-appointed upper House. In so far as it is focused on that, it is a perfectly acceptable rhetorical way of proceeding—a sort of university debating society way of proceeding.

**Mr. Grieve:** Is not the whole of stage 1, on the Government's admission, a device, because, they tell us, it will enable stage 2 to occur by removing the power of hereditary peers to block the consensus that they claim is available?

**Mr. Maclennan:** There we part company. I do not go along with the view that the Bill in itself is not important. It is of great importance that we should abandon the hereditary principle in our legislature once and for all. I am not happy that there are threats to water it down later, although I understand why the Government are playing with that notion. I do not doubt for one minute, however, that, when the Bill is enacted, it will constitute an important improvement in our legislature. It will not make a perfect democracy—far from it—but it will have disposed of one of the most indefensible aspects, which undermines the strength of the upper House and its ability as a democratically legitimate Chamber to pronounce on the great affairs of state with authority, in a way that forces the Executive to pay attention, listen, act and respond.

Even if there were to be no further change—that would not be desirable or likely—what is proposed is preferable to what we have at present. I hope that the interim period will not be extended. Therefore, to that extent, I go along with what I take to be the underlying wish of other Opposition Members that the Government announce, as early as possible, proposals for stage 2.

**Mr. Tyrie:** The right hon. Gentleman said that the interim Chamber would be preferable to what we have at present. In that case, he clearly disagrees with the right hon. Member for Yeovil (Mr. Ashdown), who said at his party conference in September 1995:

"in Labour's hands, the House of Lords is no longer to be made democratic—instead, it's to be made the most powerful quango in the land . . . I would rather rely on the serendipitous opinion of the illegitimate progeny of past kings' mistresses, than the appointees of a modern British Prime Minister".

Why have the Liberals abandoned nearly a century of belief in an elected House to get into bed with the Labour party in the hope—

**The Temporary Chairman:** Order. If the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) wishes to deal with the intervention, I hope that he does so only briefly, because it concerned the merits of the Bill as a whole, not time and commencement, with which the group of amendments deals.

**Mr. Maclennan:** I certainly would not deal with that intervention at length, apart from saying that the Liberal Democrats are committed to this process because we have confidence that this is a facilitating measure, which will assist the process of reform which has eluded other Governments and parties more disposed to reforming the upper House than the Conservative party has ever been. Such reform defeated the Labour party in the 1960s; I was present during those dreary debates.

**Sir Patrick Cormack:** Is not the right hon. Gentleman merely parading a guilt complex, because the most notorious sale of peerages occurred under Lloyd George?

**Mr. Maclennan:** Lloyd George may have known my father, but I am not prepared to have the sins of my father visited on me.

The Bill is justified, and should set up a Chamber that is more legitimate than what it replaces. Appointees on merit of a range of Prime Ministers over the past three decades are certainly to be preferred to the serendipitous accidents of emergence in the upper House to which the hon. Member for Chichester (Mr. Tyrie) referred. Views would have been split if the proposition was that the Bill is the point on which we are all going to stand. We are not. This is the first step of reform.

Yet again, I draw the White Paper to the attention of those who doubt that that is so. Governments cannot propose such changes more clearly than this Government

*[Mr. Maclennan]*

have. In considering the timing of the successor Chamber, it is important to remember these words in the White Paper, which was published in January:

"If there is consensus, the Government will make every effort to ensure that the second stage of reform has been approved by Parliament before the next election."

That is where the word "consensus" comes from—the Government themselves. That is the right way in which to approach the matter: to seek consensus and, if there is consensus, to act as quickly as possible.

I cannot guarantee consensus; if there is not a consensus, I hope that the Government will continue the process of reform, so that, at least by the next election, a scheme can be put before the country in the manifestos of the parties committed to it, which the electorate may ratify by their votes. At least then, in the early years of the next Parliament, the anomalies which we are undoubtedly creating will be short-lived.

The choice seems to be straightforward: to have either consensus before the election, in which case a Bill could be introduced in the current Parliament, or for the parties to state clearly at the next election how they will democratise the upper House, with the decision being made by the people, to whom, ultimately, the upper House will, we hope, relate much more closely than the present Chamber can.

Therefore, we should do no more than express our enjoyment and appreciation of the fun that we have had because of Conservative Members, and the hope that their pessimism is misplaced. I believe that it is. For those reasons, we should have no truck with any of the alternatives.

**Mr. Bill Rammell** (Harlow): I wish to make a brief contribution, and, in doing so, to pick up on some of the comments by the hon. Member for West Dorset (Mr. Letwin). He referred to the Bill as a constitutional outrage. As a Member of Parliament, I have received two letters on the Bill. I think that other Labour Members have had a similar response. That does not suggest that the Bill is a constitutional outrage. That is not the reaction of my constituents. By and large, it is not the reaction of people throughout the country.

In previous Parliaments, when constitutional outrages were perpetrated on the British people—such as the abolition of the Greater London council and the introduction of the poll tax—many more letters were sent to constituency Members of Parliament. People rightly understood the difference between what was genuinely a constitutional outrage and what was not.

**Sir Patrick Cormack:** Does not the hon. Gentleman's postbag just illustrate that the issue is not the people's priority?

**Mr. Rammell:** No. My postbag shows that, having seen the explicit commitment in the Labour party's general election manifesto and seen the Government go ahead with great intent to implement that manifesto, the people are comfortable with what the Government are doing.

The hon. Member for West Dorset referred to the quality of debate in the House of Lords in the recent discussion on the White Paper. I wonder whether he was referring to the contribution from one of the hereditary peers who argued that democracy was a relatively new invention that should be given time to bed down before the protection for hereditary peers was abolished. Some of the blithe statements from Conservative Members about the supposed quality of debates in the House of Lords and of contributions from hereditary peers need to be, and should be, challenged.

Let me say deliberately and explicitly why the Government and I support two-stage reform and will not agree to the amendments. First, two-stage reform was in our general election manifesto. Most of us, I think, have a quaint notion that parties, once they are in government, should implement the commitments that they explicitly make in their general election manifesto. It is part of a process in which we believe: restoring faith in government and politics.

Secondly, my party, the Government and I have learned the lessons of history.

**Mr. Grieve** *rose—*

**Mr. Tyrie** *rose—*

**Mr. Rammell:** I will continue with the point, and then give way.

Three times this century, there has apparently been a consensus on reform of the House of Lords. The last time we had such a consensus, there was a 5:1 majority in the House of Lords for the abolition of the right of hereditary peers to vote. The first occasion was 88 years ago. However, on every occasion on which that apparent consensus existed, the reform was ultimately blocked by apparently reasonable people, apparently advancing reasonable arguments. Although in principle they supported the abolition of hereditary peers, they could not quite agree on what would replace them and on the nature of a reformed second Chamber.

There is at least a suspicion on my part and that of some of my hon. Friends that some of those people never really wanted reform and used those arguments illegitimately to block it. The net result—we are still seeing it after 88 years—was that the vested interests of hereditary peers and of the Conservative party were maintained.

Were we to agree to the amendments that the Conservative party has tabled, we would allow such disingenuous supporters of reform—if they exist—to say that they want change, but not to say quite how they would agree to it. If we agreed to the amendments, there would be a built-in incentive for filibuster, spurious objections and arcane parliamentary tactics to delay the second-stage debate and legislation. The time limit which is referred to in the amendments would then be introduced, we would come to the end of that period, and reform would not have been agreed.

**Mr. Grieve:** I realise that the hon. Gentleman will not accept my word for it, but nothing could be further from the truth. The amendments are designed precisely to concentrate the mind. I fail to see—I will be interested to hear him deal with the matter—how they are incompatible with two-stage reform. In fact, they will ensure that the second stage comes about within a certain time.

**Mr. Rammell:** The hon. Gentleman will have to forgive me if I do not have the greatest confidence in the

conviction with which the Conservative party tables the amendments. We have heard much comment about concentrating minds. For the Government, but for the Conservative party in particular, carrying out reform in two stages genuinely concentrates minds, because we will then definitely have to create a reformed second Chamber.

6.45 pm

**Caroline Flint** (Don Valley): Does my hon. Friend agree that, apart from delaying matters, the amendments are about the desperation of the Conservative party to salvage some credibility in the whole debate about democracy? We are confident that we will reach the second stage, but, by tabling the amendments, the Conservatives are trying to claim some credit for making it happen. Will it not happen without their amendments?

**Mr. Rammell:** Absolutely. That is a fair point. My hon. Friend has rightly described the attempt to create a cloak of decency to hide the fact that, throughout its history and certainly at the last general election, the Conservative party fundamentally supported the hereditary principle: it said so during the last general election campaign.

The other objection to the amendments is one of fundamental principle. If hon. Members believe that the hereditary principle is fundamentally objectionable and that, therefore, the hereditary peerage should go, it is every bit as objectionable that those hereditary peers should be able to participate in the debate to determine who their successors and what the nature of the reformed second Chamber will be. Were we to agree to the amendments and introduce the timetable for the process by which the second stage had to be agreed, those hereditary peers would be able to participate and to influence the legislation on the reformed second Chamber.

**Mr. Letwin:** I know that the hon. Gentleman is one of most intelligent Members in the House—I mean that genuinely—but either he has not read the amendments or I have misunderstood them. Why does he think that they will change the relationship between existing peers and the debate?

**Mr. Rammell:** If we accept the Bill as it is drafted, hereditary peers will not be able to participate in the debate on reform of the second Chamber. If we accept one of the amendments, which sets a timetable that could mean a period of as little as 20 months between the passing of the Bill and the ceasing of its effect, it is possible that they will participate in the deliberations on the form and nature of the second Chamber. That would not be a legitimate role for hereditary peers in the House of Lords.

I do not accept the Conservative party's allegation that, either through intent or through lack of proposals, the Government intend such a second Chamber to be a permanent solution. The time scales set out in the White Paper require the royal commission to report by the end of the year. Even if we do not secure reform and the nature of the second Chamber agreed within this Parliament, it is inconceivable that the Labour party could go into the next general election campaign without explicit and specific proposals for further reform of the second Chamber.

That leads me to conclude that, this evening, we are seeing a smokescreen and delaying tactics. We should stick to our guns. We should recognise the delaying and blocking tactics for what they are. We should go ahead with what we set out in the Labour party manifesto at the general election, which was once and for all to do away with the entirely objectionable principle of hereditary peers.

**Mr. Tyrie:** It is impossible to disagree more than I do with the last point made by the hon. Member for Harlow (Mr. Rammell). If ever there was a set of amendments and new clauses designed to accelerate rather than delay what happens to the second Chamber, it is this one. The amendments and new clauses are designed to put a time limit on the prevarication and debate that might otherwise indefinitely delay a decision on the second Chamber in the second phase of reform. That is the purpose and intention behind new clause 18, which is quite the opposite of what the hon. Member for Harlow has suggested.

I shall return to the Liberals for a moment. I find it extraordinary that they should oppose these amendments and new clauses when they would inevitably and ineluctably hasten the speed at which we move to what the Liberal party has supported throughout its political life. Only a short time ago, I quoted the leader of the Liberal Democrats, who agrees exactly with that view. His view, as expressed a few years ago, was that to allow the Labour party when in government to go ahead with an appointed House could lead to indefinite delay or the non-realisation of what the Liberals have always stood for, which is an elected second Chamber.

I find it extraordinary—almost beyond explanation—that the Liberals should have suddenly capitulated on this most fundamental area of constitutional reform, which they have espoused for more than half a century. They have completely washed themselves out. In effect, they are saying, "Oh well, we quite enjoy our meetings in Cabinet. We get the odd secret document. In fact, it is all enjoyable." This has been a pathetic exhibition of capitulation and non-opposition.

**Mr. Maclennan:** There is nothing sudden about this. The agreement that the reform should take place in two stages, both of which would be conducted as speedily as possible, was entered into, quite some time before the last election, by the Liberal Democrat party and the Labour party. It was not a frolic of my own this evening. It is something that was ratified by my party at its conference.

**Mr. Tyrie:** So we now know that the right hon. Member for Yeovil (Mr. Ashdown) was saying one thing to his party conference and another in secret negotiations with the Labour party. It is an extraordinary and dreadful story of a party selling out its principles for virtually nothing—for a mess of potage.

**Mr. Letwin:** Does my hon. Friend agree that there is a remarkable precedent in Lord Jenkins's report, in that it seems likely that the Liberal Democrat party thought it had an agreement on that, too?

**Mr. Tyrie:** The Liberal Democrat party thought that it would get all sorts of marvellous things out of the

*[Mr. Tyrie]*

Labour party. In fact, the Labour Government have merely implemented the agenda they would have implemented anyway.

**The Temporary Chairman:** Order. That is all very interesting, but it has little to do with the commencement and duration of the Act, which is what the amendments and new clauses are about. I know that the hon. Gentleman has tabled new clause 18, to which, no doubt, he wishes to direct his remarks and the attention of the Committee.

**Mr. Tyrie:** I have heard you make many apposite remarks, Mr. Winterton, in the Chair and elsewhere, and never was one more apposite than that. I shall return quickly to new clause 18 in particular, and to the group of amendments and new clauses in general.

The key question is whether we shall be better off with the interim Chamber or by staying as we are. If we cannot find a stage 2, we should return to where we are now, which is at least with a House that has some experience and tradition of scrutinising the Executive. What sort of House shall we be left with if the Bill is enacted as it stands, without a sunset clause? There are two possibilities. One is that we would have a House more than ever dominated by patronage. The Appointments Commission is nothing more than a fig leaf. It affects only a small proportion of appointments, and when set against the dramatic increase in appointments that the Government have been pushing through, it is scarcely relevant.

The average number of appointments each year over the past 40 years has been 22, yet the Government have been appointing an average of 66. That is packing on a grand scale and is in breach of all precedent. A House of patronage is not an attractive prospect. I have discovered, sitting in my place during these few days in Committee, that a good number of Labour Members have their doubts about patronage, too. An interesting amendment was tabled by the hon. and learned Member for Medway (Mr. Marshall-Andrews). I think that he overdid it a bit. He said that patronage was the bane—I cannot remember his exact words—of British political life, as if there was something uniquely bad in the state of Britain that did not exist in other countries. I have in mind Roman and Belgian patronage—

**The Temporary Chairman:** Again, this is very interesting, but it is not appropriate to quote what occurred in a previous debate. The issues that arise from the amendments and new clauses are very clear, and I request the hon. Gentleman to direct his remarks to them.

**Mr. Tyrie:** A more likely prospect is that we would end up with a patronage House, plus a rump of 91 peers. We must ask ourselves whether that or the House of patronage is something that we would be prepared to carry on with indefinitely. The purpose of new clause 18 is to establish whether there should be a provision in the Bill to stop that situation continuing indefinitely.

I believe that the interim House would leave power in the hands of the Executive to an unprecedented degree, such as we have never seen before. The interim House would probably be shorn of any ability to ask the Government to think again.

It is clear that many people in the Labour party do not believe that. They consider that the interim House would be an improvement; that has been suggested in several speeches this evening. I respect and understand that interesting view, which is based on a deep dislike of the hereditary principle. However, I ask Members who have put forward that view to consider the point that the interim House would lack the tradition that the current House has on its side. At least as a body it has a system and a way of working. That has enabled it to get on with its job, which would be severely disrupted by the Bill.

The interim House would be dominated by patronage. Nothing could be worse than a second Chamber completely dominated by the Executive; that would be worse than unicameralism. On that, I seem to have some Labour Members agreeing with me, including the hon. Member for Bolsover (Mr. Skinner) and the hon. and learned Member for Medway.

It is not at all likely that the interim House would want to move on to stage 2. One of the extraordinary pieces of implicit nonsense in an otherwise excellent speech by the hon. Member for Harlow was the notion that hereditary peers were in themselves a greater obstacle to reform than an interim House would be, and a greater obstacle to stage 2. The hereditary peers know that they have little legitimacy; they have always said that. The hon. Gentleman referred to a debate that took place many decades ago in which they said that. We must ask ourselves what motive the interim House will have to move to stage 2. What possible motive would it have for pressing for that?

The lifers will be clinging on like grim death. As for the 91—if there are to be 91 of Cranborne's troops—they will be sitting on death row, and are hardly likely to be pressing for stage 2. They are likely to comply with the Executive on absolutely everything, except for the one thing that we need from them—sensible stage 2 reform. What is to be done about it? How can the interim House be made tolerable? I shall suggest some of the possibilities, but shall not allow myself, Mr. Winterton, to drift too far—to drift at all—from this group of amendments.

7 pm

In new clauses 17 and 20, which address the problem of patronage, I have already dealt with one possibility for ameliorating the interim House. However, those new clauses are only palliatives and will not tackle the problem more fundamentally. The best approach must be to have something in the Bill that forces the Government to get on with working up proposals for far-reaching reform.

New clause 18, which I tabled, would be a vital guarantee of the Government's promise to deliver stage 2. Occasionally, Ministers mumble that they want to implement a real and substantive stage 2. Recently, they even said that they would like to get on with stage 2 more quickly. If that were the case, what have the Government to fear from new clause 18? What is wrong with this group of amendments? If the Government want to get on with the job quickly, this group of amendments could not possibly do them any harm.

I strongly expect that the Government will oppose this group of amendments because their heart is not in far-reaching reform. They are not interested in it.

*[Interruption.]* Ministers laugh. What evidence is there to suggest that the Government are interested in far-reaching reform of the House of Lords?

I think that some hon. Members are interested in far-reaching reform. I have been greatly heartened by the number of Labour Back Benchers with whom I have had discussions who believe in an effective second Chamber and want far-reaching reform. However, I have heard from Ministers very little on the matter that is clear cut and not hedged with all sorts of mealy-mouthed words.

I have heard scarcely anything from the Prime Minister to suggest that he wants a balanced constitution; I do not think that I have ever heard him use that phrase. While he is dispensing patronage on such a grand scale, can the Appointments Commission be anything other than a fig leaf for his power in appointing life peers to the interim House? Does the Prime Minister really believe in checks and balances in the constitution? I have never heard him say clearly that he does.

The Prime Minister's actions on the Lords are sweeping aside all precedent. There was a long-standing precedent that there should be all-party consultation—or at least an attempt at it—before any Bill to reform the House of Lords was introduced in this place. On each previous occasion this century when House of Lords reform has been attempted, there has been such consultation, but there was none on this occasion. All-party consultation has not succeeded on every occasion, but at least there was all-party consultation in 1910, 1948 and 1968. On two of those occasions, legislation followed; on the other, as we know, it failed.

As I said, the Prime Minister is also breaking long-standing conventions on the number of peers appointed from his own party: more than 50 per cent. of his appointments have been from his own side. No other Prime Minister has ever broken that convention. As I also mentioned, he is appointing far more peers—in unprecedentedly large cohorts—than any other Prime Minister.

If the Government reject all the proposed sunset clauses, the truth will be out. Ministers will be showing that they do not really want to move to stage 2. They have already dragged their feet and been forced into appointing a royal commission. Initially, they hoped that the commission could kick stage 2 into the long grass; now, pressure has forced them to require it to produce its results more quickly. I think that it is still highly likely that the Prime Minister hopes that the royal commission will rubber-stamp a largely appointed upper House. I also think that many Labour Members, quietly, probably think the same.

The problem for Labour Members is that they have given the game away too often. The Labour manifesto itself says that stage 1 should be an initial and self-contained reform, not dependent on further reform. The Government's White Paper describes stage 1 as a "stand alone" reform. Today, the same belief was expressed by some Labour Members.

We thought that Labour Members definitely believed in at least something—getting rid of the hereditaries. I was astonished to discover that even that belief might be shelved, and that Labour Members might be asked to troop through the Lobby to support the Weatherill amendment.

Lord Weatherill himself has made it clear that he does not want just stage 1 to be an interim House; he has said quite the opposite. In *The House Magazine* of 11 January, he said:

"It's within the bounds of possibility that the Royal Commission may say this"—

the interim House—

"has been working well—let's leave it alone. That would preserve continuity . . . Surely a consummation devoutly to be wished."

That was the view of one of the two tablers of the Weatherill amendment itself: to make the interim Chamber, if the amendment is accepted, into a House of perpetuity, and to forget entirely about stage 2.

**Mr. Gordon Prentice:** The royal commission has to report by the end of this year. It is therefore scarcely credible for that proposition to be advanced.

**Mr. Tyrie:** Lord Weatherill is in quite a good position to assess what he thinks might be plausible. He made the proposition in public, as a reason why his own amendment should garner support in the House of Lords. I should have thought that that in itself was evidence that it might be a possibility. He is a former Speaker of this place and not politically naive; he is a pretty alert chap. That is what he thought might be the outcome of stage 1—stage 1 dragging on for ever and a day.

Above all, we need a lever to force the Prime Minister to act on his promise to deliver stage 2 reform. The sunset clauses are such a lever. My new clause 18 would provide what the Parliament Act 1911 lacked. The 1911 Act, too, was intended only to be a temporary measure, but it did not have a sunset clause to force through further reform. We are having this debate, 90 years later, precisely because that Act had no means of forcing implementation of the stated intentions of its drafters—more permanent subsequent reform.

**Mr. Tam Dalyell** (Linlithgow): Since it looks as if the hon. Gentleman will be speaking for the next 90 years, may I ask what is the point of the filibuster?

**Mr. Tyrie:** I am trying to make a few points, and I am terribly sorry if the hon. Gentleman thinks they are not real points. Perhaps, if he reflects on them a little, he will find the odd point that he has not heard before. He has been an hon. Member for a very long time, and was perhaps in the Chamber in the late 1960s for the previous major debate on the House of Lords. Nevertheless, although he has undoubtedly heard many of the points before, I think that some of them are relevant.

My hon. Friend the Member for Beaconsfield (Mr. Grieve) made an interesting point, with which I strongly agree, that, if the interim House were to turn out to be desirable as a permanent solution—if Lord Weatherill were to be proved right—it would be open to the Government, even if the sunset amendments were included in the Bill, to introduce another Bill to make the interim House permanent. Therefore, even if the Government accepted this group of amendments, but subsequently decided that they did not want stage 2, they would still be perfectly well protected. I can think of no reason for the Government, if they believe in stage 2, not to support at least one of the amendments in this group or to table a similar amendment of their own.

*[Mr. Tyrie]*

Having said that, none of the options for improving the interim House that I have outlined today is my preferred option. There are many more sensible ways of reforming the Lords than this bizarre two-stage approach—which, in itself, makes necessary the sunset clauses. The way forward, of course, is to have a democratically elected second Chamber. Let us allow some fresh air—the fresh air of democracy—into the upper House.

I believe that the Prime Minister is only paying lip service to the idea of an elected upper House. In the foreword to the White Paper, he attacks the hereditaries because they have "no democratic legitimacy". I agree that they have no democratic legitimacy, as do the hereditaries themselves. The Lords have said that many times over 80 years.

Does the Prime Minister mean to deliver a democratic solution? Is he prepared to try to balance the constitution? Is he prepared to get his own control freak tendency under control? Is he prepared to allow a second Chamber that works to rise out of the destructive aspects of the Bill? If so, the Government should have nothing to fear from new clause 18. They should have everything to gain from it, because it would allay the fears of many hon. Members on both sides of the Committee who want a second Chamber, but fear that the Government intend merely to neuter the upper House and leave reform at that.

**Mr. Hurst:** I have been looking for a common thread in the amendments and new clauses. It can be summed up as: commencement late; duration short. I am fascinated by some of the amendments and new clauses. One amendment that has not been selected says:

"This Act shall not come into force until a Joint Committee of both Houses of Parliament has studied the operation of the Canadian Senate."

We are not told to what standard that study should be—O-level, A-level, degree or doctorate—so the amendment is imprecise, but I understand why the Conservatives are interested in the workings of the Canadian Senate. There is a fleeting reference to it on page 25 of the White Paper, saying that it was intended

"explicitly to provide a conservative counterbalance to a potentially radical Commons."

**Mr. Grieve:** The hon. Gentleman has got the wrong end of the stick. The Canadian Senate is a purely appointed body. It has come in for a great deal of criticism because it is toothless as a result.

**Mr. Hurst:** If that is so, the intention of those who set up the Canadian Senate was not successfully implemented. All upper Houses throughout history in every part of the world have been set up, or allowed to remain, to slow down or thwart the will of democracy. It does not surprise me that one has to adapt to modern times.

Another amendment suggests that we should study the New Zealand Parliament and the abolition of its upper House in 1950. I hope that other hon. Members agree that until New Zealand was foolish enough to change its voting system to something quite grotesque, it was, with a single Chamber, one of the most successful, enlightened and progressive democracies in the world. We claim to have founded the welfare state, but New Zealand was ahead of us in many particulars. I would welcome a study of the New Zealand system following the abolition of the second Chamber, but that is no reason to delay putting the Bill into effect.

I do not propose to filibuster. I believe that that is primarily an American device, not so known to our constitution. We need to be clear soon about where we are going. Delaying putting the Bill into operation will not achieve that. I do not doubt the sincerity of the Conservatives' belief in democracy for an upper House, as was true of their forebears in 1911, but I doubt how quickly their proposals would go forward. Those in 1910 and 1911 were sincere in their commitment to democracy, but it took two general elections and the threat of the creation of 500 new peers to ensure substantial progress. Very little progress has been made since then. We need to begin the process by passing the Bill into law as soon as we can. Thereafter, consideration of what should replace the House of Lords—if anything—can take its course.

7.15 pm

**Mr. Leigh:** In a night of several long speeches, hon. Members will be relieved to hear that I intend to make a short speech. I should like to put a different perspective on what we have heard.

The Weatherill solution could well prove permanent and I support it. I realise that I am at variance with many hon. Members in that. The system that will emerge will be an orphan, because neither political party is prepared to claim credit for it. The Labour party will not claim credit for the Weatherill solution for the simple reason that it preserves the hereditaries, albeit fewer of them. The Conservative party will not claim credit for the Weatherill solution because it cuts the number of hereditary peers to 91. I believe that it is a good British compromise. It is entirely within our traditions and should be supported by hon. Members on both sides as a fair solution.

It is not good for the House of Lords to have a permanent, inbuilt Conservative majority. That often results in the House failing to oppose bad legislation. The preservation of a limited number of hereditaries in the Weatherill solution is no bad thing, because it provides for the continuance of an independent element. Regardless of whether one supports it in principle, it will probably last because any other solution has so many enemies ranged against it on the old Foot-Powell axis that, as the Government have rightly determined, it would be bound to fall foul of the House of Commons. If the House of Lords was entirely elected, it would be a pale imitation of the House of Commons and would be controlled by the Whips, as this place is. If it was partially elected and partially appointed, the appointees would be there for life and would be independent of the Whips, but would lack the democratic legitimacy of the elected members and would be able to do what they liked. All the possible solutions are logical in their way, but any other will be rejected. The interim solution is justifiable.

Those who support the Weatherill interim solution should have the courage to say so. That is why I support the amendments. The Government are entitled to abolish the hereditary peers because they put the measure in their manifesto and were elected. However, it is wrong for them to abolish the hereditaries without revealing their

long-term ambitions. We all know that they have done that because otherwise it would be impossible to gain any consensus; we all understand that. Surely by the time of the next election the long-term solution should be clear to the British people, be it the Weatherill solution, a partially elected Chamber or a fully elected Chamber. Surely that is all that my hon. Friend the Member for West Dorset (Mr. Letwin) is asking for.

I am sure that Labour Members do not like the amendments. Why should they? They have been drafted by Conservatives and could result in the hereditaries being re-created in all their splendour—although it is inconceivable that that would happen. I should like to repeat a point that was made earlier in a non-partisan spirit. We know that the Government are not going to accept the amendments, but there is a serious intent behind them. I accept that the Government are well intentioned and that the Minister is a genuine radical, not just a cynic like me. He does not accept my arguments about the Weatherill solution lasting for ever. I accept that he wants a non-Weatherill, non-hereditary solution. He wants to do something.

I merely plead with the Minister to make it clear to the British people when he decides the final shape of the Bill—or when it becomes an Act—that the matter will be finally determined in this Parliament. If he does that, when people vote in the next general election—or, hopefully, before that—the new constitutional set-up will be clear. That is all I ask.

**Mr. Grieve:** I intend to be brief, because I have already raised some of the matters that I would have raised in my speech in interventions.

I simply do not understand the suggestion by Labour Members that the amendments were designed to thwart the Government's entirely legitimate aim of getting rid of hereditary peers, which is their stage 1 ambition. They do no such thing. They enable the Government to achieve their aim: indeed, the point has been entirely and properly conceded by the mere fact of the Bill's having been given a Second Reading.

I might add that it is true to the Conservative tradition that, having been reluctant to consider alterations to the form of the Upper House—because we have found it difficult to see how they could be implemented—we should be the most desirous of radical changes in the way in which the second Chamber operates, now that the logjam has been shifted and the principle of change has been established. I certainly am. I have tried to adopt a consistent approach to the Bill, and I intend to continue to do so.

I think it was the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) who told us that we should be in no doubt about the Government's willingness to proceed to stage 2. There it was, in black and white, in the White Paper; it could be accepted without any difficulty. The history of the past 12 months, however, suggests that the Government have experienced appalling difficulties in wrestling with stage 2. I do not wish to be cynical about the Government's difficulties, because I think that they are genuine; but we have had to extract bit by bit even the concessions that made the completion of stage 1 possible. Without that, there would have been no royal commission a year ago. Certainly there was no talk of it, and there was no real suggestion that stage 2 would be taken further. The Weatherill amendments—which are at least a concession to the upper House, in that they imply that stage 2 will come—have also had to be extracted, in the teeth of massive opposition, and threats of opposition, to the Bill.

I want stage 2 to happen, and given the fashion in which the House of Commons operates, there is no better way of ensuring that it happens than guaranteeing that the matter returns to the House within a set time. Sleeping dogs are usually allowed to lie, and nothing is easier for a Government than to say, "We have too much other legislation before us. The agenda is too full. We have no time in which to consider the matter, so we will put it off."

A finite time limit is needed. After all, if such a limit is not observed, it will be possible to return to the status quo ante. I appreciate that that is anathema to most Labour Members, and I would not like it to happen; a time limit would guarantee that we applied our minds to the issue within that period. Once we have done so, if the interim Chamber has indeed commanded the most widespread support, we shall be able to ratify it. Heaven knows, that would involve a only one-line piece of legislation: it would not exactly interfere with a Government's future timetable. If that does not happen, we shall be forced to settle down and work out how the second Chamber should operate.

It is clear that there are major divisions of view, which cross party lines. There are also legitimate issues for discussion. I am the first to admit—although I strongly favour an elected second Chamber, which should not be elected by Government and prime ministerial patronage; that is the key issue—that many questions must be dealt with. For instance, there is the question of keeping a range of expertise in the upper Chamber. I should like to discuss all those matters: they need to be discussed.

If the amendment is not accepted, we shall be presented with a blank cheque allowing nothing at all to happen. Whatever view is held by Labour Members—whether they favour retaining the interim arrangements, opting for a radical second Chamber or abolishing the upper House entirely—by voting for the amendment and those grouped with it they will guarantee that the matter will return to the House for further consideration. Without the amendment, there will be no such guarantee. That is why I feel so strongly that it should be accepted.

**Mr. Swayne:** I had intended to detain the Committee for some time, but I now see little point in doing so. The speech that has silenced me is that of the hon. Member for Harlow (Mr. Rammell). He pierced the heart of the issue when he pointed out that Labour Members simply did not trust us.

The amendment, and those grouped with it, were tabled largely because we are not persuaded of the Government's good intentions in respect of pursuing the agenda for phase two. That is certainly true of me. The amendments are, as it were, an engine to ensure that the matter is dealt with. The hon. Member for Harlow said that, from his party's perspective, the amendments are seen as proof of our own lack of good intent to pursue phase 2, and as merely providing a means whereby the status quo ante can be returned to after a period of filibustering, havering and scuppering of reform.

Following that impasse, I am not sure what the way forward is. I can only say that I believe the amendments to be important. They are particularly important in respect

*[Mr. Swayne]*

of the historical perspective. For 80 years, this issue has been bedevilled by an inability to concentrate the mind of the Executive on the question of reform. The amendments provide the necessary perspective—with the exception of new clause 10, tabled by the hon. Member for Thurrock (Mr. Mackinlay). I hope that he will explain the new clause to us, because it mystifies me.

It seems to me that new clause 10 falls into precisely the same error as the Parliament Act 1911, in that it makes a statement of intent. The 1911 Act made a statement of intent, but it has not been implemented in 80 years. I fear that any kind of statement of intent would be no more effective in this Bill than it was in that Act. The other amendments and new clauses, however, give us a range of options for providing the focus that is proper to the issue. It is undoubtedly the case that the focus of Ministers will change—as, indeed, it has already changed—but we are told that this is a matter of urgency. It was not a matter of urgency 20 months ago; it was not a matter of urgency in the first Session of this Parliament.

Other things will happen. The Government may lose their extraordinary run of good luck, and, like most Governments before them, become captive to events. They may have to react to events, and have to dominate their agenda very differently. In that case, this issue will be lost sight of; and that is why the amendment should be accepted.

7.30 pm

**Mr. Garnier:** I shall be brief, because all the Conservative speeches have been excellent. I particularly commend the speeches of my hon. Friends the Members for West Dorset (Mr. Letwin), for Beaconsfield (Mr. Grieve), for Gainsborough (Mr. Leigh), for New Forest, West (Mr. Swayne) and for Chichester (Mr. Tyrie).

The dangers of clauses 4(1) and (2) are highlighted—as are the advantages of the amendments—by what follows in subsequent subsections. There we see the Government giving a Secretary of State powers to make an order for

"such transitional provision about the entitlement of holders of hereditary peerages to vote at elections to the House of Commons or the European Parliament as he considers appropriate."

Clause 4(4) goes further, allowing the Secretary of State to modify—another word for amend—

"the effect of any enactment or any provision made under an enactment."

If we are to allow this Government or the Secretary of State to have those powers to tinker with the constitution in a way that he sees fit or appropriate, the sooner we get the Bill time-limited, the better. Whether it is a 24-month, a 12-month or a 36-month limit—or a sunset clause, as suggested by my hon. Friend the Member for Chichester (Mr. Tyrie)—the sooner we get such a clause bolted on to the Bill, the better. If there is a constitutional outrage, it is to be found in the Secretary of State being given powers to tinker with the constitution by statutory instrument. I find that obscene. For that reason alone, I hope that my hon. Friends will pursue these amendments.

**Dr. Fox:** One of the difficulties of the amendments has been that this is the precursor of a precursor Bill. It is a precursor because we are getting only an interim House, because we are not moving to stage 2 and because we know that the Government will alter the content of the Bill in the other place. Indeed, the Leader of the House has stated that that is the Government's intention.

Several points were made on clause 2 this afternoon concerning anomalies in the Bill, caused by the way in which it will be enacted. The Bill will be brought in halfway through the Parliament, and the question of the disfranchising of hereditary peers was mentioned. The amendments seek to avoid that by bringing the Bill into effect at a time different from the one the Government want. Labour Members have said that this will tie the hands of the Government. Any Government wanting to come forward with a real stage 2 proposal would be glad to have their hands tied in that way.

The amendments do not thwart, but—as my hon. Friend the Member for Beaconsfield (Mr. Grieve) said—augment the position of anyone who wants stage 2 reform. That is all we seek. We have been consistent in saying that we did not want stage 1 reform without knowing what stage 2 was to be. The amendments propose to put into the Bill something that guarantees that we will not move forward until we know the final position. Amendment No. 5 proposes to bring the Bill into effect at the next general election, and we intend to divide the House on it.

Our intention is to avoid having the interim, unwanted, halfway and unnecessary House. It will be an interim House—but between what and what? We currently have an interim House—it has been there for 88 years. By that reckoning, our great-great-grandchildren will be back here in 2087 to discuss what should happen to the Chamber that the Bill proposes.

The Bill proposes that the royal commission and the Joint Committee should agree on a proper stage 2 proposal without considering something that nobody wants and which does not do what is required. That is one of the points that we have made. The interim Chamber does not represent an improvement on the government we have. Any substantial change in our constitution should represent an improvement on the way in which we are governed.

The proposal will not bring the Executive better to account than at present. It is not the House of Commons that is too powerful, but the Executive. When the House of Commons fails to do its job in bringing the Executive to account in a proper bicameral structure, we need a second Chamber which is willing to do that and which has that authority.

That is why I found the speech of the hon. Member for Braintree (Mr. Hurst) rather strange. The Opposition are trying to strengthen the upper House to control the Executive—not the reverse. The Government's proposals will weaken the upper House's ability to call the Government to account. That cannot be right. We are accused of being suspicious. Why? We genuinely doubt the Government's motives, and their willingness to move to the second stage. We believe that the first stage will be what we get in terms of reform. We want to know the end product—that is perfectly rational.

We believe that the Government's intention is to kick the matter into the long grass, and we have perfectly reasonable grounds for that suspicion. We have had to drag the White Paper and the royal commission out of the Government—neither was offered at the outset. It was

only when the Government were faced with huge opposition—not least in the other place—that they were willing to grant these reforms. Why should we not doubt that they genuinely want reforms that will create a different locus of authority in this Parliament—something that might bring the Executive to heel?

We all know the real debate—we have been having it for 88 years. Should we have a second Chamber, as the hon. Member for Braintree legitimately asked? If so, should it have more or less power? If more power, what should these powers be? If it is more powerful, how should it be composed? Should it be appointed, elected, or a mixture of the two? We all know the arguments well enough to be able to move straight to the second stage without an interim Chamber that no one really wants, and which is composed in a way that is entirely opposed to the Government's manifesto. It will be a hotch-potch, cooked up to suit Labour Members.

My hon. Friend the Member for Gainsborough (Mr. Leigh) asked perhaps the most legitimate point of all. He said that the Government are asking us to accept a change to our system of government without telling us what that change will be. That is the most unacceptable thing of all. They say that they want stage 2—this is their chance to prove it. By accepting the amendments—and by tying their own hands—they will make it clear.

Any alternative proposed by the Minister will reinforce our suspicions that we will never see stage 2, and that the Government's intention is to provide a pliant halfway House full of yes-men with no power to stop the Government doing what they want. With the House of Commons already under the control of the Whips, there will be little to bring the Executive to account. That cannot be a healthy democratic structure.

These amendments give the Government a chance to propose a properly structured stage 2 reform. They will have the support of the Opposition should they choose to do that, and we will co-operate fully in the royal commission. We wish to see stage 2 completed. What we find unacceptable is that the Government—for party political reasons and reasons of convenience—should try to gerrymander our constitution.

**Mr. Hoon:** We have debated the two amendments and five new clauses together because they all deal, in one way or another, with the question of whether reform should proceed in one stage or in two, or whether attempts should be made to force the process into one stage or to provide a legal commitment to the second stage. Having heard two speeches from Conservative Front Benchers, we do not know which they would prefer.

We have had a great deal of sound and fury, particularly from the hon. Member for West Dorset (Mr. Letwin), who talked about constitutional outages. He referred to an 88-year Chamber—harking back, I assume, to the 1911 Act. Had he analysed the constitutional history of the other place properly, he would have referred to 1958, not 1911. The 1911 proposal did not deal directly with the composition of the other place. The 1958 one did.

On Second Reading, I referred to comments made at that time by Conservative Ministers, who were proposing reforms that would lead to the greater efficiency of the House, and therefore to the better working of Parliament, bringing the House more abreast of the times. That was to be a reform in relation to composition, without dealing with the fundamental questions.

Despite what the hon. Member for Woodspring (Dr. Fox) may say, Labour Members want both stage 1 and stage 2. That was set out clearly in our manifesto. The amendments and new clauses are a fairly obvious attempt to delay the removal of the rights of hereditary peers to sit and vote. It is perhaps significant, as my hon. Friend the Member for Walsall, North (Mr. Winnick) said, that Conservative Members now limit themselves to attempting merely to delay the reforms and do not oppose them outright.

**Dr. Fox:** If it is such a point of principle and the Government want stage 1 as an end in itself, as something that they promised in their manifesto, why has the Leader of the House already said that the Government will accept the Weatherill proposals, which are the complete opposite of what was in the manifesto?

**Mr. Hoon:** I will deal with that point in a moment. We are discussing the means, not the ends in themselves. In 1958, the then Lord Chancellor pointed out that there had been no fewer than 10 unsuccessful attempts over a period of 100 years to change the composition of the House of Lords. He said that they were all unsuccessful because someone had forgotten that the best can so often be the enemy of the good.

The Government want both stage 1 and stage 2. The amendments and new clauses will not help us to achieve that. We have made it clear, in a White Paper and elsewhere, that we are committed to reform of the composition of the House of Lords. The first step, as was made perfectly clear in the manifesto, is to end the right of hereditary peers to sit and vote.

**Mr. Tyrie:** Are the Government also committed to a democratically elected second Chamber?

**Mr. Hoon:** That is clearly a matter for the royal commission to advise on, for both Houses to resolve, and for further debate. We have said how that debate can take place.

Our ambition is to remove the rights of all hereditary peers. The point about the so-called Weatherill or Cranborne proposals is that there will be a great deal of enthusiasm behind me at the Dispatch Box for ensuring that the interim arrangements, if they are approved, are indeed only interim arrangements. Government Back Benchers will expect the Government to deliver the manifesto promise to remove the right of all hereditary peers to vote.

**Mr. Letwin:** To allay our suspicions, what is the Government's timetable for the implementation of phase 2?

**Mr. Hoon:** We have had a great deal of discussion about consensus. If there is consensus, and we move quickly through the royal commission and the Joint Committee, there is no reason why measures could not be introduced before a general election. That is a perfectly possible timetable; it is set out in the White Paper and it could be achieved. It clearly depends on achieving consensus.

*[Mr. Hoon]*

We have been debating this for a very long time, not just 88 years, because the Parliament Act 1911 was the culmination of a long period of debate about the role and composition of the second Chamber. The royal commission will have plenty of material to be going on with, and there is no reason why it should not review that material and reach a judgment fairly quickly.

**Mr. Leigh:** The Minister knows perfectly well that there is no consensus. The Government must govern. Will he give a commitment that the nature of stage 2 will be clear to the British people by the next general election?

7.45 pm

**Mr. Hoon:** I am disappointed in the hon. Gentleman's pessimism about the possibility of achieving consensus. In the most recent example of efforts to reform the second Chamber, in 1968, there was consensus. The Conservative party accepted the results of the various discussions and withdrew from supporting the proposals not because it opposed them in principle, but for a completely different reason. Consensus was reached fairly quickly in 1968. Why should not the royal commission do the same this time?

We are debating resolving the question of eliminating from our further discussions the issue of hereditary peers, and there is no need for us to debate the second stage in that context. We want to concentrate the discussion on the future, not the past, and ensure that we have a properly informed debate without the role of the hereditary peers interfering in it as it has in the past.

Many Conservative Members have referred to the fact that we have not been able to have a proper debate about the future composition of the House of Lords, simply because the issue has been confused by the context of the hereditary peers. It is important to resolve that question once and for all. That is what the Bill will do.

Amendment No. 5 is designed to delay the removal of the hereditary peers until the end of the current Parliament, and we have made it clear that it is important not to delay that long. Amendment No. 6 is presumably intended to be consequential on it, but it could have separate effects. It is designed to prevent the cancellation of existing writs of summons, which run the length of the Parliament.

Amendment No. 6 would import uncertainty to the Bill because it is not certain that without the provision peers would still be able to claim that their writs entitled them to a seat. There is a danger that it would operate separately, in that if amendment No. 5 were to be rejected and No. 6 accepted, a peer would have the right both to sit and vote in the House of Lords and to seek election to the House of Commons. I assume that those who tabled the amendment did not intend that.

New clause 1 would provide for the Act to lapse automatically at the end of the Parliament in which it is passed. In that case, unless further legislation had been passed in the meantime, the House of Lords as it is today would be recreated, and hereditary peers would once again become Members of the House of Lords. There are various objections to that. It would promote considerable uncertainty, but above all else the new clause is unacceptable because it would give those opposed to reform an incentive to delay the second stage and restore the status quo ante. We cannot support that and I doubt, in reality, that it can really be the Conservative party's intention.

New clause 2 would provide for the Act to lapse automatically two years after the proposed Joint Committee reported on the outcome of the royal commission's work. Again, unless further legislation had been passed in the meantime, that would mean that the House of Lords would be recreated. Hereditary peers would become eligible for membership of the House of Lords, but would lose their right to vote or stand in parliamentary elections, although in the mean time they could quite legitimately have been entered on the register of electors.

If the trigger point fell just before the next general election—possibly during the campaign—the effect on those hereditary peers who had been selected as parliamentary candidates would be far from clear. If it fell in the middle of a parliamentary Session, the effect on legislation already before the House of Lords is also not clear. The Bill provides for its coming into force after the end of the Session, precisely to avoid such problems. New clause 2 is confused and should be rejected, if for no other reason than that it is legally and politically uncertain in its effects.

New clause 13 provides that the Act will lapse and the provisions of the Peerage Act 1963 will be reinstated if a further Act has not been passed in this Parliament dealing with the composition of the House of Lords. Again, it is far from clear, because it does not define precisely what the trigger Bill might be. For example, would a Bill amending the Life Peerages Act 1958 so as to allow for a retirement age or a disclaimer of titles count? Such uncertainty is obviously unsatisfactory, and the new clause should not be accepted.

New clause 18 would provide for the Act to lapse three years after Royal Assent. The Bill provides for its substantive provisions to come into force at the end of the Session in which it is passed. That is precisely to avoid problems with legislation caught in mid-Session. The new clause would not avoid that danger and the Act could well come into effect in July or October 2002, right in the middle of a parliamentary Session, once again producing considerable uncertainty as to its effects.

New clause 10 was briefly mentioned in today's debate. It would add nothing to the Government's existing commitment to progressing further with Lords reforms. It would have no legal effect and there is no good reason why the statute book should be cluttered up with extra material of no consequence. On that basis, it should not form part of the Bill.

I repeat what I said at the outset: the Government are committed to stage 1 and to stage 2. If we do not definitively settle the question of the hereditary peers, we present ourselves with an obstacle to sensible debate and long-term reform. We have one party with a large vested interest in the status quo, and the very presence of the hereditary peers increases the temptation to look for difficulties, not solutions, in the reform of the House of Lords. The two-stage process is entirely consistent with

British traditions of proceeding by evolution rather than by way of dramatic change.

*Question put*, That the amendment be made:—

*The Committee divided:* Ayes 125, Noes 322.

**Division No. 85]** **[7.50 pm**

**AYES**

Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Greve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

**Tellers for the Ayes:**
**Mrs. Eleanor Laing and Sir David Madel.**

**NOES**

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashdown, Rt Hon Paddy
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*

Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kennedy, Charles *(Ross Skye)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McIsaac, Shona
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Wallace, James
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*

**Tellers for the Noes:**
**Mr. David Hanson and Mrs. Anne McGuire.**

*Question accordingly negatived.*

**Mr. Letwin:** I beg to move amendment No. 22, in page 1, line 17, leave out from beginning to end of line 3 on page 2 and insert—

'(2) Holders of hereditary peerages shall be entered on to the electoral register at the end of the Session of Parliament in which this Act is passed and at any time after the end of Session of Parliament in which this Act is passed the holders of hereditary peerages shall be entitled to vote in elections to the House of Commons.'.

**The Second Deputy Chairman of Ways and Means (Mr. Michael Lord):** With this, it will be convenient to discuss the following amendments: No. 32, in page 1, line 17, leave out 'such'.

No. 34, in page 1, line 19, leave out 'or the European Parliament'.

No. 33, in page 1, line 19, leave out 'as he considers appropriate' and insert

'in order to give effect to section 2 of this Act.'.

No. 7, in page 1, line 23, leave out from 'enactment' to end of line 3 on page 2 and insert—

'(5) No order under this section shall be made unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, each House of Parliament.'.

**Mr. Letwin:** After the shock of that terrible defeat, let me move on to the next group of amendments.

We have so far debated the great question to which clause 4(1) gives rise about the relationship between stage 1 and stage 2 and the Government's desire and ability, or otherwise, to move on to stage 2. This group of amendments deals with the remainder of clause 4. I can relieve the Leader of the House and the Committee by saying that we have no problem with the entirely anodyne and welcome aim of clause 4 to restore the right of hereditary peers, who will no longer be able to sit and vote in the House of Lords, to vote at parliamentary elections. Members on both sides of the Committee have waxed eloquent on the propriety of peers having those democratic rights, and we wholly subscribe to the view that they should. There is nothing between the Conservatives and the Government on that aim.

The problem, however, is the way in which clause 4 seeks to achieve that aim in subsections (2), (3) and (4). I doubt whether Ministers intended to do anything improper or unusual in the drafting of clause 4. The Leader of the House may find my remarks surprising, believing that the drafting was not out of the ordinary. I suspect that the genesis of those three subsections was

that people who are learned in these matters—the Government's legal service and the parliamentary draftsmen—sought to achieve the aim given them by the right hon. Lady to restore the rights of hereditaries to vote. They produced clause 2, and they were told to produce some transitional provisions.

Alas, in carrying out their task, they have displayed just about every constitutional and juridical vice possible. None of those vices is unprecedented, but the clause is a textbook case. It is a sort of Christmas tree on which have been hung all the ghastly presents passed down by draftsmen past. If we are not careful to say something about that—or, better still, to do something about it—those presents will become subject to the hereditary principle; they will be handed down to the next set of draftsmen and they will appear in other Bills, in which their effects may be much wider, in circumstances in which the aims are less laudable than those of clause 4.

First, let me deal with a minor point. I apologise in advance to the Leader of the House in case I have made an error. If so, I shall be happy to be corrected. I believe that clause 4(3) contains a technical defect, in that their lordships already have the right to vote in European elections. The provision of that right is therefore unnecessary. That is a minor point, and I do not seek to criticise anyone or to pay much attention to the point. My other points are more serious.

Subsection (3) also contains the widest possible order-making power. It states:

"The Secretary of State may by order make such transitional provision . . . as he considers appropriate."

That may appear to be a perfectly normal piece of drafting, but the final words are there for one purpose and one purpose only—to give the Secretary of State the widest possible latitude in designing the order. That is the opposite of what Parliament ought to seek to do in passing primary legislation: we ought to constrain the powers of the Secretary of State as far as we can.

In case the Leader of the House or any of her hon. Friends intends to leap in to tell me that previous Governments, including those of my own party, have been guilty of taking wide order-making powers, I am happy to admit that there has been that tendency. However, I do not wish—and I hope the right hon. Lady does not wish—to repeat the sins of the past. Now is as good a time as any to try to put matters right. Clause 4(3) is an example of the worst kind.

If that were all, because such powers have been so frequently taken, and although I have made it my practice on every possible occasion since my election to the House to point such matters out, I must admit that my case would not be strong. Alas, clause 4(4)(a) contains the next ghastly legislative vice—the famed Henry VIII clause. The Secretary of State will not only be allowed to make such provisions as he considers appropriate. He will be allowed to

"modify the effect of any enactment or any provision made under an enactment".

Who knows how judges will see such powers now that they have multiplied out of all proportion? I attach some significance to the fact that the powers are being built into a major constitutional Bill that will attract the attention of the courts and the constitutional commentators.

Taken at face value, clause 4(4)(a) allows the Secretary of State to do by order just about anything to just about any previous enactment so long as he—and this is the test—considers the action appropriate. We would not want that if we were starting with a clean piece of paper and considering what primary legislation a responsible House of Commons should pass.

I regret that that is not the end of the matter. Having given the wide powers, including the Henry VIII provision, clause 4(4)(b) adds the third vice of which we have seen all too much—and again in the context of a major constitutional Bill. As the Secretary of State was being given the widest possible powers, including the power by order to modify an enactment—something dreadful that has crept into our legislation—one might have thought that there would have been an attempt to create an element of constitutional or juridical decency by allowing the House of Commons to vote the thing in before it became an order. Not a bit of it! Clause 4(4)(b) provides for the order to be made by negative resolution. We all know what that means: on the whole, such orders go through on the nod. I do not say that these provisions will, because they are matters of great moment. Someone may pick them up and they may be debated. However, there is no point in negative resolution procedure unless the Government want to weight things in favour of their going through on the nod.

This is a major constitutional Bill that does something of importance in conveying a democratic right to a set of people, but it is done in a way that exhibits each of the three tendencies—the negative resolution procedure; the power to repeal and change Acts by order; and decisions being governed only by an appropriateness test—that have most bedevilled primary legislation over the past five, 10 or 15 years. Those tendencies started their sorry journey into legislative history 20, 30 or 40 years ago. If they were absolutely necessary, I suppose that we could understand it, but they are not.

Amendment No. 22 is designed to resolve the problem cleanly and clearly. It would put straightforwardly into statute provisions equivalent to the admirable clarity of clause 2. It would compel the entry into the electoral register of the names of those who need to be given democratic rights, with no orders, no negative resolutions and no Henry VIII clauses. That would end the need for the rest of clause 4. We cannot see the slightest reason why it should prove inoperable or why the Government should resist it.

In fact, this is where the whole thing begins to be interesting rather than merely a sorry tale. We have much scratched our heads asking ourselves why, given that the Leader of the House did not ask for it to be done in this way, it was done in this way. Why did all the learned, clever people employed by the Government to think these things through choose to display in a major constitutional Bill all the vices in a compact Christmas package? Perhaps it was oversight, but we doubt it. On reflection, we think that there is a reason, which has to do with the ghost in the machine that we see in the whole Bill and to which we have often alluded.

8.15 pm

We think that the problem is this. I should be delighted if the right hon. Lady told me that I am wrong. So far as it goes, clause 2 is fine. Unfortunately, in another place, after the Government have perhaps accepted the Weatherill amendment, clause 2 will cause some difficulty. Hereditary peers will not be disqualified from voting, but they will

*[Mr. Letwin]*

have a rather remarkable franchise. They will have the right to elect not a Member of Parliament but a Member of the upper House—by rumour, 90-odd such Members. They will have that right not as part of a constituency of 60,000 or 70,000 electors but as one of 500 electors. Under those circumstances, the Secretary of State may wish to do all sorts of things to make transitional provisions that do not allow those who are in one way or another taking part in the Weatherill election to take part also in a normal democratic election, such as one to the House of Commons. We have no idea whether that is the case because we—I assume like the Leader of the House—do not know what the Weatherill amendment contains or may contain. Perhaps it will not even be moved.

**Mrs. Beckett:** I may be able to save the hon. Gentleman much tortuous thought. He and his colleagues seem to have spent much time anticipating all sorts of Machiavellian Government behaviour that does not exist. There is a simple reason for the provisions: our desire to be as helpful as possible in giving people who will lose their rights to sit in another place their proper rights as citizens at the earliest point possible, even if that should come at a time inconvenient from the point of view of the normal construction of an electoral register. It is no more or less than that.

**Mr. Letwin:** If that is the sole reason, as it may be, the right hon. Lady will have no difficulty in accepting amendment No. 22 because it compels inclusion in the electoral register. The criterion would be fulfilled as a matter of law. If the right hon. Lady thinks that it will not work, it would be interesting to know why.

I continue to believe that there is a subtext. It is likely that there will be a considerable mess when we get to the Weatherill amendment in respect of ensuring that the right people get, or do not get, the right to vote in parliamentary elections. I do not know how that will be resolved. I know that the right hon. Lady—if, as I suspect, she is being straight with us about not knowing what the Weatherill amendment will look like—cannot know how that will all come out. There is at least an appearance that this provision creates latitude and discretion to try to deal with that problem. If she says that that was not the intent, I am delighted to hear it. If it is not, she should subscribe all the more readily to amendment No. 22, in which case the problem that I think may have existed in the minds of those who drafted the provisions will not apply. If it turns out that I am right about the reason, we shall have the bizarre position that the cause of these juridical vices is, as we have repeatedly said, another sort of outrage: the outrage of parliamentary blackmail.

I know that the Leader of the House maintains—I think, perfectly sincerely—that there is nothing wrong with the Government wanting to get their business through smoothly and being willing to make a major concession to do so. As with many such things, it depends which end of the telescope one is looking through. To us, the very same thing is differently described: it constitutes a statement by the Government that part of the constitution would be right if their lordships had behaved themselves, but wrong if they had not. That is the wrong way in principle to go about constitutional reform. If I am right that at least part of the cause of the elaborate and horrible procedure in clause 4, with the three vices that I mentioned, is the process that I have described as parliamentary blackmail, we have an unfortunate case of one vice begetting another.

If the Leader of the House wholly denies that chain of logic, that is marvellous. She can then surely accept amendment No. 22, because it clearly puts the onus on anyone who wants to obey the law—as returning officers and the whole of local government will want to—to ensure that hereditary peers are put on the register. I have to say that, in that event, if and when the Weatherill amendments are accepted, it will be necessary to amend both clause 2 and clause 4. I doubt whether the Leader of the House will deny that. Then we will have a clean amendment of clean clauses. That is how the thing ought to run. When the Bill comes back to the House after the amendments have been moved in the other place, we shall be able to see whether the process that it inaugurates is workable and sensible. We have not been able to debate the Weatherill amendments in advance because we have not seen them, but at least we shall be able to do so ex post.

**Mr. Grieve:** I wait with great interest to hear what the Leader of the House has to say, but I find that the thrust of amendment No. 22 is straightforward. The amendment provides in statutory form the objective that appears to be desired by all parties in the House. It will be right for hereditary peers, as the amendment says, to be

"entered on to the electoral register at the end of the Session of Parliament in which this Act is passed and at any time after the end of the Session of Parliament in which this Act is passed the holders of hereditary peerages shall be entitled to vote in elections to the House of Commons."

What is the harm in spelling that out?

Clause 2 says:

"The holder of a hereditary peerage shall not be disqualified by virtue of that peerage",

but thereafter the power is reserved to the Government to decide when the clause will be introduced. What is the rational logic of that and what is the drawback to amendment No. 22?

I am perfectly prepared to accept what the Leader of the House said. One of the reasons for introducing legislation by statutory instrument—heaven knows, we have heard this on countless occasions in proceedings on various bits of legislation, including the Henry VIII clause in the Human Rights Bill—is to ensure that something which needs to be done and which everyone agrees ought to be done can be done swiftly when the occasion arises. But if one knows precisely when the occasion will arise because it is clear that it will arise when a particular event happens, why on earth is the occasion not written into the Bill? I wait with great interest to hear from the Leader of the House why that is not so. On any analysis, I cannot see that amendment No. 22 could cause the Government any difficulty.

**Mr. Letwin:** Would my hon. Friend like to remedy a deficiency that I now see in my speech by outlining what he sees as the timetable for enactment and entry on the register?

**Mr. Grieve:** If the legislation contained the amendment, upon enactment, as the amendment states

perfectly straightforwardly, at the end of the Session of Parliament in which the Act is passed—assuming that we are operating on this year's time scale, it would be at the end of October in the hiatus before the state opening—the names of hereditary peers would be entered on the electoral register to entitle them to vote in elections to the House of Commons thereafter.

One has to say, and I think my hon. Friend has said it, that the only potential problem might be the Weatherill amendment. The Government have told us not just once but repeatedly that we are not allowed to second-guess the Weatherill amendment. It is apparently a non-event. We have to assume that it will never happen. It is just one of those possibilities—a twinkle in the corner of the right hon. Lady's eye, but nothing more than that. If that is the case, being logical—I hope that I am being logical in applying a legal mind to the matter—amendment No. 22 must be correct.

It can hardly be surprising that when we are told by the Government that our amendment is not necessary because they prefer to make the provision under their powers to make statutory instruments, we ask why.

**Mr. Maclennan:** I am interested in the amendment, but I wonder whether there might not be a problem with it. There are certain categories of people who are excluded from privilege of voting, including people with certain mental conditions and people in jail. Amendment No. 22 would have the no doubt inadvertent effect of repealing those requirements so that hereditary peers, albeit criminals languishing in jail or people suffering from a mental condition, would be empowered to vote. I do not think that that would be sensible.

**Mr. Grieve:** The right hon. Gentleman makes a good point. I can see that the amendment might produce that mischief, but the way to correct it is for the Leader of the House to say, "We accept the thrust of the amendment and on Report we will introduce an amendment of our own to do exactly that." All that she would need to add would be "subject to the normal disqualifications" or some other phrase that the genius of the legal draftsmen would have little difficulty in providing. While I accept the right hon. Gentleman's point, therefore, it does not deal with the reason why the provision has to be made by ministerial decree.

**Mr. Letwin:** I want to put it on the record that what we heard from the right hon. Gentleman was absolutely fair cop; that we have made an error; and that the remedy is exactly as my hon. Friend suggests.

**Mr. Grieve:** I am grateful to my hon. Friend. We are, after all, the Opposition, and we do not have all the facilities that the Government have for drafting legislation or amendments. One of the purposes of the Committee is to enable us to suggest ideas that might be good. In this context, we think that the amendment is a very good idea. So why are we not to be allowed to have it? I do not understand why the right hon. Lady has already hinted that we shall be denied it.

Surely a central approach to all legislation is that we should at all times endeavour to deal with matters by primary legislation. Only if there is some compelling reason why they should be dealt with by statutory instrument should we so deal with them. Heaven knows, I am a member of the Select Committee on Statutory Instruments. One only has to see the wretched burden that is foisted on our shoulders on a weekly basis, often poorly drafted because it has been badly scrutinised, to know that it is much better if properly drafted primary legislation is introduced. On that basis, I commend amendment No. 22 to the House because it is a most desirable amendment. I shall need a lot of persuading by the Leader of the House that we should approach the matter in some other way.

The other thing that the Government cannot get away from is that in some way a sword of Damocles is being held over the other place. I accept that the Leader of the House will say, "No, of course there is not; that is ridiculous." However, when we see something left to the discretion of a Minister which should not be, because it affects the constitutional rights of Members of the other place who will be deprived of their constitutional rights, it behoves us to spell it out in black and white that, on losing the right to represent themselves in the other place, they will acquire a straightforward right to vote in elections for Members of the House of Commons. I hope that, at the end of the debate, the right hon. Lady will tell us that she is willing to think again on that point; I cannot see any legitimate reason why she should do otherwise.

8.30 pm

I do not intend to take up the Committee's time on the other amendments, other than to say a word about amendment No. 32, which is extremely short. Although it would only leave out the word "such" in line 17, it is one of those small amendments that has a compelling purpose. Clause 4 provides that:

> "The Secretary of State may . . . make such transitional provision about the entitlement of holders of hereditary peerages to vote at elections",

but surely that should read "transitional provision", not "such transitional provision". Why is the word "such" there? The only possible purpose for its being there—at this stage, conspiracy theories begin to surface in my mind—is to limit in some way the entitlement of the Leader of the House in making that transitional provision. The clause should deal with a transitional provision and no more than that. I await with great interest to hear why that word is there.

From past experience of serving on Committees—not necessarily in the Chamber, but upstairs as well—it strikes me as extraordinary how all sorts of funny words creep into legislation, when there is absolutely no reason why they should appear. I remember that in the case of the Public Processions (Northern Ireland) Act 1998, we had foisted on us a provision forbidding the playing of "musical or other instruments", which raised strange ideas in my mind as to what other instruments might be played in a public procession.

**Sir Patrick Cormack:** Drums.

**Mr. Grieve:** I think that a drum would probably qualify as a musical instrument, but I shall not be diverted from my main purpose, which is to try to ensure that the Bill before us is comprehensible and straightforward.

The main issue remains that we should proceed by way of primary legislation unless there is a good reason not to do so. There is no good reason in this case. It is well

*[Mr. Grieve]*

within the wit of the House of Commons to provide in the Bill for the rights that hereditary peers will be entitled to when they cease to have the right to represent themselves in the upper House.

**Mr. Swayne:** The issue before us is one for which I have a great deal of enthusiasm. The matter has been thoroughly dealt with by my hon. Friends the Members for West Dorset (Mr. Letwin) and for Beaconsfield (Mr. Grieve), so I shall not detain the Committee by repeating what they said. However, I shall say that the issue is of monumental importance, for it is the question of the way in which we are governed. It is for that reason that I sought election to Parliament.

This country is being deluged and wrecked by poorly drafted and poorly thought through secondary legislation—some 2,300 such instruments every year, almost 20 for every parliamentary sitting day. From having sat on various Committees, we all know the level of scrutiny that it is possible to give those instruments. It is a nonsense, given that we have in the House an effective and well-oiled machine for passing primary legislation. We should therefore confine ourselves, in so far as it is possible, to enacting primary legislation. Of course, it would give us far less time to deal with such legislation if all the consequent detail of those enabling measures had to be dealt with in each Bill. We would have less law, but that would be to our great benefit because we are over-governed.

It is a matter of great regret that the dreadful principle of enabling legislation, which so pollutes our polity, is now, through this Bill, to be brought to the very heart of our constitution. That a constitutional Bill should contain order-making powers—Henry VIII clauses—is deeply regrettable and offensive. For that reason, I have great enthusiasm for the amendments, especially amendment No. 22. The Committee's attention has already been drawn to the specific respect in which the amendment is defective, but there is a speedy remedy available, and I hope that the Leader of the House will indicate that it is her intention to deal with it, or at least to give good and plausible reasons why she will not do so.

**Mr. Graham Brady** (Altrincham and Sale, West): Have we not had an illustration this evening of how scrutiny can work in this House? In searching out the defect in our amendment, it might not have been the sole intention of the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) to illustrate the value of having a proper debate in Committee, but in so doing he has applied proper scrutiny to the amendment. However, we are being denied the opportunity to scrutinise the Government's detailed proposals.

**Mr. Swayne:** The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) has done the Committee and, indeed, Parliament, a singular service by drawing to our attention the importance of such scrutiny. After all, that is what Committee stage is for.

Throughout the Committee stage, we are constrained by the opacity of the real agenda behind the Bill and by the monstrous notion that everything is to be changed by an alleged amendment that might or might not be moved in another place. An almost identical amendment, tabled by my hon. Friend the Member for Epping Forest (Mrs. Laing), has already been rejected by the Committee, so it strikes me as absurd that our subsequent debate has been constrained by that hypothetical future amendment.

**Mr. Letwin:** Although the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) has done us a real service, since acknowledging to him that his was a fair cop, we have had an opportunity to reflect further and we are no longer quite so convinced that amendment No. 22, as drafted, would override the existing provisions. It might be a matter of intention. I hope that either my hon. Friend the Member for New Forest, West (Mr. Swayne) or the Leader of the House will enlighten us on that point.

**Mr. Swayne:** With respect, that is what the Leader of the House is for, in her capacity as occupant of the Treasury Bench during this debate. I hope that she will take the opportunity at least to say that she will consider the amendment and that a similar or identical amendment will be tabled on Report. I have noticed that, during these debates, the right hon. Lady has a habit of moving her lips silently, denying the Committee the benefit of hearing her words.

**Mrs. Beckett:** Be grateful.

**Mr. Swayne:** Perhaps we should be. On that, I shall conclude my remarks, so that we may hear what the right hon. Lady has to say all the sooner.

**Mr. Forth:** Here we go again—I think that that is the appropriate phrase to use at this point in our proceedings. I shall resist the temptation to refer to the fact that we are considering clause 4, as that would probably be inappropriate at this stage. That thought crossed my mind when the Leader of the House intervened earlier effectively to say, "Trust me". That is a touching request, but one that I find rather easy to resist. We cannot proceed on that sort of basis in an area this important and this uncertain.

The amendments are important because they highlight an extraordinary part of the Bill. Before I commence my brief analysis of clause 4, subsections (3) and (4), I must make it clear that when we are operating in an environment of such uncertainty, it is perhaps inevitable that the Government should want to build a degree of flexibility into the Bill. For that reason, the arguments advanced by my hon. Friend the Member for West Dorset (Mr. Letwin) have not yet persuaded me totally. He seeks a clean, simple solution, as does my hon. Friend the Member for Beaconsfield (Mr. Grieve). However, I think that there must be some flexibility in legislation of this kind, especially given its background.

As we have often said, we do not know what stage 1 will be or how long it will last. We do not know what might happen to the Bill in another place. No matter how much my hon. Friend would like to see it, it may be a little unrealistic to seek to nail down the Bill at this stage.

**Mr. Letwin:** Does my right hon. Friend accept that it is bad for an Act to contain bad provisions on the ground that one bad feature necessitates another? Surely the remedy lies in improving the first bad provision.

**Mr. Forth:** Of course that is so—if we enjoyed the certainty and predictability of knowing where we were

going and where we would end up. Everyone would like to know that. Unfortunately, we are not in that position. This Bill must be considered in light of the fact that we do not know what lies beyond it or where it is taking us. Nevertheless, I am prepared to concede—as I am in a generous mood, which, uncharacteristically, is not shared by my hon. Friends—that a degree of flexibility is required at this stage. However, I then turn to the provisions of clause 4—which are the subject of the amendments before us—

**Mr. Brady:** I am grateful to my right hon. Friend for giving way, but I do not follow the logic of his argument. He said that there may be changes later in another place—I fully accept that point, which has been discussed at some length. However, there is surely no reason why the Government should not introduce a contingent amendment that would bring the Bill back into order. I cannot see any reason not to correct the Bill today.

**Mr. Forth:** That is an interesting and rather persuasive argument. If we were to do what my hon. Friend the Member for West Dorset has suggested, the Bill would become more certain and predictable in the context of our current knowledge. As my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) points out, it would be possible for the Government to return to the Bill during subsequent legislative stages, and, in light of the knowledge that pertained then, introduce changes to make it more relevant. My hon. Friend is correct in his analysis, which may ultimately persuade me to support the amendment.

I draw the attention of the Committee and my hon. Friends to clause 4(3), which contains a succession of phrases that should alert all hon. Members and make them feel uneasy and nervous. The clause states that our old friend the Secretary of State

"may by order make such transitional provision . . . as he considers appropriate."

That is a double dose of the sort of uncertainty and unlimited powers that we have learned to feel nervous about. That is bad enough, but clause 4(4) says that an order

"may modify the effect of enactment or any provision made under an enactment".

That is about as broad as it gets. The clause gives the Secretary of State total flexibility, which would apparently enable him to do whatever he thought appropriate at the time. It sets no limitations and gives no direction or guidance. Therefore, it provides no certainty, no guarantees and no encouragement as to what might happen. The provision is completely open-ended.

If we combine that with the legislation's existing provisions, it strengthens one's feeling of unease. We are now entitled to be thoroughly suspicious of what has prompted the Government to include those sorts of provisions in the Bill and what they think might or might not happen or might go wrong in the future. That is worrying at this stage.

8.45 pm

**Mr. Gerald Howarth** (Aldershot): Given that there is an element on the Labour Benches who believe in class warfare, is not my right hon. Friend alive to the risk that the Government could modify the arrangements to discriminate between one class of hereditary peer and another? For example, they might discriminate against viscounts or dukes and make alternative arrangements for mere barons.

**Mr. Forth:** I suppose that that is possible. Normally, I should have said that it is unlikely, but as my hon. Friend has pointed out, such is the dislike—that is a moderate word in this case—of the hereditary peers on the Government Benches that one might believe that any such action is possible. The provision not only gives no protection against such action, it would positively allow it. We should, at the very least, seek reassurances about that from the Leader of the House when she replies to the debate.

As if things were not bad enough, clause 4(4)(b) refers to

"a statutory instrument which shall be subject to annulment in pursuance of a resolution".

As my hon. Friend the Member for New Forest, West (Mr. Swayne) pointed out a moment ago, when one allows for orders to be made by statutory instruments—a procedure with which we are familiar—no amendment may be made. Under that provision, a measure comes before the House on a take-it-or-leave-it basis.

**Mr. Letwin:** My right hon. Friend may be aware that tonight the House will be asked to nod through a statutory instrument that contains an egregious flaw precisely because it could not be amended in Committee.

**Mr. Forth:** I am aware of the motions on the Order Paper. We shall be asked to approve those and I hope that the House will be aware of difficulties in that provision and take a view on that matter. My hon. Friend's point illustrates very well the difficulty in which we may find ourselves with the Bill. Clause 4 contains a succession of phrases such as "may by order", "as he considers appropriate", and

"may modify the effect of any enactment",

leading, finally, to

"shall be made by statutory instrument",

so that the only protection left in the Bill is that the House can take or leave any measures that are proposed.

That is no protection at all because, as my hon. Friend the Member for West Dorset has just pointed out—I know that he feels strongly about this and is knowledgeable about the subject—we have on today's Order Paper a measure that has gone through the very process outlined in the Bill, and which is defective, yet the House can only accept or reject it. That is not good enough. I do not like to criticise the procedures of this place, above all places, but I regret to say that it is a flaw in our procedures. That will be compounded by the provision in clause 4(4)(b).

Where does that leave us? It leaves us in a great deal of difficulty. I am now persuaded, largely thanks to my hon. Friend the Member for Altrincham and Sale, West, that the amendment in the name of my hon. Friend the Member for West Dorset, which I judged too quickly and too harshly earlier, would make an appropriate alteration to the Bill at this stage. However, I think that my hon. Friend and I would agree that if the amendment were subsequently overtaken by events of which we now know little or nothing, we would accept that the Government

*[Mr. Forth]*

would want to reconsider the provision and make further changes. That, in itself, would hardly be a satisfactory approach because amendments may be made in another place and the Bill may return here in a completely different form, in which case all our deliberations, which we are taking very seriously, would be as nothing. That is hardly a satisfactory state of affairs, but it is regrettably the position in which we find ourselves. I am persuaded—in fact, I have persuaded myself during my brief contribution—that I should support the amendment, but with the reservations that I have outlined. I hope that the Leader of the House will be able to give us more reassurance than we have had so far so that we may proceed in a more orderly way.

**Mr. Maclennan:** I have listened to the debate with interest and not without sympathy because, on the face of it, clause 4 does appear to be a Henry VIII clause. Naturally, I am rather unhappy to see that in a Bill of such importance. However, there are some difficulties with the amendments and new clauses. I alluded tentatively to a couple that sprang to mind, but I see some others.

One problem is the age of majority for voting purposes. Amendment No. 22 appears to waive the requirement to have attained the age of majority. It may be thought that the peculiar abilities of the hereditary peers mean that that is not of great significance. After all, this House has in the past provided a special distinction for women. Before the flapper vote was introduced, women were not allowed to vote under the age of 30, so the courts might take the view that Parliament had intended peers to be able to vote at any age.

**Mr. Grieve:** I am absolutely fascinated by the right hon. Gentleman's argument. Even if it were true that the proposal would not be open to judicial interpretation by taking into consideration the restrictions that exist for ordinary mortals, simply adding an extra sentence saying that the provision was subject to the relevant clauses of the Representation of the People Acts would solve the whole problem, would it not?

**Mr. Maclennan:** Well, yes, but that is the point—so many further matters have to be taken into account that it might be better to proceed by way of subordinate legislation and spell out what has to be considered.

Amendment No. 22 states:

"Holders of hereditary peerages shall be entered on to the electoral register".

That imposes a duty, but it is not specified on whom. It also puts peers in a rather peculiar category.

Ordinary mortals are entitled to vote only once they appear on the electoral register, having complied with the registration process by submitting a form that they have filled in, showing where they live and that sort of thing. The amendment involves a duty, but it is not specific; nor is it placed on a specific person. Although the intention behind the proposal is meritorious, the method proposed is defective. However, I look forward with great interest to hearing why the Government are proceeding as they are, and I do not want to postpone that enjoyment any longer.

**Sir Patrick Cormack:** The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) has certainly enjoyed himself this evening. He referred earlier to having a frolic. We do not usually associate him with frolics, but he certainly disported himself with oratorical eloquence. However, this is a serious amendment, and I urge the Leader of the House to treat it seriously.

For the purpose of this argument, I urge hon. Members to accept that the Government are saying that the House of Lords has to be reformed because its legitimacy is defective. That is the premise on which the Bill is based. If we accept that, it is most extraordinary that a Bill of this nature should have at its heart a Henry VIII clause. There is no more illegitimate device—I am delighted that the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) is nodding—than the Henry VIII clause, which gives a Secretary of State draconian powers. If the Government are trying to claim that, by this Bill, they are improving our constitutional and parliamentary system, why in the name of goodness do they put a Henry VIII clause at the centre—especially when there is no justification for such a clause?

We are not dealing with emergency legislation. We all accept that, on occasions, the House must, with great reluctance, give a Secretary of State wide and sweeping powers. We have done so, from time to time, in connection with Northern Ireland and other emergencies. I always find that a difficult pill to swallow, but I can sometimes accept that the national interest demands that I do so. That is not so in this case. The Leader of the House will have to put up a very good defence if she is to persuade us that it is.

I share the views of my hon. Friend the Member for West Dorset (Mr. Letwin), who moved the amendment so eloquently. He said that he had always had grave misgivings about Henry VIII clauses. He has not had the good fortune to be in the House for very long, and we have not had the good fortune to benefit from his sage counsel and wise advice for very long. Some of us who have been hon. Members for a long time have rebelled against such clauses, even when introduced by our own parties. I cannot for the life of me see the justification for such a clause. Perhaps the Leader of the House will say that it is to enable writs of acceleration to be given, so that peers may be put on the electoral register very quickly, but that is not a substantial argument.

The interesting and somewhat mischievous point raised by the right hon. Member for Caithness, Sutherland and Easter Ross does not hold water. He argued that, in effect, we would be giving the franchise to legions of lunatic, criminal or infant peers, who would swamp the electoral register, destroying at a stroke—or, perhaps, three strokes—the principles on which it is based. He knows, and I know, that that is arrant nonsense. If, at the time of enactment, a noble lord happens to be languishing at Her Majesty's pleasure—that has happened before; the Leader of the House must not become too hoity-toity about it—is anybody seriously suggesting that that criminal lord, or perhaps somebody detained elsewhere in a straitjacket, would immediately have the franchise conferred on him, and that the removal of one disqualification would automatically lead to the removal of another? Of course it would not.

Even if the Leader of the House, who is renowned for her desire to play safe on all occasions, thought that such a contingency posed a risk, all she would have to do is

add to the amendment words similar to those suggested by my hon. Friend the Member for Beaconsfield (Mr. Grieve)—"subject to the Representation of the People Act", and so on. None the less, that is not a particularly valid argument. It was an Aunt Sally, suggested with mischievous eloquence and elegance by the right hon. Member for Caithness, Sutherland and Easter Ross.

If, by any chance, the Leader of the House is not minded to accept amendment No. 22—I believe and hope that she is, because it does not detract one iota from the purport or intention of the Government's Bill—I draw her attention to amendment No. 7. That amendment does at least mean that we have some safeguards. It states:

"No order under this section shall be made unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, each House of Parliament."

That is something of a safeguard. I hope that the Leader of the House will accept that it is valid.

We seek to ensure that wide-ranging and unnecessary powers are not bestowed on the Secretary of State—the emphasis is on the word "unnecessary"—that there is a strict limitation on precisely what the Bill does, and that that is clear and unambiguous. After all, that should be the aim of legislation. It should be understandable to all those to whom it applies. Some of the snide comments by Labour Members about hereditary peers show that some extra comprehensibility should commend itself to them.

9 pm

**Mrs. Beckett:** At the outset of the debate, the hon. Member for West Dorset (Mr. Letwin) said that nothing on aims divided us and that it was a matter merely of how the aims that we shared were given effect. For once, he and I are wholeheartedly in agreement.

The hon. Gentleman and I are in agreement on another matter. He kindly said that he was positive that the Government were acting in good faith. I return the compliment. I am sure that the Opposition are also acting in good faith in feeling that their amendments will improve the Bill. However, the suspicion—which is perfectly natural; I would never attack an Opposition for being suspicious of a Government's motives—with which he has viewed what the Government are doing, as well as his initial confidence in the drafting of the Opposition amendments, is misplaced.

I do not deride the hon. Gentleman for that. We have all had experience in the House of tabling an amendment, feeling confident that it was impeccably drafted and that we had foreseen all its implications, only to discover on wiser advice that that was not quite the case. We are all trying to get to the right outcome. That is a good basis on which to begin the debate.

The amendment of the hon. Member for West Dorset is intended—his remarks confirmed it—to ensure that, after the passage of the Bill, those who lose their right to sit in the House of Lords have equal treatment with other citizens. The amendment also explores the Government's intention and seeks to put that intention, as he understood it, correctly in the Bill.

I have no quarrel with the intention that lies behind the amendment—that the House should clearly understand what the Government are seeking to do. As I say, we all know that it is not easy to draft amendments that have exactly the effect that one desires, but I hope that I can reassure Conservative Members that the Government are genuinely seeking to do what those Members want, and that the Opposition could even withdraw their amendments.

The underlying aim of the method that the Government have chosen to give hereditary peers the same voting rights as any other citizen is to maintain the maximum amount of flexibility. That is so that nothing in the Bill inadvertently delays or impedes the granting of those rights. The last thing that the Government want is that, by trying to draft the legislation in just the right way and by placing everything in the Bill, we hold up people's right to vote or, indeed, to be candidates for election to this place. No one on either side of the Committee wishes that to happen.

Hon. Members have put great stress on amendment No. 22. It would give someone the right to be added to the electoral register. The first part of the amendment would add hereditary peers, deprived of the right to sit in the House of Lords, to, for example, the register that would run, if the Bill were to be passed at the end of the Session, from now until February 2000. It would not add them to any subsequent register. I presume that that is the aim of the second part of the amendment. That, unfortunately, as the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) wisely observed, has the inadvertent effect of also enfranchising an hereditary peer who would normally be barred on other grounds of a general application, such as age, incapacity or imprisonment or being a life peer.

It is to avoid listing grounds for disqualification and all the other territory that would be involved in getting the proposal exactly right that the Government took the path that is reflected in clause 2. I say openly to Opposition Members that we considered putting something like the amendment in the Bill. It was only the process of exploring the necessary detail so that we could be absolutely confident of getting the procedure right that persuaded the Government that it might be wiser to take the course that we are now pursuing.

Amendment No. 32 paves the way for amendment No. 33, which I fear is also defective. The power that it cites relates to clause 2, but it is not a power to give effect to the clause. I am advised that, in consequence, it would be an impediment to implementing the clause, which I am sure was not intended.

Amendment No. 34 raises the separate issue of European elections. I think that the hon. Member for West Dorset was slightly suspicious because he could not immediately see any reason why a reference to the European Parliament should be needed. He said correctly that, at present, hereditary peers have a right to vote in European elections because their disqualification relates only to voting for the Westminster Parliament, of which at present they are Members in perpetuity. It rests on that basis.

However, the reference to the European Parliament in clause 4 is intended to assist those hereditary peers who are resident overseas and to put them on exactly the same basis as any other citizens who are resident overseas, who enjoy rights to vote in European parliamentary elections on the basis of their right to vote in Westminster elections. It would be possible to address the issue by other means, but that would be more administratively tedious. It would

*[Mrs. Beckett]*

duplicate another procedure and cause greater difficulties for the group involved. I repeat, we are anxious to ensure that everyone who ceases to sit as an hereditary peer has the same rights as any other citizen who is in the same circumstances. As it happens, the amendment would prevent a simple method of securing equal treatment from being implemented.

Finally, we come to amendment No. 7. The hon. Member for South Staffordshire (Sir P. Cormack) correctly says that the amendment does not propose to change the Government's procedures as identified, but proposes an affirmative rather than a negative procedure in respect of the power to make the necessary provisions. Again, that is not the end of the world.

The Government have gone for the negative procedure to be helpful. We wish to provide maximum flexibility to give effect to these rights at the earliest possible date after Royal Assent. Hon. Members will be aware that the affirmative procedure requires an instrument to be laid while the House of Commons is sitting. None of us can predict precisely the circumstances in which all this procedure may come into effect. For example, so as to include hereditary peers in a register being prepared in, say, November, it might be to the benefit of sensible administrative practice and to the individuals involved for such an order to be made between the end of one Session and the beginning of another. That might get individuals on to the electoral register in the simplest and speediest way, in a way that might not be possible if the House of Commons happened not to be sitting.

The Government's overall approach has been taken in a wish genuinely to be helpful. This is all on the record so that right hon. and hon. Members can turn to it should they in any way be concerned that things are not working out as we hope they will. However, the power is tightly defined. There are only a limited number of ways in which it can be exercised. The fact that we are talking of a transitional power might have been overlooked. Although I understand, of course, all the anxieties about Henry VIII powers, attacks on those powers are usually based on the fear that rights will be taken away. In this case, we are proposing a transitional power which will not remove, but add to, people's rights.

The power has been described in the debate as completely open-ended, but it is not. It is a transitional power to deal with a transitional situation. I say, with great respect, that our short debate, to which hon. Members have brought ingenuity and skill, has admirably illustrated the nature and scale of the problems with which the Government were trying to deal—by retaining maximum flexibility in dealing with the matter in secondary legislation.

I assure the Committee that the only reason for the proposals and for the way in which they have been made is to create the maximum opportunity to deal with the proper concern that no one who might be removed from the House of Lords should lack the normal right of any citizen to participate in elections to this place or, should they wish to stand for election to this place, be excluded from doing so for any longer than absolutely necessary.

**Sir Patrick Cormack:** The right hon. Lady made a conciliatory speech, and said that she appreciated the sincerity, good faith and all the rest of it that lay behind the amendments. Although we are grateful for that, her argument did not sway us. It was not a powerful argument. We are considering a Bill that is paving the way for major constitutional change. There is no guarantee of how long the new House will last, or of whether it will become a permanent House or a semi-permanent House or be swept away within a year or two; we do not know. I shall not and I cannot—as I would be ruled out of order—seek to rehearse those arguments again in the debate on this group of amendments.

We are considering a major constitutional change, and the Government are taking draconian powers to themselves. I should have thought that the right hon. Lady would instinctively be against Henry VIII clauses. It is really not the way to legislate. The Government are taking more power for the Executive, and taking power away from the House.

I held out to the right hon. Lady the olive branch of amendment No. 7. I asked her whether, if the Government could not accept amendment No. 22, which we wanted them to accept, they could at least accept amendment No. 7. Had they done so, as an earnest of their good faith, we should have been moderately content. We would at least have been encouraged and have felt that they were moving in the right direction.

**Mrs. Beckett:** I tell the hon. Gentleman, very gently, that I realise that he is making a point of principle. However, we are seeking to enfranchise people—most whom will be Conservative supporters—at the earliest possible date. If he were fortunate in persuading the Committee to support the amendment, it is not the Government who would lose out.

**Sir Patrick Cormack:** It is not only the road to hell that is paved with good intentions. Although I accept, again for the purpose of this argument, the Government's good intentions, I believe that good intentions do not justify bad practice. The Opposition believe that Henry VIII clauses are bad legislative practice and should be resisted whenever they are inserted in legislation. We believe that it is wrong that there should be so much secondary legislation. We believe that it is wrong that so many things should be subject to negative rather than affirmative resolution.

For all those reasons, although I accept the right hon. Lady's good intentions, I urge the Committee to resist the Government's bad practice and to vote for the amendments.

**Mr. Swayne:** The right hon. Lady's remarks were deeply depressing, not least because she is the Leader of the whole House. Hon. Members complain continually that the Press Gallery is empty and that the House is held largely in contempt by much of the population. The reason is that the House has given away to the Executive many of its powers to make law. What is said and done in the Chamber is of little importance. It is deeply regrettable that the deluge of secondary legislation, which is swamping our body politic, should be extended to the making of our constitution.

*Question put,* That the amendment be made:—

*The Committee divided:* Ayes 125, Noes 315.

**Division No. 86]** **[9.15 pm**

## AYES

Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Woodward, Shaun
Young, Rt Hon Sir George

**Tellers for the Ayes:**
**Mrs. Eleanor Laing and Sir David Madel.**

## NOES

Adams, Mrs Irene *(Paisley N)*
Anger, Nick
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom

Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Wallace, James
Walley, Ms Joan
Wareing, Robert N
Watts, David
Welsh, Andrew
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*

**Tellers for the Noes:**
**Mr. David Jamieson and**
**Mr. Robert Ainsworth.**

*Question accordingly negatived.*

*Clause 4 ordered to stand part of the Bill.*

## Clause 5

INTERPRETATION AND SHORT TITLE

9.30 pm

**Sir Patrick Cormack:** I beg to move amendment No. 47, in page 2, line 4, after 'peerage', insert—

'means members of the peerages of Scotland, England, Ireland, Great Britain and the United Kingdom other than those created under the Appellate Jurisdiction Act 1876 or the Life Peerages Act 1958, and '.

The amendment is simple and clear. We tabled it for one reason only: in the Bill, the whole aim of which is to remove the voting and sitting rights of hereditary peers, there is no adequate definition of what an hereditary peer is. In their desire to produce the shortest Bill possible, the Government have cut every corner in sight. I hope that they will be able to accept the amendment without hesitation, to allow the Committee to move on to the more substantive new clauses. If there is some technical deficiency, I hope that the Minister will point it out and promise to remedy it and table a Government amendment. It is nonsense that in a Bill dealing with the hereditary peerage there should be no adequate definition of that phrase.

**Mr. Forth:** On reading the amendment and the Peerage Act 1963, the question arises my mind whether reference should be made in the Bill to peeresses in their own right, as in that Act, which takes care to make reference also to Scottish and Irish peerages, and whether there might be a problem if no such reference is made. We have to be careful to cover all the possibilities.

When I take visitors into the Lobby of the Lords, I always draw attention to the quaint notice that goes through all the categories of peers, mentioning peeresses in their own right. That important category should not be excluded.

**Mr. Gerald Bermingham** (St. Helens, South): Surely the word "hereditary" means any title inherited, whether the inheritor is male or female.

**Mr. Forth:** I hope that the hon. Gentleman is right, and I am almost reassured by what he says. I will be fully reassured when the Minister tells me that my anxiety is completely unfounded.

**Mr. Hoon:** Notwithstanding the eloquence of the hon. Member for South Staffordshire (Sir P. Cormack), I shall have to disappoint him yet again.

There is no doubt what is meant by the phrase "hereditary peerage". We do not anticipate that it will lead to legal proceedings, challenging what is perfectly straightforward English, and there is no need for any further definition. There is no ambiguity. The problem

with the amendment, certainly as drafted, is that it attempts to define hereditary peerage negatively, by reference to what it is not, and that is no greater help to a precise definition than what is contained in the Bill. The Bill has the merit of being in plain English. It is clear to everyone what is meant by hereditary peerage and to introduce such an amendment would produce the ambiguity and difficulty that the hon. Gentleman is anxious to avoid.

**Mr. Grieve:** I seek clarification on the position of that small category, hereditary peers of the first creation who hold peerages that may pass down by right of heredity. What is their precise status? They are peers, not by hereditary right but through having been created peers themselves. It is only for their successors that the hereditary right exists. How does that square with the definition of hereditary peers in the Bill?

**Mr. Hoon:** It is not necessary to go into the definition to answer the hon. Gentleman's question, because those peers are clearly hereditary peers. The peers of first creation have been told that they will have the opportunity, should they be interested, in taking a life peerage to put them into the same position as other members of the life peerage with the ability to participate in proceedings in the other place. That is an elegant solution to the problem that the hon. Gentleman raises.

I was about to say that I recommend to the Committee that it reject the amendment.

**Sir Patrick Cormack:** We are not absolutely persuaded by the Minister's reply, but the Committee has other business to move to. In the light of the Minister's reply, we shall have further discussions and a similar amendment may be tabled in the other place. However, for the purposes of this evening, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

*Clause 5 ordered to stand part of the Bill.*

**New Clause 9**

SENIOR SALARIES REVIEW BOARD

'(1) The Secretary of State shall ask the Senior Salaries Review Board:

(a) to review the salaries and expenses paid to members of the House of Lords; and

(b) to detail the costs of their recommendations.

(2) The Secretary of State shall lay the final report of the Senior Salaries Review Board before each House of Parliament.'.—*[Mr. Evans.]*

*Brought up, and read the First time.*

**Mr. Evans:** I beg to move, That the clause be read a Second time.

**The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin):** With this, it will be convenient to discuss amendment No. 12, in title, line 2, after 'about', insert

'the salaries and expenses paid to members of the House of Lords and'.

**Mr. Evans:** I am delighted to move new clause 9, although I fear not as eloquently as my hon. Friend the Member for South Staffordshire (Sir P. Cormack) would. I shall give it my best shot. The new clause deals with pay and salaries, which are a vital issue. We have in mind the interim House of Lords and, dare I say it, the second stage, should it ever materialise—perhaps in my dreams rather than in reality. Even if we do not get to stage 2, we should consider how we treat those who will sit in the transitional House, what sort of work we need them to do and whether we intend to give them the full support that they need. It is not worth while delaying this discussion until we get to stage 2.

The debate is long overdue. We have only to consider the work of those who sit in the House of Lords to appreciate the conditions under which they work and the pay—I use the term loosely—that many of them receive. Much has been said about the peers, especially the hereditary peers, in Committee and during the debates we had on the White Paper. I exclude the Parliamentary Secretary, Privy Council Office from this accusation, but other hon. Members have been rather dismissive of the contribution of the hereditary peers. It is a shame that some of them, especially the newer Members, have not taken the opportunity to go down the Corridor and listened to some of the debates in the second Chamber. Most people who know anything about the House of Lords speak highly of the debates held there and the high level of contributions made by many peers who are expert in their fields. We should be grateful for the service that both hereditary and life peers have given over many years, not only in the Chamber, but in the Select Committees.

I went to the other place briefly today where I spoke to one peer about the conditions in which they work. Seven peers were crammed into the same room, and I asked whether each of them had a desk. He chuckled, and said that when they were elevated to the peerage they could put down their names for a locker. Many peers are still on the waiting list even for a locker, never mind a desk or the use of a lap top computer, although some of them do use those. The conditions in which they work are extremely primitive, and we should reconsider them, irrespective of any changes that take place.

To see the value of the House of Lords, we need only consider its cost in comparison with the cost of the House of Commons and the European Parliament. Research shows that the House of Lords costs £39 million, and the cost per member is £37,000. For the House of Commons, the cost is £241 million, which is £366,000 for each Member. The European Parliament—a great institution that stands alongside the Millennium dome in my mind—costs £607 million, which makes £948,000 a Member. [HON. MEMBERS: "Cheap at the price."] I am not sure whether the MEPs get it all themselves, although I suspect that somehow or other they do.

Those figures prove the great value that we get from the House of Lords. We get it on the cheap, but we should not do so.

**Dr. George Turner:** Can the hon. Gentleman enlighten me on how recently the conditions have become so dreadful in the other place? Why is there a sudden urgency for improvement that did not exist for a long period—18 years, perhaps? Is it just coincidence that the matter is being debated now, or has something happened since this Parliament began to change conditions there?

**Mr. Evans:** It was never a priority for the previous Government, and I should apologise for the fact that we

*[Mr. Evans]*

did not get round to change during the 18 years of Conservative Government or the five years during which I was a Member under that Government. During those five years, I would rather have considered the salary and conditions of the House of Lords than many of the pieces of legislation that were debated. [HON. MEMBERS: "Name one."] Do not tempt me.

It is appropriate to bring pay and conditions up to date while we are discussing the House of Lords Bill. No one can dispute the fact that we cannot carry on expecting the other place to do an increasing amount of work in the new quangocracy in the reconstructed transitional House—and in the second stage—without paying its Members sufficiently well to do their work.

**Mr. Bermingham:** Is the hon. Gentleman suggesting that the second Chamber should become a Chamber in which Members attend every day rather than leaving the atmosphere of the second Chamber as it is at present? The House of Lords currently collects the talents of many people whose feet are in the real worlds of industry, trade unions and so on in which they receive adequate compensation as directors, judges and goodness knows what else.

9.45 pm

**Mr. Evans:** The hon. Gentleman is suggesting that we should have people of all the talents in the second Chamber, which is different from the method by which we get people into this Chamber. We are denuded here of expertise over a wide field: an examination of the professions of Members of the House of Commons suggests that we have narrowed ourselves to certain professions, perhaps including the profession represented by the hon. Gentleman, which is over-represented compared with the representation of other professions.

Continuing a second Chamber on a shoe string will restrict membership to a narrow band of people. If we want a wide range of people, we must ensure that they have full support. I do not know whether the hon. Member for St. Helens, South (Mr. Bermingham) realises that ordinary Members—I am not talking about the Lord Chancellor—who are not on £150,000 a year get £78 for accommodation if they do not live in London. They get £34.50 for subsistence and £33.50 a day for secretarial assistance. That does not add up to an awful lot of money. If the hon. Gentleman wants the fresh blood that is desperately needed, he cannot expect them to carry on like that.

**Mr. Bermingham:** The hon. Gentleman forgets the reality of the other place, which contains many people with pensions or secondary incomes—often tertiary incomes. Many are still active in commerce, the law and many other professions. That is why Prime Ministers have been able to appoint such a wide diversity of people, far wider than the diversity here. I recognise that in the 18th or 19th century, this place was talked of as a place of shopkeepers. Perhaps he may know something about that.

**Mr. Evans:** There was a time when Members of Parliament were not paid. They had to be drawn from people of a certain background: those who could afford it. We have rightly changed that. We should pay regard to the people in the other place who do not have private incomes and who devote themselves to the second Chamber.

I have visited the Lords regularly over the past few weeks and it is far more packed with peers listening to and taking part in the debate than ever this Chamber is. This is one of the busiest days that I have seen for a long time; I suspect that hon. Members knew that I would speak. Everyone accepts that current pay and allowances cannot continue. Members of the Lords get an attendance allowance. If they do not attend the Chamber, they do not get paid.

What sort of Chamber do we want in the interim and second stages? The House of Lords spends 58 per cent. of its time revising legislation, and 38 per cent. of that is scrutiny. The 2,000 amendments a year that go through the other place, and its scrutiny of European Union documents, have been mentioned before. It may not be well known that 1,200 documents are placed in the Lords, a third of which are referred to Sub-Committees for detailed scrutiny. The European Communities Committee is divided into six Sub-Committees. Much scrutiny is rightly given to such EU documents.

It is not only a question of the business that we do here. We know about the debates that take place in the other place. It is not only the European committees and other Select Committees such as the Science and Technology Committee. There is other vital scrutiny in the debates of the House of Lords. If we want to continue that in the transitional Chamber and in the second stage, we must ensure that its Members get the proper pay and conditions. That must include secretarial assistance, because £33.50 for a secretary is outrageous. How can we expect anyone to pay such money when we are talking about the minimum wage?

**Mr. Jim Fitzpatrick** (Poplar and Canning Town): You did not support the minimum wage.

**Mr. Evans:** That is even below the minimum wage.

It is not appreciated that most peers do not even get free postage.

**Mr. Hoon:** They have no constituents.

**Mr. Evans:** The Minister must appreciate that for many peers, the United Kingdom is their constituency. People who hear peers taking part in our legislation write to them. They expect replies, and we do not assist them with their postage.

The Lord Chancellor is on £150,000 a year, and he had to put through his House of Lords postage using his ministerial rank to invite people to the Groucho club for a private function. If he, on £150,000, cannot afford the postage, how do we expect ordinary Back-Bench Members of the House of Lords to pay it?

There is a serious point in all this. We need to have a look at what is going to happen. When the hereditary peers go, we will expect the life peers to take up that work. If they do not, the work simply will not get done. We need to attract people to attend more regularly. I know that the Prime Minister has talked about expanding the number of life peers. I hope that a great number of them

will be Cross-Benchers. We have to make membership of the House of Lords sufficiently attractive to get people to go there.

Surely we want a second Chamber that will be effective. The White Paper says that the functions of the transitional second Chamber will not be changed. I hope that the Government are not saying as a threat that, unless the House of Lords behaves and is compliant, in stage 2 the Chamber will be denuded of its functions. Surely, in this day and age, when a lot more power has drifted over many years to the Executive, Back-Bench Members from all parties, including the Labour party, want to bring the Executive to account as much as we possibly can and to ensure that legislation is properly scrutinised by the other place. For that to happen, there must be sufficient Members of the second Chamber who have proper salaries and allowances to pay staff so that they can do an effective job.

When the Minister responds to the debate—whether it is tonight or tomorrow—please will he at least give an assurance that the Government will not kick this into the long grass until they consider stage 2? It is a problem that will exist in the transitional House and it needs to be sorted out now to ensure that we have an effective second Chamber, for however long it exists.

**Mr. A. J. Beith** (Berwick-upon-Tweed): I shall cut out the hon. Gentleman's speech and use it on all those occasions when Conservative councillors attack councillors of other parties for daring to pay for any research or secretarial assistance out of the funds of local authorities that dispose of extremely large budgets. This is an amazing amendment from an amazing source. It is premature to set up a salary system for the interim House. It has, if not an indeterminate membership, a large membership ranging widely between those whom the hon. Gentleman has fairly said do a great deal of work—virtually a full-time or more than full-time job—and those whose attendance is more occasional, or regular, but of limited span each day.

**Mr. Gerald Howarth:** Will the right hon. Gentleman give way?

**Mr. Beith:** No, I intend to be very brief. It is a very wide-ranging House and certainly not one to which we could simply apply a salary system. We will have to consider salaries when we create a second Chamber of determinate size. We need to consider a salary system in that context, not as a mechanism for a temporary Chamber which has much of the character of the existing second Chamber, but will simply have the hereditary peers removed from it.

**Mr. Forth:** The right hon. Gentleman has put his finger on an important point. I am not sure that my hon. Friend the Member for Ribble Valley (Mr. Evans) covered it too adequately. It relates to inter-related issues that should be dealt with. In fairness to my hon. Friend, his amendment would allow it to be dealt with, but perhaps not necessarily in the way that he outlined. The new clause makes provision for

"the Senior Salaries Review Board . . . to review the salaries and expenses paid to members of the House of Lords",

which must be desirable.

I assume that the House of Lords, as it would be were the Bill to become an Act—the interim House, which would contain either no hereditary element, or that hereditary element about which we are not allowed to speak and about which we do not know—would still consist of about 500 Members. So far, so good. However, I also assume—I hope my hon. Friend the Member for Ribble Valley will intervene to clarify this point—that whether or not we are talking about that new House of Lords performing a role similar to that of the existing House of Lords, based on a combination of either—

**Sir Patrick Cormack:** Will my right hon. Friend give way?

**Mr. Forth:** Certainly.

**Sir Patrick Cormack:** Does my right hon. Friend accept that we are dealing with the House of Lords minus the hereditary peers? The word "interim" does not appear in the Bill at all. Therefore, we are considering a House of Lords that will have substantially fewer Members, because 40 per cent. of those who regularly attend now will no longer be there; consequently, the work load on those who do attend will be enormously greater. That is the reason for tabling the new clause, which was moved so well by my hon. Friend the Member for Ribble Valley (Mr. Evans). I am sure that my right hon. Friend will concede that that is a point of immediate importance.

**Mr. Forth:** Yes, of course I accept that. However, it gives rise to several consequential questions which it is important that we recognise at this stage. Does my hon. Friend the Member for Ribble Valley envisage that the Members of that altered upper Chamber will be expected to be full-time rather than part-time? Will the moneys that might be paid to them be based on attendance, or on a contribution beyond mere attendance? I think that we will come later to an amendment that touches on that question, so I do not want to go into it at this stage.

These are important matters, because we are now beginning to explore how we envisage that the upper House will change in nature or in activity following the removal of some of its most dedicated and active Members. The key question is whether we can believe, or reasonably expect, that with a dramatically reduced number of Members of the sort who have made such a contribution in the past there will still be the sort of quality of scrutiny, debate and deliberation in the upper House that many of us have come to take for granted.

**Mr. Evans:** The intention behind the new clause is to enable the SSRB to consider the sort of work that the upper House will do. In this House, those who sit on Select Committees do more work than some hon. Members who do not. It would be up to the SSRB to consider the work of the Members of the House of Lords and to make its recommendations accordingly.

**Mr. Forth:** I am grateful to my hon. Friend for that clarification.

I believe that my hon. Friend has, rather uncharacteristically, made an omission in his new clause;

*[Mr. Forth]*

however, he referred to it in his speech, which makes me doubly curious. It relates to the matter of accommodation. The accommodation available to Members of the other place is not only inadequate, but effectively non-existent. I remember from the time I arrived here in the early 1980s the complaints made about the inadequacy of accommodation for Members of this place, but Members of the other place have far greater reason to complain. So would it not make the new clause more complete, more relevant and more effective if it contained reference to the question of accommodation and asked that the SSRB should consider the matter and assess the extent to which the availability of accommodation was a material element in the ability of the upper House effectively to discharge its responsibility in the way that we expect?

Just as it is legitimate for us to consider whether we want full-time or part-time Members, we should consider whether payment or reward should be based on contribution or attendance, and whether it will be necessary to persuade—

*It being Ten o'clock,* THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

*Committee report progress; to sit again tomorrow.*

## DELEGATED LEGISLATION

### CONSTITUTIONAL LAW

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

That the draft National Assembly for Wales (Disqualification) Order 1999, which was laid before this House on 10th February, be approved.—*[Mr. Hill.]*

*Question agreed to.*

### CONSTITUTIONAL LAW

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

That the draft National Assembly for Wales (Transfer of Functions) Order 1999, which was laid before this House on 16th February, be approved.—*[Mr. Hill.]*

*The House divided:* Ayes 320, Noes 11.

**Division No. 87]** **[10.1 pm**

**AYES**

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Cable, Dr Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kennedy, Charles *(Ross Skye)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona

Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Opik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Lond'y)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Wallace, James
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*

**Tellers for the Ayes:**
**Mr. David Jamieson and**
**Mr. David Hanson.**

**NOES**

Bercow, John
Brooke, Rt Hon Peter
Clark, Dr Michael *(Rayleigh)*
Fabricant, Michael
Grieve, Dominic
Hogg, Rt Hon Douglas
Howarth, Gerald *(Aldershot)*
Jenkin, Bernard
Maclean, Rt Hon David
Randall, John
Wilkinson, John

**Tellers for the Noes:**
**Mr. Desmond Swayne and**
**Mr. Eric Forth.**

*Question accordingly agreed to.*

## Constitutional Law

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

That the draft National Assembly for Wales (Representation of the People) Order 1999, which was laid before this House on 22nd February, be approved.—*[Mr. Hill.]*

*The House divided:* Ayes 311, Noes 11.

**Division No. 88]** **[10.12 pm**

**AYES**

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Win *(Bridgend)*
Grocott, Bruce

Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kennedy, Charles *(Ross Skye)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Wallace, James
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*

**Tellers for the Ayes:**
**Mr. David Jamieson and**
**Mr. David Hanson.**

**NOES**

Beggs, Roy
Bercow, John
Fabricant, Michael
Grieve, Dominic
Howarth, Gerald *(Aldershot)*
Jenkin, Bernard
Maclean, Rt Hon David
Randall, John
Ross, William *(E Lond'y)*
Steen, Anthony
Swayne, Desmond

**Tellers for the Noes:**
**Mr. Douglas Hogg and**
**Mr. Eric Forth.**

*Question accordingly agreed to.*

CONSTITUTIONAL LAW

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

That the draft Scottish Parliament (Disqualification) Order 1999, which was laid before this House on 16th February, be approved.—*[Mr. Hill.]*

*Question agreed to.*

CONSTITUTIONAL LAW

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

That the draft Scottish Parliament (First Ordinary General Election and First Meeting) Order 1999, which was laid before this House on 16th February, be approved.—*[Mr. Hill.]*

*The House divided:* Ayes 282, Noes 40.

**Division No. 89]** **[10.24 pm**

**AYES**

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold

Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheffld Heeley)*
Miller, Andrew
Moonie, Dr Lewis
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*

**Tellers for the Ayes:**
**Mr. David Jamieson and**
**Mr. David Hanson.**

**NOES**

Allan, Richard
Amess, David
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Burnett, John
Chidgey, David
Davey, Edward *(Kingston)*
Fabricant, Michael
Fearn, Ronnie
Foster, Don *(Bath)*
Grieve, Dominic
Harris, Dr Evan
Harvey, Nick
Hogg, Rt Hon Douglas
Hughes, Simon *(Southwark N)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross Skye)*
Kirkwood, Archy
Lewis, Dr Julian *(New Forest E)*
Livsey, Richard
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
Moore, Michael
Oaten, Mark
Öpik, Lembit
Randall, John

Rendel, David
Ross, William *(E Lond'y)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'rns)*
Swayne, Desmond
Taylor, Matthew *(Truro)*
Townend, John
Tyler, Paul
Wallace, James
Webb, Steve
Willis, Phil

**Tellers for the Noes:**
**Mr. Eric Forth and**
**Mr. Gerald Howarth.**

*Question accordingly agreed to.*

CONSTITUTIONAL LAW

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

That the draft Scottish Parliament (Elections etc.) Order 1999, which was laid before this House on 25th February, be approved.—*[Mr. Hill]*

NORTHERN IRELAND

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

That the draft Water (Northern Ireland) Order 1999, which was laid before this House on 22nd February, be approved.—*[Mr. Hill.]*

*Question agreed to.*

## PETITION

## Cystic Fibrosis

10.35 pm

**Mrs. Louise Ellman** (Liverpool, Riverside): I am presenting this petition on behalf of the Cystic Fibrosis Research Trust and its supporters, who request that the House of Commons urges the Secretary of State for Health to introduce legislation to exempt all adults with cystic fibrosis from prescription charges. The supporters point out that the cost of introducing the proposal would be minimal—less than £100,000 a year. The petition has been signed by 4,500 people.

The petition

Declares that people with cystic fibrosis have a chronic medical condition that requires continuous essential medication. It is estimated that the cost of giving free prescriptions to those adults with cystic fibrosis who are currently not so entitled would be minimal, at less than £100,000 per year.

The petitioners therefore request that the House of Commons urge the Secretary of State for Health to introduce legislation to exempt all adults with cystic fibrosis from prescription charges.

And the Petitioners remain, etc.

*To lie upon the Table.*

## Spaceguard Project

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Jamieson.]*

10.36 pm

**Mr. Lembit Öpik** (Montgomeryshire): I have a big problem with asteroids—

**The Minister for Energy and Industry (Mr. John Battle):** What?

**Mr. Öpik:** Asteroids. And so has the rest of the human race. Unless we do something to stop it, sooner or later an impact with an asteroid or a comet will lead to the end of most life on Earth.

My grandfather, Ernst Julius Öpik, was a professional astronomer in Estonia and then at the Armagh observatory in Northern Ireland. He specialised in comet and meteorite impacts on other bodies. His work led to an asteroid being named after him by the astronomer Eleanor Helin. I guess that I may have to move to Öpik's asteroid out in space one day if I lose Montgomeryshire for the Liberal Democrats.

Last year, when NASA stated that an asteroid was coming towards the Earth, I mentioned to a journalist that I hoped that it was not Öpik's asteroid, prompting him to write an article with the headline "MP to Blame for the End of the World". He at least saw the serious side of the debate.

The impact hazard comes from so-called Earth-crossers. They intersect the Earth's orbit. If we wait long enough, one will certainly hit us. Earth-crossers are leftovers from the early days of the solar system. Think of the solar system as a cosmic building site. When God made the planets, he had a lot of bits left over. When he had finished, he did not sweep them up. They range in size from dust particles to objects hundreds of miles across. They float about in space between the planets, sometimes crashing into them.

Small crashes happen all the time. Rocks that burn up in the atmosphere without hitting the ground are called meteors or shooting stars. Every shooting star is a tiny bit of space dirt, just a few millimetres or centimetres across, which ends its life in a bright streak as it evaporates in the Earth's atmosphere. For a dust particle, I guess that that is a pretty cool way to go.

Bigger crashes are not as common. Objects that reach ground level are called meteorites. They range in size from a few kilogrammes to much bigger objects. On 9 October 1992, a 12 kg meteorite fell in Peekskill, New York, punching a hole in the rear end of a car parked in a driveway and coming to rest in a shallow depression beneath it. It went all the way through the car and on to the road. I would love to have seen the driver's insurance claim. Apparently, she sold the car to a museum for a handsome profit.

Even bigger crashes are less common, but far more explosive. On the evening of 30 June 1908, a small comet-like object exploded in the atmosphere above the Tunguska river valley in Siberia. It had the explosive power of 10 million tonnes of TNT. It flattened trees for 20 km in all directions and killed hundreds of reindeer. If the Tunguska object had entered the atmosphere over Westminster, everything within the M25 would have been destroyed.

We can expect two or three such objects to collide with the Earth every century, but it gets really scary when the objects are 500 m in diameter or bigger. An object 1 km wide hitting land would destroy an area the size of Germany, raise enough dust to affect the climate, destroy the ozone layer and freeze crops owing to the darkness of what we often call a nuclear winter. For various reasons, an ocean impact would be even worse: it would create tidal waves called tsunamis on a hemispheric scale, and would kill a large proportion of more complex life forms—including us.

The explosive effect of an object 1 km wide is about 100,000 million tonnes of TNT. Anything larger than that—wider than 1 or 2 km—is called a global killer. That means that the impact of a 10 km object would wipe out seven of every 10 life forms on Earth. Devastation on such a level is almost beyond comprehension, but we know that it has happened before, and it will definitely happen again.

How big is the risk? There is plenty of evidence on our doorstep that this is not millennium madness. Every year, about 50,000 tonnes of space rock hit the Earth. In the half-hour of this debate, more than 2.5 tonnes will descend on us from space. The big ones are hanging out there, of course, but most of that is made up of specks of dust and small meteorites.

In 1930, three meteorites landed in Brazil, causing shock waves which could be felt in La Paz, Bolivia. At midnight on 10 August last year, we nearly lost the cosmic lottery: an asteroid 1.6 km wide passed within six hours of the Earth. In space terms, that is very close. It equates to the Leader of the Opposition standing at the Dispatch Box, throwing a marble at the Prime Minister in a fit of pique, and missing his head by 2 mm. That is a sobering thought.

**Mr. Adrian Sanders** (Torbay): He would have lost his marbles.

**Mr. Öpik:** I think it unnecessary to point out that, unfortunately, the Leader of the Opposition has already lost his marbles.

Had that giant rock hit the Earth, we would not be here to discuss it. A dust cloud would have enveloped the globe for months, and would have stopped photosynthesis. Plants would have died. The shutdown of world agriculture would have certainly put the talks on the common agricultural policy in the shade!

The blast would have been followed by a wave—a tsunami—that would have risen to 4 km in shallow coastal waters. The summit of Ben Nevis would have been more than a mile below water. Much of human achievement would have been lost, and survivors would have been left scavenging for life, every day a dark, cold fight for existence.

The most recent big impact occurred next door. Five years ago, a few visitors dropped in on a neighbour of ours, Jupiter. Fragmented comet Shoemaker-Levy 9 crashed into Jupiter in 20 pieces in one week in July 1994. The impacts produced Earth-sized scars in the Jovian atmosphere. That was an example of what we call "streams"—when a series of objects impact one after the other, in quick succession. With an expectation of one such impact every 1,000 to 2,000 years, the Jovians might have taken a relaxed view of the chance of being hit more than once. In fact, they were hit 20 times in one week. That was bad luck for the Jovians, but a good lesson for us. Of course, no one actually lives on Jupiter, but a lot of people live on Earth.

**Mr. Tam Dalyell** (Linlithgow): By courtesy of the British Geological Survey, I had the good fortune to have dinner, after a lecture that he had given, with the late Eugene Shoemaker, who died tragically in Australia. His considered opinion was that the position merited some action, because it was as dangerous as the hon. Gentleman makes out.

**Mr. Öpik:** I know that the hon. Gentleman is very interested in the subject. He is right to draw attention to the extraordinary contribution made by Eugene Shoemaker, who, in the last 10 years, created an atmosphere in which the whole question of asteroid and comet impacts could be taken seriously.

Here on Earth, the biggest evidence of global killers comes from 65 million years ago. This is a subject that Eugene Shoemaker often discussed. An asteroid 10 km wide fell on Chicxulub in the Yucatan peninsula, in Mexico. It extinguished about 70 per cent. of life on Earth, and wiped out the dinosaurs. On average, such events are expected to occur every 30 million years or so, but, as with buses, you wait for ages and then 20 come along at once—as the Jovians found out.

There is other evidence. The moon is cratered simply because of such impacts. Interestingly, the moon itself was probably caused by the impact of a Mars-sized object hitting the Earth, with the moon splashing out from our planet about 4,500 million years ago. Our solar system is not peaceful—we are living in a cosmic shooting gallery, where planets and other bodies are still colliding.

When will the next global killer strike the Earth? The next major impact could be 100,000 years away, or it could be two minutes away. Unfortunately, we do not know where all these things are, so we will be caught by surprise if one of the unexpected, untracked and undetected objects comes our way. We could have as little as 20 seconds warning before being incinerated in the catastrophic aftermath of the impact and explosion. That is not enough time even to say the Lord's prayer.

**Mr. Sanders:** Someone will page us.

**Mr. Öpik:** My hon. Friend is being optimistic if he thinks that he will be paged by our Chief Whip in such an eventuality.

Even though the impact represents the greatest environmental danger there is—far greater than an all-out nuclear war—until recently, the subject has been regarded as a joke. When I originally asked about the threats, we contacted the Ministry of Defence, which said that it was really a matter for the Department of the Environment, Transport and the Regions. The DETR passed us on to the Home Office, which suggested the Department of Trade and Industry.

In desperation, we asked the Library for advice. Having listened to our asteroid story and heard of the level of devastation that a reasonably large object could cause, there was silence, before the librarian asked whether we had thought about contacting the Archbishop of Canterbury. Impacts are part of science, not religion.

*[Mr. Öpik]*

They are a part of cosmic life, as well as ours. The new element is that we homo sapiens are the first species on Earth not only to appreciate the dangers, but to be in a position to do something about them. We have the technology to avert this brand of Armageddon.

**Mr. Sanders:** Is my hon. Friend familiar with the recent film "Armageddon"? Does he see the solution as being to send Bruce Willis up to the asteroid to drill a big hole and to let off a nuclear weapon which disperses the asteroid? Is that fantasy land, or the kind of preventive measure that we will have to take?

**Mr. Öpik:** Following their earlier performance, I suggest that we consider asking for volunteers from the official Opposition for that role. However, if the Minister gives an unsatisfactory response, we might ask him to volunteer. The serious point that my hon. Friend makes is right. Although the science, in places, is a bit shaky in "Armageddon", the concept is spot-on.

The impacts are part of science, but they are also part of economics. It is surprising that one is twice as likely to be killed by an asteroid impact as in a plane crash, and it is six times more likely that that would happen than dying by tornado. As for beef on the bone, the chances of dying from food poisoning, including BSE, are one in 3 million—100 times less likely than being killed by an asteroid impact. Unfortunately, we cannot ban asteroids. If we could, it would make a far bigger practical difference to public health than the current ban on beef on the bone. That is food for thought for all of us.

With the odds as they are, by doing nothing about asteroids and comets, we are all taking part in a great cosmic game of roulette. These flying roulette balls have a completely different effect, depending on size. As I have said, the smallest objects are shooting stars, which cause little damage. However, with the 1 km-wide objects, we must do two things—track and divert. We must track them, so we know what is coming towards us, and divert them to avert Armageddon.

We have the technology to track the objects, but we are tracking only about 10 per cent. of them. We cannot save the world if we see these objects too late. Ideally, we want a few years' notice of a potential impact. We could then nudge them into a modified orbit using rockets or nuclear explosions, as in the films "Armageddon" and "Deep Impact", or we could use a more exotic solution involving solar sails. The nudge need only be small because, in cosmic terms, Earth is a small target—it is easier to miss us than to hit us. A little tap to divert the orbit soon enough will mean that life goes on as the rock flies by.

There are about 2,000 near-Earth asteroids and possibly a similar number of extinct comets not yet found and not bright enough to be discovered with existing instruments. Objects less than about 10 km across can be diverted in principle, as long as we have years, or perhaps decades, in which to plan. Larger objects, and even the 1 km long-period comets, are harder to deal with because we have less warning, but they constitute only a small part of the threat, or actuarial risk.

The blockbusters show the way. As the films show, there are a few enlightened people beyond Hollywood who are trying to deal with the problem in a serious fashion. The Spaceguard Foundation is an international organisation which aims to track all large Earth-threatening objects—all the global killers—and its work could be crucial to our future.

According to NASA, the estimated cost of setting up six telescopes and a global network comes to about £36 million, with roughly £6.25 million a year running costs. That would be spread among various countries, with none paying more than £5 million towards set-up, and perhaps about £500,000 a year running costs. The United Kingdom has important expertise and people who can make a real contribution to the international effort.

Governments internationally should establish formal recognition of Spaceguard and the United Kingdom should establish a national centre to contribute to the international effort. Armagh observatory is a world-renowned centre of excellence, considered one of the best centres of minor planet astronomy anywhere. It is the right place for our Spaceguard centre to be located, and perhaps the Minister will consider visiting it.

To set up the centre and the feasibility study group would cost about £4.56 million over 10 years; that is less than £500,000 a year, and would provide an important first step to the larger project. For comparison, that is less than 2 per cent. of the cost of the millennium dome. McDonald's has given £12 million sponsorship to the dome, which is more than the entire cost of UK participation in Spaceguard over 10 years. That is an amazing statistic.

Impacts of objects of about 1 km across represent a greater cost than £100 million in human life alone. Any insurance company must take seriously the opportunity to detect a danger for £1 million a year to save possibly £99 million a year. It is only because it is unusual to think about the space threat that action has not already been taken.

Diverting the objects that are heading towards us is more expensive, but I have to believe that if we find something coming towards us the human race will be sufficiently focused to work together to divert what would literally be a global catastrophe.

In the past, asteroid impacts have had something of a giggle factor. Those talking about them have been seen as cranks. At last, we have a Minister who takes the issue seriously. He has been well advised by his experts to do so. Some hon. Members may have been laughing about it, but one does not see many dinosaurs laughing about it these days.

One is more likely to die in an asteroid impact than to win the national lottery, unless one does the lottery for 100,000 years, in which case one will probably both win the lottery and die in an asteroid impact, although I suspect that only Glenn Hoddle is in a position to find out.

I ask the Minister not to commit the Government to massive expenditure, but simply to arrange meetings between his Department and experts such as Professor Mark Bailey, who follows my grandfather in being director of Armagh observatory, Major Tate from Spaceguard UK and many other international partners in the field.

I am sure that such meetings will underline the importance of serious UK involvement. This is not idle scaremongering. I do not set myself up as Parliament's Nostradamus any more than I set up the Minister as the

Government's Bruce Willis, set to save the world from global catastrophe; although one never sees the Minister and Bruce Willis in the same room at the same time.

The last time a huge asteroid hit the Earth, it wiped out the dinosaurs. We are next in line for extinction. I am sure that new Labour does not want to be responsible for wiping out humanity and allowing the cockroaches to inherit the Earth. We have come too far to let it all end in a searing moment of heat and light and the long dark winter which would follow.

For once in our history as a species, let us think long term and make a plan to ensure that civilisation can continue to flourish and that life in all its wonderful diverse forms can still inhabit an extraordinary place called Earth.

10.55 pm

**The Minister for Energy and Industry (Mr. John Battle):** I begin by congratulating the hon. Member for Montgomeryshire (Mr. Öpik) on raising this subject. I thought his speech was an excellent example of a clear and interesting explanation of some good science. It is not easy to explain physics and astronomy, but the hon. Gentleman showed tonight that they are not beyond popular comprehension. He presented the subject with some seriousness, spiced with wit, and made a marvellous speech to get science debated in the Chamber and, perhaps, outside it, more urgently than it has been in the past.

I am more than willing to give the hon. Gentleman the commitments that he sought tonight. First, I will take the subject seriously, because we should, and secondly, I will follow up the matter with my colleague Lord Sainsbury who, as Minister for Science, is responsible for space matters at the Department of Trade and Industry. I should be happy to have meetings with the hon. Gentleman, the people at Armagh and officials to take the debate further. I would also be more than happy to find the time to visit the Armagh observatory, which is funded by the Government through the Particle Physics and Astronomy Research Council—PPARC. I take every opportunity to visit Northern Ireland for family reasons and I should like to visit the observatory and see some of the work that it does.

In recent weeks, we have discussed biotechnology and we now have the ability to observe activity at the cellular level, deep inside. We have also developed our capacity to reach far out into the universe and we should not ignore what we find. Indeed, we should try to deepen our understanding. Many of us enjoy the sight of a shower of shooting stars on a clear spring night and the brilliance of a comet against a summer's day. Indeed, astronomy brings many youngsters into science. However, within the beauty of the universe there lurk unseen dangers. The dangers that we see, we should take seriously.

As the hon. Gentleman pointed out, dangers exist and threats come from things that are prosaically known as near-Earth objects. Part of my job as a Minister is to steer a course between the panic of the immediate moment and deep complacency. Somewhere between those two parameters, we should take the matter seriously. I wish to make it clear that the chances of the Earth being hit by any large near-Earth object during our lifetime is remote, but that is not an excuse and such events have happened in the past. Over geological time, it is probable, if not statistically certain, that similar events will occur again.

The hon. Gentleman outlined the two principal types of near-Earth objects, comets and asteroids, which are some of the ancient remains of the earliest years of the formation of our solar system, more than 4 billion years ago. Asteroids pass very close to the Earth's orbit around the sun and there is evidence that some have hit the Earth in the past. Most of them, the smaller space debris called meteors, are too small to survive the rapid passage through the atmosphere and burn up with the trail of light that we know as shooting stars. However, larger asteroids have occasionally crashed to Earth, creating craters and the hon. Gentleman mentioned some of them. It is clear that the Earth, with other planets and moons in the solar system, has been pelted, over geological time, by asteroids ever since its formation.

Scientists estimate that there are currently some 2,000 near-Earth objects of more than half a mile in diameter. On average, an object of those dimensions may be expected to hit the Earth only once in 100,000 years. Others have expressed that risk as being one chance in 25,000 that the average individual would be killed in an asteroid collision. That is not much higher than the risk of being killed in an aircraft collision, as the hon. Gentleman suggested. The reason for that is that although near-Earth objects impact rarely, they could have a large effect on our globe, its environment and people. The frequency of impacts is far lower than that of aircraft accidents.

I am grateful to NASA for some of the information that I have managed to glean. NASA states:

"Such global catastrophes are qualitatively different from other, more common, hazards that we face daily, given that these common events occur much more frequently but affect fewer people. No individual person should worry about being struck by a comet or asteroid. The daily threat to an average person from disease, car accidents, home accidents and from other natural disasters is much higher."

We recognise that, as NASA puts it,

"the Earth orbits the Sun in a sort of cosmic shooting gallery . . . it is only recently that we have come to appreciate that impacts by NEOs pose a significant hazard to life and property".

It is necessary, therefore, to ask what we should do, as my hon. Friend the Member for Linlithgow (Mr. Dalyell) suggested.

NASA states:

"It is entirely feasible that we could divert a large asteroid or comet from its orbit using existing technologies. The potential response depends on the lead time. If we can predict the event long in advance, by at least 10 to 100 years, then conventional rockets and explosives would probably be adequate, even for bodies as large as a half-mile."

In a sense, the suggestions in the film referred to by the hon. Gentleman are not as way-out and wild-eyed as people might suggest.

I cannot respond in great detail to the hon. Gentleman's remarks on the Spaceguard project, but I understand that it involves certain groups monitoring asteroids. The Spaceguard Foundation was set up in 1996 by astronomers in a working group of the International Astronomical Union to promote and co-ordinate activities for the discovery, pursuit and orbital calculation of NEOs at an international level, to promote studies of their physical and mineralogical characteristics, and to promote a ground network, for discovery observations, and for astrometric and physical follow-up.

Spaceguard UK complements the Spaceguard Foundation but with a national emphasis. The Government's British National Space Centre held a

*[Mr. John Battle]*

meeting with interested parties, including Spaceguard UK, and has since been in contact—close contact, I hope—with Spaceguard. The Government are sympathetic to the aims of the project, and Government-funded work is contributing to all the aims, both nationally and through international co-operation.

The UK Schmidt telescope based at the Anglo-Australian observatory at Silent Springs mountain in Australia has been taking large-format glass-plate photographs of the night sky for 25 to 30 years. The photographs are stored in the Schmidt plate archive at the royal observatory at Edinburgh and are an ideal database for follow-up work on detected asteroids that can improve orbit calculations. There is a continuing programme to digitise the photographs and to make the data easily available on the internet to astronomers worldwide.

To understand better the trajectory and possible threat of asteroids, research is needed into asteroids themselves. The key matters to be understood are the materials, their shape and their structure. Data may be obtained by looking at the distribution and variation of infra-red spectra.

The UK infra-red telescope on Hawaii has been extensively used to study asteroids. Additional studies will continue with the new 8 m Gemini telescopes. The UK is contributing to that £110 million project, and twin instruments are located in Hawaii and Chile. They are at the cutting edge of technology, and they will allow British astronomers to be at the forefront of most areas of ground-based astronomy, including asteroid studies.

We are also funding our share of the mission and instruments for the European Space Agency's important Rosetta mission, the third cornerstone mission in the Horizon 2000 programme. Those instruments will study the detailed composition of the comet Wirtanen by landing on it and taking samples.

The European Space Agency is mounting a study to produce a system for the co-ordination of worldwide capacity in NEO research, and it plans to run a pilot project to demonstrate the operation of a system to co-ordinate observations and communicate results.

The British National Space Centre is participating in work aimed at keeping near-Earth space as free as possible of man-made space debris and at tracking debris once it is identified. That information provides input to collision calculations that enables orbit changes to protect systems such as ERS-1 and ERS-2. Key groups involved include those at Queen's university, Belfast, and Queen Mary's college, London.

The British National Space Centre is working with fellow members of the interagency debris co-ordination group to agree a procedure for the re-entry of risk objects. The group includes NASA, the European Space Agency and the Russian Space Agency, and it is collaborating on measurements of the debris environment and improvements in the prediction of re-entry events.

To consolidate the work of the International Astronomical Union, the European Space Agency, NASA and many others, an international workshop on monitoring programmes for asteroids and comets is planned this June in Italy. It is proposed that after that event, there will be a second United Nations meeting on the subject to build on the work and take it forward seriously at the highest international level.

I am grateful, as I hope are other hon. Members, to the hon. Gentleman for raising this subject. I hope that the debate will be more widely read than by those who have been able to attend. The hon. Gentleman presented a piece of science rather brilliantly. I strongly agree that the issue has to be approached with the best international collaboration. I note carefully his proposal for a centre based at Armagh. My colleagues and I stand ready to discuss the matter further with him. Our understanding of this subject is developing. The Government welcome such positive input. I hope that the hon. Gentleman is reassured that the matter can be treated seriously. He dealt with the topic with the wit and flair that communicates the problem beyond a narrow band of interest. He has done something for the popular communication of science, for which I thank him.

*Question put and agreed to.*

*Adjourned accordingly at six minutes past Eleven o'clock.*

# House of Commons

*Thursday 4 March 1999*

*The House met at half-past Eleven o'clock*

PRAYERS

[MADAM SPEAKER *in the Chair*]

## PRIVATE BUSINESS

LONDON LOCAL AUTHORITIES BILL *[Lords]*

*Read a Second time, and committed.*

# Oral Answers to Questions

## TREASURY

*The Chancellor of the Exchequer was asked—*

### Euro

1. **Mr. John Bercow** (Buckingham): If he will make a statement on preparations for possible British entry to the euro zone. [72413]

**The Chancellor of the Exchequer (Mr. Gordon Brown):** As the Prime Minister said on 23 February, the Government believe it important to make practical preparations now if we wish to have the option of considering joining the euro in the next Parliament. The preparations have been supported by a standing committee, which has included the Confederation of British Industry, chambers of commerce, the British Bankers Association, the Bank of England, the Financial Services Industry Association, the Consumers Association, the Trades Union Congress and others. One hundred business organisations have been involved. I can announce that banks, retailers and small businesses will be among those involved in working parties, conducting a business examination of critical issues. Any decision, of course, would involve a referendum of the people of this country.

All political parties in the House have been invited to join a parliamentary committee to consider the work of the standing committee. One of the parties asked—the Conservative party—has refused to join.

**Mr. Bercow:** I am grateful for that reply. Given that Lord Simon could give no clear idea to the Treasury Committee on Tuesday of how much money the Government will have to spend to prepare for the euro, over and above the £29 million already incurred, why does the right hon. Gentleman not just admit that, in seeking to drag Britain into the European single currency, which the former Spanish Prime Minister, Felipe Gonzalez, has described as

"the greatest abandonment of sovereignty since the foundation of the European Community",

he does so with a cost that he will not calculate, for a benefit that he cannot quantify, at a risk to the British people that he dare not admit?

**Mr. Brown:** I thought that, when the hon. Gentleman started, he was making a bid to fill the Conservatives' empty chair in the committee. The £29 million which he is talking about is money related to the start of the euro in Europe, for which the Bank of England and others have had to make preparations. It is normal, when legislation is published, to publish the moneys that would have to be allocated to social security, the Inland Revenue and Customs and Excise, and that will be done in the normal way. The usual value-for-money test will be met, and Parliament will have a chance to vote on the legislation. We have done everything that is proper.

The question that the Conservative party must answer is this: if we are to decide on computer systems, for example, for social security, Inland Revenue and Customs and Excise for 10, 20 or 30 years ahead, is it not sensible to build in a facility to include the euro? If the Conservatives abandon or seek to abandon meaningful preparation, they are denying the British people the choice. We have a Conservative party that refuses to consider joining the euro, refuses to consider preparations, and now even refuses to discuss considering preparations. Its motto is: be unprepared.

**Mr. Mike Gapes** (Ilford, South): Does my right hon. Friend agree that the Conservative party's behaviour on this issue is in marked contrast to this Government's and to the interests of British business and people? There will be serious implications for business, regardless of whether this country joins the euro, so we must be properly prepared to deal with that—unlike Conservative Members, who just take their bat away and say, "We're not playing."

**Mr. Brown:** I agree with my hon. Friend. Two months ago, the Conservative party in the House of Commons lost the support of hereditary peers. Now it has lost the support of business, the CBI, the British Bankers Association and chambers of commerce, which all believe that it is sensible to consider practical preparation. The Conservative party is becoming a marginal force in British politics.

**Dr. Vincent Cable** (Twickenham): Is the Chancellor aware that the Back-Bench committee to which he refers duly met this morning in a businesslike manner? Can he think of any rational reason why the official Opposition should choose to boycott a committee on which all other United Kingdom parties are represented, including several that are hostile to economic and monetary union?

**Hon. Members:** Order.

**Madam Speaker:** Order. This is a reasonable question; it is a parliamentary matter.

**Dr. Cable:** Can the Chancellor explain why the official Opposition may not wish to participate in public scrutiny of expenditure on the changeover plan, which they will otherwise complain is improperly or secretly spent?

**Mr. Brown:** We hope that every political party in the House would see the national economic interests in this matter, and would participate in the committee. I am very pleased that all other political parties have decided to be part of the group and have sent a nominated representative.

**Mr. Desmond Swayne** (New Forest, West): Quislings!

**Mr. Brown:** I think that that was unparliamentary language—but not from me. It is pleasing that other political parties have chosen to take part. On this matter, the Conservative party has set itself against the whole of British industry and commerce, which, whatever their views, want to make practical preparations so that we are in a position to make a choice. The Conservative party is trying to deny the British people a realistic and fair choice.

**Mr. Robert Sheldon** (Ashton-under-Lyne): Of course my right hon. Friend is absolutely right to undertake these preparations, but the negotiations will obviously be very difficult and complex. Will he confirm that it is his intention to achieve a competitive level for the pound? I ask him for no more details than that because of the difficulties of these negotiations; but will he confirm that, in the interests of manufacturing industry, he will try to achieve that competitive level of the pound?

**Mr. Brown:** Our policy is for exchange rate stability, and that is the policy that matters as far as the euro is concerned. As for British industry, I think my right hon. Friend, who has taken a strong interest in manufacturing industry for a long time, will agree that manufacturers throughout the country are worried about the fact that a political party in the House wants to stand aside from the preparations that are necessary in the national interest.

I read this morning that the shadow Chancellor is to lead national demonstrations to the House of Commons, including anti-Europeans, Europeans and Euro-sceptics. I believe that people will find it ironic that the man who signed the Maastricht treaty is now leading demonstrations against that treaty.

**Mr. Alan Clark** (Kensington and Chelsea): The Chancellor just mentioned exchange rate stability, but, as he knows, the value of the euro has steadily deteriorated since its launch. He may or may not agree with his distinguished predecessor, Lord Healey, that at this rate it will be out of sight completely in five years. But what message does he have for savers, for those on fixed incomes and for those with building society accounts, who already, over the past two months, have seen a deterioration that amounts almost to one year's complete income?

**Mr. Brown:** What worries savers most is the idea of a return to the boom-bust policies of the Conservative Government. The country will not forget that inflation went as high as 21 per cent. in the 1980s. Inflation is now about 2½ per cent. That is our target, and we shall stick to it. This party—and this Government—is the low-inflation party in this country.

**Mr. Bill Rammell** (Harlow): Does the Chancellor share my puzzlement that the statement that we just heard is the first call in the Chamber that I can remember for higher interest rates? Does he agree that the Prime Minister's statement on the national changeover plan has been warmly welcomed throughout the country? Did he notice the MORI opinion poll in *The Times* last week, showing for the first time a majority of people in favour of, not opposed to, British entry to the single currency; and does that not emphasise the reasons why we are hearing the shrill voices from the Conservatives today—the shrill voices of desperation, as they realise that public opinion is leaving them behind?

**Mr. Brown:** I believe that, whatever people in this country feel about the euro, they feel that a Government should make practical preparations to give the people a realistic choice; and they will find it very strange indeed that the Conservative party has so marginalised itself that it will not even participate in the discussions about preparations. The Conservatives are now the rump of a sect of a faction of a once-national party.

**Mr. Francis Maude** (Horsham): What estimate have the Government made of the conversion costs either to business or to the taxpayer of Britain joining the euro? Why was no such estimate included in the national changeover plan published last week? Why, in the time scale for membership set out in that plan, was there no mention of when the most important event of all would take place—the act of monetary union, the irrevocable locking of exchange rates?

**Mr. Brown:** If the right hon. Member would send his representatives along to the committee, they would consider those very issues. The point of the outline changeover plan is that it is a consultative exercise; it is for business and Government to share their insights and ideas about the necessary arrangements that would have to be made for a changeover. However, the Conservative party wants to deprive the country of the realistic option of making a choice.

**Mr. Maude:** That just will not do. The Government appear to be so sure that membership of the single currency will be in Britain's interests that they are ready to commit large sums—tens of millions of pounds, the Prime Minister said—of taxpayers' money now, and to ask business to do the same, on the arrogant assumption that the British people will want to join it. How can they possibly be so sure when they have not even bothered to estimate the costs, let alone the benefits?

Is not the Chancellor's untypical coyness on the timing of the exchange rate locking explained by the fact that, if it was to be early in the time scale, he would have to tell the Bank of England to shadow the euro before the general election, contrary to what the Prime Minister said last week; and, if it was to be later, there is no possible reason for anyone to spend money on it now? Does not his reticence on the subject give the game away? The plan is about edging Britain ever closer to membership, in an attempt to close off the option of Britain prospering outside.

**Mr. Brown:** The whole point of the national changeover plan is to have a discussion of the implications for business and others of the option to join the euro. The whole point of the Conservative opposition to that is to deny us a realistic choice in the next Parliament.

With regard to preparations, business—to which the right hon. Gentleman's question supposedly relates—is joining us in examining those issues. On dates, we have made it absolutely clear that the issue is whether we meet the economic tests. We have not set a date. We have set tests that must be met, and we shall evaluate them in the next Parliament.

The problem for the Conservative party is that there are two realistic positions—to be in favour of the euro in principle or to be against in principle. The right hon. Gentleman and those on the Back Benches are against. The Leader of the Opposition says that he would rule out joining for 10 years. The shadow Chancellor is now ruling out preparations for 10 years. The party is split asunder by the issue of Europe.

**Mr. Harry Barnes** (North-East Derbyshire): The House understands the practical preparations that are to take place in terms of economic measures, and the provisions for a referendum. What measures are to be taken on a European scale in respect of the democracy of the European Union, in order to make it a fit body to run the euro?

**Mr. Brown:** We have made our proposals for economic and political reform in Europe, and we shall continue to pursue them. We have made proposals on jobs, capital markets and competition policy. We have made proposals about other issues relating to the operation of the European Parliament, and we shall continue to push the agenda that is right for Britain in Europe.

## Royal National Lifeboat Institution

2. **Mr. Bob Russell** (Colchester): If he will amend the VAT regulations to give a nil rating for maintenance work to Royal National Lifeboat Institution boathouses. [72414]

**The Financial Secretary to the Treasury (Mrs. Barbara Roche):** I am sure that the whole House will join me in congratulating the Royal National Lifeboat Institution on its 175th anniversary. The RNLI has a wide range of reliefs for goods and some services relating to lifeboats. The United Kingdom can apply zero rates to a specified range of goods under a provision of the sixth VAT directive. Under that provision, the UK cannot be forced to give up any of its existing zero rates, but cannot introduce any new ones.

**Mr. Russell:** I join the Minister in congratulating the RNLI. It is a happy coincidence that today is that anniversary. May I suggest to the Minister that it is unfair to put VAT on saving lives at sea? For every person saved in the past year, the VAT cost was £110. That may be a drop in the ocean in terms of the Chancellor's expenditure, but perhaps that money could be better spent. After all, it comes from voluntary donations from the public. The VAT that the Chancellor collects is the equivalent of the cost of 13 new inshore lifeboats. Will the Minister consider introducing a nil rate for organisations engaged in saving life? If she wanted to, she could find a way through the red tape.

**Mrs. Roche:** I hope that the hon. Gentleman was listening to my earlier reply. I remind him that the RNLI is already given a great deal of help. VAT zero rate relief is available for new boathouses, new lifeboats, and tractors and other equipment for launching and recovering lifeboats. The repair and maintenance of lifeboat equipment are also approved.

The Government take charities and giving to charities seriously. That is why the Government give charities almost £2 billion each year, including some £200 million VAT relief. That is a record of which we are extremely proud.

**Mr. Alan Simpson** (Nottingham, South): The Minister will know that the sixth VAT directive also allows the variation of VAT rates in relation to social housing projects. Will she look again at the relief that has been given so far on home insulation products—

**Madam Speaker:** Order. This question relates directly to the RNLI.

**Mr. Charles Wardle** (Bexhill and Battle): Why should British people who want to maximise their support for the RNLI or, for example, church repairs, be thwarted simply because European Commission officials want a neat and tidy common VAT regime and oppose selective zero rating? Which comes first: the wishes of British people doing good work in their communities, or Brussels?

**Mrs. Roche:** I am amazed by the hon. Gentleman, but experience should perhaps teach me not to be. That comes as something of a cheek from a member of the previous Government, who broke their election promise by putting VAT on fuel when they said they would not, leaving this Government to cut it. We have kept our promises; they did not. Clearly, he does not understand the sixth directive either.

**Mr. Michael Clapham** (Barnsley, West and Penistone): When my hon. Friend considers the RNLI's VAT position, will she also consider education action zones and ensure that they are put on the same footing—

**Madam Speaker:** Order. I am not having hon. Members abuse questions in that way.

## Taxation (Married Couples)

3. **Mr. Tim Loughton** (East Worthing and Shoreham): What estimate he has made of the tax levels paid by the average married couple on *(a)* 1 March and *(b)* 1 May 1997. [72415]

**The Chief Secretary to the Treasury (Mr. Alan Milburn):** The amount of tax paid by a married couple depends on several factors, including the age of the partners and the way their income is split between them.

**Mr. Loughton:** That was very informative. It is a shame that the Minister did not follow the Prime Minister's example yesterday and admit that the tax burden under Labour has risen and is continuing to rise. Will he come clean too and admit that married people with mortgages are paying considerably more income tax, let alone stealth taxes, to this Government than they did to the previous one?

**Mr. Milburn:** I am afraid that the hon. Gentleman is quite wrong. The cuts in interest rates in recent months have benefited mortgage holders, and mortgage rates are at a 30-year low. I should have thought that the hon. Gentleman would welcome that.

**Kali Mountford** (Colne Valley): When my right hon. Friend considers the taxation of married couples, will he recognise that children are at the heart of marriage and therefore take full account of the report on child benefit taxation published today by the Select Committee on Social Security? Will he ensure that the Government fully consider the role of children within the family and fully support the lowest-paid families with children?

**Mr. Milburn:** Of course we shall carefully consider the Select Committee's report, which was published an hour or so ago. However, from April this year, 6 million people are set to benefit from a record rise in child benefit rates. Our policy has been to increase child benefit rates; the Conservative party's policy was to freeze them.

**Mr. Edward Davey** (Kingston and Surbiton): Will the Chief Secretary confirm research by the House of Commons Library showing that, under this Government, the number of tax rates in the tax system has increased from the eight that they inherited to 54? Will he try to square that fact with the Chancellor's assertion in opposition and in government that Labour would simplify the tax system and remove loopholes?

**Mr. Milburn:** If I were the hon. Gentleman, given the Liberal Democrats' tax policy, I would be extremely cautious about lecturing the Government. They seem to think that a penny on income tax will increase spending on the NHS, education, transport, schools, hospitals, social security and welfare benefits. The Government have cut taxes. We have cut corporation tax and national insurance contributions, and the lesson that I draw from that is that people are better off with Labour.

**Yvette Cooper** (Pontefract and Castleford): Does my right hon. Friend agree that it is a curious position to hold to express concern about the tax paid by families and at the same time oppose the working families tax credit, which will make low-income families better off, thereby effectively calling for a tax hike of £17 on a family earning £220 a week?

**Mr. Milburn:** My hon. Friend is absolutely right. The Opposition are addicted to tax hikes. If they had their way, they would abolish the working families tax credit. That would affect 1 million of the poorest families in the land and leave them facing a tax hike of £17 a week. It is this Government who are committed to supporting families through supporting children. The Opposition's record does not bear scrutiny.

**Mr. Francis Maude** (Horsham): Will the Chief Secretary go away and work out that there is a difference between income tax and interest rates? He was asked about income tax. Why will he not admit that a typical married couple with a mortgage are paying more than £200 a year more, in income tax alone, as a result of Labour's stealth tax increases? Income tax rates may be the same, but what most taxpayers pay in income tax has risen. Why, for once in his life, will he not come clean and admit that his stealth tax increases have hit precisely the ordinary married families that the Prime Minister promised to protect?

**Mr. Milburn:** I tell the right hon. Gentleman three things. First, when he was a Treasury Minister, the then Tory Government cut the rate of the married couples allowance. Secondly, married couples are set to benefit this year from our increase in child benefit rates, which his party opposes. One final thing: the dividing line between us and them on tax is that we keep our promises and they break theirs.

## Capital Gains Tax (Farmers)

4. **Mr. Chris Mullin** (Sunderland, South): What plans he has to review the exemption for farmers from capital gains tax on agricultural land sold for development; and if he will make a statement. [72416]

**The Paymaster General (Dawn Primarolo):** There is no exemption for farmers from capital gains tax on agricultural land sold for development.

**Mr. Mullin:** I thank my hon. Friend for that reply and for the letter that she sent me, which arrived this morning, but I am not at all convinced. This looks like a scam, and one that benefits speculators rather than farmers. It also seems to be utterly at odds with our policy of discouraging development of green-field sites. Will she have another look at that measure?

**Dawn Primarolo:** I am delighted that my hon. Friend is at least receiving my letters, even if I am chided a little for their timing. On his serious point, he believes, to use his own words, that there is a scam in respect of capital gains roll-over relief. I have told him before that we have no evidence of that, and that it is not possible for the situation that he describes to occur; but, given his insistence, and if he has information that we, as the tax authorities, do not have, I am happy to meet him to pursue this issue.

**Mr. William Ross** (East Londonderry): Will the Minister take it from me that the real problem for farmers

in recent years has not been exemptions, or anything else of the kind, but the impossibly low incomes that they currently enjoy?

**Dawn Primarolo:** With regard to capital gains tax and the impact on farmers when they pay it, the legislation makes clear what happens. I assume that the hon. Gentleman welcomes the capital gains tax reforms undertaken last year by the Government to assist entrepreneurs and to make the system simpler.

**Mr. Robert Maclennan** (Caithness, Sutherland and Easter Ross): Does the Minister recognise, however, that, because of the collapse in agricultural incomes, which are charted by the Government's own figures, it would be wholly inappropriate to pursue environmental ends—which can be better achieved by planning regulation—by tinkering with the tax system, depriving those farmers who might have legitimately sold land for development, with all the necessary approvals?

**Dawn Primarolo:** The capital gains tax regulations are quite clear, as is their impact on the issue that the right hon. Gentleman describes. I shall take his further comments about capital gains tax as a late Budget submission.

**Mr. Christopher Gill** (Ludlow): While considering the question of farmers' taxation, will the Minister consider a question of which she has already been given notice? Will she make it possible for farmers who trade in their private capacity, and not as limited companies, to enjoy the benefits in respect of offsetting losses against profits that they would enjoy if they were subject to corporation tax?

**Dawn Primarolo:** I say again that the way in which the capital gains tax system impinges on farmers is clear. I am sure that my right hon. Friend the Chancellor has heard the comments about future reform.

## Taxation

5. **Mr. Robert N. Wareing** (Liverpool, West Derby): If he will make a statement on Her Majesty's Government's policy towards the balance between direct and indirect taxation. [72417]

**The Chief Secretary to the Treasury (Mr. Alan Milburn):** The Government are building a tax system that is fair and that supports work, enterprise and families. That is why we pledged not to increase the basic or top rates of income tax, and not to extend VAT to food, children's clothes, books and newspapers and public transport fares. We stand by those pledges.

**Mr. Wareing:** I thank my right hon. Friend for that answer. In 1978–79, at the end of the last Labour Government, taxes on products and production were 3.9 per cent. of total taxation. By 1997–98, that figure had risen to 39.1 per cent. Could the Chancellor consider, as an alternative to a 10p rate of income tax, reducing regressive indirect taxation and shifting the balance further towards direct taxation, which is more progressive and more equitable?

**Mr. Milburn:** We judge tax proposals according to a number of criteria, one of which is fairness. We have made it clear repeatedly that, when we are able to do so and when we judge that the time is right—

**Madam Speaker:** Order. I cannot hear the Minister. He will please address the House.

**Mr. Milburn:** We want to introduce a 10p tax rate when the time is right. Some of the other measures that we have introduced, such as cuts in VAT on fuel and changes to the national insurance contributions rates, are major steps towards a fairer tax system. That is the Government's approach, and we shall continue to advocate and implement it.

**Mr. Stephen Dorrell** (Charnwood): On Tuesday, we were told that the Prime Minister was lecturing his socialist colleagues in Europe on the lessons that Europe could learn from what he described as the extraordinary capacity of the United States to create wealth and work. Yesterday, the Prime Minister was forced to admit that, far from emulating the American example, it was the Government's plan to increase both the direct and indirect tax burden on the British economy. When will the Chancellor of the Exchequer stop undermining the Prime Minister?

**Mr. Milburn:** I am not sure whether the right hon. Gentleman is making a late bid for a Front-Bench job, but he knows fine well that last year's pre-Budget report set out the position very clearly indeed. The tax burden under this Government is projected to be less than that for which the Tories had planned.

The Tories increased taxes before the general election; they had planned to continue to do so if, heaven forbid, they had won that election; and, if they had their way now, they would continue to increase the tax burden, most notably by getting rid of the working families tax credit. I should be interested to know the right hon. Gentleman and his Front-Bench colleagues' views on VAT on fuel, because the last Tory Chancellor of the Exchequer pledged to increase it to 17.5 per cent.

**Mr. Peter L. Pike** (Burnley): When considering direct taxes and duties, should we not take into account the amount of beer and cigarettes that are daily brought across the channel for sale in this country to avoid tax and duties? That puts our people out of work. It is appropriate to discuss that issue in a week when the Stena line is organising trips for people to go across the channel to buy cars, which will have implications for our motor industry.

**Mr. Milburn:** As my hon. Friend knows, those matters are rightly for my right hon. Friend's Budget, which will be announced next Tuesday.

**Mr. Nick Gibb** (Bognor Regis and Littlehampton): Which of the following does the Chief Secretary regret the most: promising before the election not to raise taxes, the fact that the Government have broken that promise by

raising taxes by £40.7 billion, or the fact that they have been caught out raising taxes by the Prime Minister's gaffe in the House of Commons yesterday?

**Mr. Milburn:** What I regret is that the hon. Gentleman has not learned the lessons of history. It was the Tories who broke their promises on tax. In 1979, they promised not to increase VAT, but at their first Budget they increased it—indeed, they doubled it. *[Interruption.]* The hon. Gentleman does not want to listen, but I remind him of what the then Prime Minister, the right hon. Member for Huntingdon (Mr. Major), said on 27 March 1992:

"We have no need and no plans to extend the scope of VAT."

Within a year, the Tory Government had increased VAT and had extended it to fuel. If it had not been for the Labour party and this Parliament, they would have continued to increase it.

### Small Businesses

6. **Mr. Barry Sheerman** (Huddersfield): What new steps he is taking to promote small businesses. [72418]

**The Chancellor of the Exchequer (Mr. Gordon Brown):** In the last Budget, we announced a range of measures to help small businesses to invest for the future, including the cut in the small companies' rate of corporation tax to 20p from April, enhanced first-year capital allowances at 40 per cent. extended to July this year and a new capital gains tax taper for individuals, reducing the effective rate for those investing in business assets to 10 per cent. after 10 years. Small businesses benefit most of all from a move from the boom-bust economy to an economy based on stability.

**Mr. Sheerman:** Has my right hon. Friend seen the findings of recent research, which suggest that a high percentage of small businesses not only have no information technology systems, but do not possess a computer? Is it not about time that we gave small businesses real incentives to move into the computer age, even if that means introducing a tax scale of some kind—or, indeed, giving universities a role in the improvement of the systems available to small businesses, and in the education of those businesses?

**Mr. Brown:** I thank my hon. Friend for his question, and for chairing, this morning, the first meeting of the parliamentary committee on the euro.

My hon. Friend's point about small businesses is well taken. A third of a million small businesses have access to the internet and to electronic commerce. We intend to raise that figure substantially, and, working with business, we shall do what we can to achieve our aim.

**Mr. John Townend** (East Yorkshire): When I listen to Ministers, I sometimes wonder whether they have any idea of the problems involved in running a small business. I know of those problems from personal experience.

Does the Chancellor appreciate that the small tax reductions that he has mentioned will not help businesses on the borderline, some of which have been driven into losses by the burdens imposed on small business? Those burdens have increased dramatically since the Government came to power. Paternity rights, the social chapter, the working time directive, the hygiene regulations and the minimum wage will all cause more and more small businesses to go before industrial tribunals, where they will face a maximum penalty of not £12,000 but £50,000, which could put many of them out of business.

**Mr. Brown:** We will take no lectures from a Conservative party that unilaterally imposed statutory sick pay on every employer in the country. As for the climate for business, the hon. Gentleman, who was an MP at the time, will remember that, in the early 1990s, inflation rose above 10 per cent. and interest rates rose to 15 per cent. for a year and remained above 10 per cent. for four years, and 1 million small businesses went under as a result.

What businesses want most of all is the stability that is being provided by a Labour Government. Contrary to what the hon. Gentleman has said, small businesses welcome the cut in tax from 23p to 20p. We have yet to hear whether the Conservative party would rescind that cut, along with working families tax credit.

### Tax Demands (Self-employed)

7. **Mr. Paul Truswell** (Pudsey): What plans he has to improve the accuracy of tax demands sent to self-employed people. [72419]

**The Financial Secretary to the Treasury (Mrs. Barbara Roche):** To help self-employed people to manage their tax affairs within the new self-assessment system, the Inland Revenue sends taxpayers statements of account which detail the current tax position. The Inland Revenue is constantly looking at ways of improving its service to taxpayers, and has recently improved the format of self-assessment statements.

**Mr. Truswell:** I thank my hon. Friend for that answer. Is she aware that, as well as overtaxing the incomes of 800,000 self-employed people, the Inland Revenue has added insult to injury by enclosing with its letter of apology a guide that would have overtaxed the intellect of the average genius, let alone Members of Parliament? Has she any plans to introduce a numeracy and literacy strategy, so that, next year, we can have plain English, plain dealing and plain sailing?

**Mrs. Roche:** I am well aware of the problems identified by my hon. Friend, and I take to heart his comment about plain English. I shall certainly undertake to ensure that his remarks are passed on.

Of course the Inland Revenue regrets the problems caused by the statement error. It decided to send all the statements, despite the fault in some, because taxpayers needed to know what to pay by 31 January. The fault was put right before statements were issued in February. Work is in hand to ensure that such faults do not slip through in future. I hope that my hon. Friend will accept those reassurances.

**Miss Anne McIntosh** (Vale of York): Will the Minister join me in calling on the Inland Revenue to impose the same penalties on itself for overcharging self-employed people in their tax assessment, and to repay

interest on the amounts overpaid? Stiff penalties could be imposed on the Inland Revenue, so that the tax assessment might be more correct in the first instance.

**Mrs. Roche:** It is very unlikely that the situation that the hon. Lady describes will arise because of the late notification, which this was all about, but I am interested that the hon. Lady, for whom I have some regard—[HON. MEMBERS: "Some regard?"] There are limits beyond which even I will not go. I am grateful to her for raising the question of interest on late payment. Perhaps she might consider her party paying interest on broken promises.

**Mr. Bill O'Brien** (Normanton): May I join my hon. Friend the Member for Pudsey (Mr. Truswell) in asking the Minister to prevail on the Inland Revenue to be more efficient and to show greater efficiency in its dealings with the self-taxation system? Because of the Inland Revenue's lack of efficiency, returns are being sent to constituents and demands are being made for interest payments on unpaid tax when the tax has been paid. However, because of lack of efficiency, the Inland Revenue is not prepared to accept its mistakes. I understand that many constituents are paying interest by default. I ask the Minister to take the matter up and to demand greater efficiency in the Inland Revenue.

**Mrs. Roche:** I say openly that, if my hon. Friend has some examples and cases to put to me, I will look into them as quickly as possible. If mistakes are made, we will always be happy to take responsibility and to look into them, but the Inland Revenue is constantly looking at its service, through consultation, and improvements are made all the time.

## Single Currency

8. **Dr. Julian Lewis** (New Forest, East): If he will list the constitutional issues which he assessed as not creating a bar to United Kingdom membership of the single currency. [72420]

**The Economic Secretary to the Treasury (Ms Patricia Hewitt):** In his statement to the House of Commons on 27 October 1997, my right hon. Friend the Chancellor of the Exchequer set out clearly the Government's view of the constitutional implications of joining the single currency. Sharing a common monetary policy would represent a major pooling of economic sovereignty, so the constitutional issue is a factor in the decision, but it is not an overriding one. Rather, what it means is that, for monetary union to be right for the UK, the economic benefits should be clear and unambiguous, and the final decision should be made by the British people in a referendum.

**Dr. Lewis:** Is it not clear that the Minister has just dodged the whole point of the question? It was not about the pooling of economic sovereignty, but about the loss of democratic sovereignty and democratic accountability.

Given that continental politicians have repeatedly admitted that one of the main purposes of economic and monetary union is to create a political entity—a single state in Europe—will the Minister now confirm the logical implication of the Government's position, which is that, if the five economic, and they are only economic, tests that the Government have set are fulfilled, there is no amount of loss of political and democratic sovereignty and accountability that they would not be content to put up with?

**Ms Hewitt:** The hon. Gentleman has made it clear why the Conservative party is completely marginalised on one of the most important questions that faces this country. Again, he has made it clear that the Conservative party—the anti-European Conservative party—is saying that, even if joining a single currency were good for Britain, for the economy and for jobs, it would be against it and against it for ever. The Labour party is the party that speaks for the British interest.

**Mr. Denis MacShane** (Rotherham): There are constitutional issues at stake involving parliamentary democracy. In the past 24 hours, we have seen two major developments. An all-party committee set up in good faith to allow Parliament to help business to prepare for the single currency has been boycotted by the Tory party, and boycotting is a 19th-century weapon. Also, has not the shadow Chancellor said that he is so indifferent to the House that he proposes to lead the Tory party on to the streets of this country? It has become the party of Trotskyists on European issues. We have "Militant Maude and the Tory Trots against Europe".

**Ms Hewitt:** I am sure that you will be as grateful as the rest of the House, Madam Speaker, for the fact that my hon. Friend asked that question in English. He is absolutely right. When the Conservative party was in government, it opted out of the social chapter which would have given the British people fair standards at work. It has now opted out of the cross-party group on preparations for the euro and out of defending the national interest. It is wholly marginalised in the debate.

**Mr. Nick Hawkins** (Surrey Heath): Will the Minister recognise that my constituents and businesses—particularly small businesses—throughout the country think that the most important constitutional issue is that of the Government spending taxpayers' money before they have any democratic mandate to do so? Will she admit that the words "changeover plan" are seen by people and businesses as a handover plan, handing over British democratic sovereignty without any mandate to do so? If she and her friends in the Government were honest, they would have a referendum now. They have no mandate to spend a penny piece of taxpayers' money without a referendum—they know that they would lose it, so they dare not hold it now.

**Ms Hewitt:** Let me stress once again that we have made it clear that the final decision on whether to join a successful single currency will be made by the British people in a referendum. Businesses want economic stability, low interest rates, low inflation and practical support to ensure that they can take advantage of the opportunities created by the euro. The Government are giving them that support. Perhaps the hon. Gentleman will speak to those on his Front Bench and urge them to join the cross-party group that we have set up to ensure that there is parliamentary involvement in the preparations for the possible decision to join.

**Mr. Kevin McNamara** (Hull, North): Does my hon. Friend agree that, if the Conservative party were logical

*on the question of democratic accountability, it would be seeking more powers for the European Parliament so as to be able properly to control the Council of Ministers and demanding less secrecy in that Council? It would also be insisting that the second and third pillars on the operation of powers, created by their Government, should become answerable to democratically elected Parliaments and not dealt with in secret by Ministers of Justice. There might then be a degree of sincerity in the Conservatives' words.*

**Ms Hewitt:** My hon. Friend is right in his criticism of the official Opposition. It is impossible for them to have any intelligent view on the matters to which he refers when they are now so clearly the anti-European party. The Government will continue to ensure that British interests are defended by our policy of constructive engagement in the European Union.

### Tax Harmonisation

9. **Mr. Owen Paterson** (North Shropshire): If he will make a statement on the impact on the United Kingdom economy of proposed European tax harmonisation measures. [72421]

**The Paymaster General (Dawn Primarolo):** The Government will continue to judge every tax proposal according to the United Kingdom national interest. We will not support any action at a European level that will threaten the competitive position of British business or harm investment and jobs in Britain.

**Mr. Paterson:** Does the Minister fully understand that, thanks to the fact that the total tax burden in the United Kingdom is 20 to 25 per cent. lower than that in the euro zone, in the past six years the United Kingdom has created 2.5 million more jobs than the whole of the euro zone countries put together? Therefore—as she has just said that it is a matter of vital national interest—will she promise to the House and to the United Kingdom that the Government will use the national veto to prevent any tax harmonisation upwards, as was recently demanded by Mr. Günter Verheugen, the German Minister for Europe?

**Dawn Primarolo:** That was a very interesting intervention. I thank the hon. Gentleman for confirming that we are a low-tax Government.

**Ms Sally Keeble** (Northampton, North): Does my hon. Friend agree that some of the pressures from the Germans for tax harmonisation are based on pressures from their own financial institutions, and that there is concern about those pressures in our own financial sector? Does she agree also that the strong constructive role played by our Government is the best way of countering those pressures, and that use of the types of tactic employed by Conservative Members—with all their prevarications, splits, U-turns and muddles—would leave our financial institutions and economy very much exposed?

**Dawn Primarolo:** I am happy to confirm to my hon. Friend, and other hon. Members, that the Government believe that tax harmonisation is not the way forward for Europe. Our European partners agree with us that Europe's priority is the promotion of employment reforms and competitive markets, to achieve higher levels of employment and prosperity. That is the Government's policy, and we shall continue to pursue it.

**Mr. John Whittingdale** (Maldon and East Chelmsford): The hon. Lady has stated on a number occasions that the Government are opposed to the proposed European withholding tax and to further European tax harmonisation. Will she therefore take this opportunity to condemn Mrs. Pauline Green, leader of the European socialist group, and other British Labour Members of the European Parliament who voted for the 20 per cent. withholding tax and for further extension of tax harmonisation to cover capital gains tax?

**Dawn Primarolo:** The Government's position on the draft directive on taxation of savings, which is under discussion, is very clear. As the hon. Gentleman knows, we have made it very clear that we shall not agree to anything that damages competitive markets. Moreover, he is in no position to say anything about disagreements within parties on any subject, particularly Europe.

**Mr. Dale Campbell-Savours** (Workington): Is not the issue of European tax harmonisation one that could be raised in the new House of Commons euro committee, which the Tories are boycotting? Will my hon. Friend tell me who will represent Conservative opinion in my constituency in favour of the euro? Tories in my constituency who are in favour of the euro would like their voice to be heard in the Westminster committee. Perhaps my hon. Friend will comment on that.

**Dawn Primarolo:** I am sure that Conservative voters in my hon. Friend's constituency will make up their own minds, as they did at the previous general election, and decide that their interests are best served by voting Labour—which is there, defending their interests.

### Working Families Tax Credit

10. **Mr. Steve Webb** (Northavon): What assessment he has made of the transfer of funds from women to men which will occur as a result of the implementation of the working families tax credit. [72422]

**The Paymaster General (Dawn Primarolo):** The Government are clear that there is no compulsory transfer of funds from women to men because of implementation of the working families tax credit.

**Mr. Webb:** I am disappointed that, even with two weeks' notice, the hon. Lady could not answer my question. Does she accept that £900 million in family credit is paid to women in couples in which men are the principal breadwinner? Does she accept also that the Inland Revenue is assuming that two thirds of employees receiving the tax credit will receive it in their pay packet? Will she therefore confirm that, on that basis, several hundred million pounds will go from women to men as a direct result of Government policy? Does she think that that is in the interests of the children?

**Dawn Primarolo:** The hon. Gentleman continues to misunderstand the figures. The facts are that 50 per cent. of those who receive family credit, and who will

receive working families tax credit, are lone parents; that, in 23 per cent. of couples, women are the main or sole earner; and that a good proportion of the 300,000 people he mentioned already have their money paid into a joint account. As he well knows, we have made it clear that, when there is a dispute about to whom the working families tax credit should be paid, the Inland Revenue will pay directly to the parent with care. The proposition that he has put forward is not true.

**Mr. Geraint Davies** (Croydon, Central): Does my hon. Friend agree that the combination of our employment relations legislation, which will give enormous rights to women who work part-time, and the working families tax credit is likely to bring about a significant shift in economic power from men to women?

**Dawn Primarolo:** I should like to add to that list the benefit to women from the substantial increase in child benefit that we have introduced. The Conservative party froze child benefit. The hon. Member for Northavon (Mr. Webb) has not yet complimented us on that increase.

### Married Couples Allowance

11. **Mr. David Amess** (Southend, West): What recent representations he has received about the future of the married couples allowance. [72423]

**The Economic Secretary to the Treasury (Ms Patricia Hewitt):** Treasury Ministers have received many representations on that issue.

**Mr. Amess:** Given that there is no boom in the economy in Southend, West, but plenty of bust, that the public had to work 147 days last year just to pay their taxes and that the style of the Government is to leak policy outside the House before reporting it here, are we supposed to feel better when the married couples allowance is not abolished next week? How will the Government continue to deliver their election promises while supposedly not raising taxes?

**Ms Hewitt:** The hon. Gentleman's constituents and mine will welcome the fact that the Government have cut VAT on fuel, cut national insurance contributions for employers, cut corporation tax, cut small business tax rates and cut capital gains tax. We have also introduced the biggest-ever increase in child benefit. Is he telling us that the Conservative party would not only repeal the working families tax credit, but reverse the increase in child benefit?

### Pensioners

12. **Helen Jackson** (Sheffield, Hillsborough): What plans he has to review the taxation liabilities of pensioners. [72424]

**The Economic Secretary to the Treasury (Ms Patricia Hewitt):** The Government have announced a £2.5 billion package of support for pensioners. That will include a minimum tax guarantee, so that no elderly person will pay income tax unless his or her income rises above a specified level. As the pre-Budget report confirmed, my right hon. Friend the Chancellor might have more to say on that in next week's Budget.

**Helen Jackson:** I thank my hon. Friend for her reply and look forward to the Budget statement next week. Does she recognise that, although falling interest rates are excellent for manufacturing, mortgage payers and many others, they result in a drop in income for pensioners above the benefit level who depend partly on interest from their savings? Does she recognise the importance of what they have gained from the reductions in VAT on fuel and what they stand to gain from the free eye tests that will be introduced in April? Does she also accept that plans to enable that worthy group to benefit further from a Labour Government should be a priority?

**Ms Hewitt:** My hon. Friend is right to draw the attention of the House to the many measures that the Government have introduced to help elderly people. I am sure that she agrees that one of the greatest threats to the living standards of elderly people is inflation rates at the levels that we had during the boom and bust years of the Conservative Government. Low inflation is good for elderly people, but, to help them further with their savings, we are introducing the new individual savings accounts from April.

### Small Businesses

13. **Mr. Tim Boswell** (Daventry): What recent consultations he has held with representatives of small businesses on the levels of business taxation. [72425]

**The Financial Secretary to the Treasury (Mrs. Barbara Roche):** The Chancellor believes in the importance of consultation and has encouraged businesses to provide their views. He, his Ministers and his officials have met a great number of representatives of small businesses on a variety of occasions.

**Mr. Boswell:** As a former Minister with responsibility for small firms, the Financial Secretary will accept the importance of the small firms sector in encouraging entrepreneurialism and creating jobs—the stated objectives—as no doubt the Chancellor will as well. Will she concede that those small businesses are paying at least their fair share of the £5 billion a year extra tax burden imposed on British business, as estimated by the Confederation of British Industry? In addition, they are probably paying a disproportionate share of the regulatory burden of the additional requirements imposed by the Government. Will she take those factors properly into account when giving advice to her colleagues during the formulation of the Budget next week?

**Mrs. Roche:** Let me agree with the hon. Gentleman on one point—the importance of small businesses, which are the lifeblood of our economy. However, he is absolutely wrong. Small businesses have benefited enormously from the tax cuts introduced by the Government. That is why we have the best regime for businesses in Europe.

On deregulation, we will take no lessons from the Conservatives who, when in government, imposed regulation after regulation. It was interesting that the Government in which the hon. Gentleman was a Minister established a deregulation task force. That task force, on which the Shadow Chancellor sat when he was out of Parliament, contained more Tory ex-Members of Parliament than small businesses—quite contrary to ours.

# Iraq

12.32 pm

**Mr. Tam Dalyell** (Linlithgow) (*by private notice*): To ask the Secretary of State for Defence if he will make a statement on changes to the rules of engagement in relation to military action over Iraq.

**The Secretary of State for Defence (Mr. George Robertson):** Madam Speaker, our aircrew, carrying out the vital humanitarian task of enforcing the no-fly zones over northern and southern Iraq, face almost daily attempts by Saddam Hussein to kill them. He is making every effort to shoot down UK and US aircraft—even offering bounties to air defence units.

Since the end of Operation Desert Fox, there have been more than 100 violations of the no-fly zones. Coalition aircraft have been fired on by Iraqi surface-to-air missiles and anti-aircraft artillery, and have been otherwise threatened more than 50 times. Typically endangering the safety of his own people, Saddam is even using heavy surface-to-surface rockets as improvised anti-aircraft weapons.

Let us be clear that there is still a pressing need to maintain these patrols and the no-fly zones. Saddam's brutal repression of his people is well documented—including by the UN. That is, of course, why the no-fly zones were established in the north in April 1991 and in the south in August 1992. His internal security organisations continue to persecute all opponents of the regime on the ground. Without our continued presence, he would be free to do so in the air as well. We are not prepared to countenance that.

Saddam's latest campaign against coalition aircrew is sustained and direct, and leaves us with a stark choice: to give up, and let him do his worst to the Iraqi Kurds in the north and the Shias in the south, or to act to protect those flying these legitimate humanitarian patrols. We cannot simply ignore these attacks.

We have, therefore, tailored the rules of engagement to reflect the escalation by the Iraqis of their systematic attacks and threats to our aircraft. I hope that the House will understand that I am not prepared to go into detail, as neither we nor the US would wish to provide Iraq with information that could be used to increase the threat to our people.

I can assure the House that this adaptation of the rules of engagement in no way represents a change to either our policy towards maintaining the no-fly zones or the purpose of our long-standing patrols. The tailoring of the rules of engagement merely reinforces our position, which we have made clear all along—that we will take robust and appropriate defensive measures to prevent Saddam from endangering the lives of our brave aircrew.

Of course Saddam's propaganda machine is quick to exaggerate the effects of coalition action on the Iraqi people. I can assure the House that the only targets attacked are legitimate military ones. They include the communications facilities targeted by the United States over the weekend, which now appear also to have carried part of the Iraq-Turkey oil pipeline control network. Damage to the oil pipeline control system is regrettable, but the pipeline itself was not damaged and we understand that the oil flow resumed in less than three days. Furthermore, there was no interruption to the export of oil because significant stocks are held at the Turkish end of the pipeline.

We have limited ourselves strictly to proportionate responses to threats against coalition aircraft, using precision-guided weapons to minimise casualties. Of course such action is regrettable, but Saddam's attacks leave no alternative, other than to abandon our patrols, with all that that would mean for the Iraqi Kurds and the Marsh Arabs. If he stops attacking our aircraft, we will stop acting against him in response.

Just as in Operation Desert Fox, the responsibility for the military action lies firmly at Saddam Hussein's door.

**Mr. Dalyell:** Where is all this to end? Is it not a fact that more ordnance has rained down on Iraq since Desert Fox than during it, and that more bombs and missiles were used during Desert Fox than in the whole of the Gulf war? How can the rules of engagement be changed to that extent without a declaration of war? In the absence of such a declaration, what would be the position of a pilot, British or American, who had to bale out of an aircraft that was hit or had malfunctioned?

How does my right hon. Friend respond to President Demirel of Turkey, whose statement was that the strikes against the pipeline were "unacceptable"?

My right hon. Friend refers to the Shia. Those of us who visited Basra and the marshes in 1994 cannot conceive that bombs will do anything but strengthen the position of the regime, rather than weakening it. The Foreign Minister of Iraq is himself a Shia. Reference may be made to the brutal murder in Najaf of Ayatollah Muhammad al-Sadr, but there are grave doubts about whether the regime was in any way responsible for something that would have been against its own interests.

Is the so-called threat against the Shia, the Marsh Arabs and indeed the Iraqi Kurds—the Health Minister, Dr. Mubarak, is a Kurd—such as to justify the traumatisation of children, old people and a whole society? Where is all this to end? Can we have a precise statement of the objective of bombing following the change in the rules of engagement?

**Mr. Robertson:** To answer my hon. Friend's clear question about where this will end: it will end when Saddam Hussein complies with the resolutions to which he signed up at the end of the Gulf war and stops being a threat to his neighbours and to the region. That is the simple answer. I understand my hon. Friend's attention to this subject, and I do not for a moment question his sincerity, but I find it extraordinary that he could make so lengthy a contribution without once mentioning the threat to our aircrew, who are patrolling the no-fly zones for purely humanitarian reasons and put their lives in danger every day they carry out the duty that we have placed on them.

I do not think that my hon. Friend is right to draw a comparison between Operation Desert Fox, which was a 72-hour campaign designed to diminish and degrade Saddam Hussein's military capability and his ability to threaten his neighbours, and the purely defensive operation which is involved in the no-fly zones in the north and south of Iraq today. We are engaged in defensive operations to ensure that Saddam Hussein's objective and ambition, which is to kill our pilots,

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is frustrated. I made that clear in what I said. We have only one option, which is to stay and protect the people whom the no-fly zones were put in place to protect.

My hon. Friend asked how we could make alterations to the rules of engagement without a declaration of war. We are not at war with Saddam Hussein or with the Iraqi regime. Our planes are acting strictly in accordance with international law and they are taking defensive steps to prevent them from being attacked by the Iraqis. My hon. Friend asked about the position of a pilot who might be downed over Iraq, and, indeed, bounties are being offered to anti-aircraft crew by Saddam Hussein to achieve that. The lack of a declaration of war in no way relieves the Iraqi regime of its obligations under the Geneva conventions to anybody who may be involved in a situation such as that which my hon. Friend describes.

My hon. Friend mentioned the comments yesterday by President Demirel about the attack on the communications centre beside the oil pipeline. I understand that President Demirel has now been briefed on the fact that that was in response to a precise attack on coalition aircraft and that the Turkish Government fully understand that the action was taken not against the pipeline, but against the control and communications centre, which appeared to have a dual-use function.

My hon. Friend seems to imply that the Arabs in the south of Iraq are safe and, without the coalition aircraft, they would come to no harm. He suggests that, because there is a Shia Muslim and a Kurdish Minister in the Government of Iraq—which is almost a contradiction in terms—that in some way protects the people of the south and north. It does not. The systematic, brutal attacks that took place in 1991 and 1992 have not left my memory, even if they have left my hon. Friend's. Those attacks would return if we were to cease maintaining the no-fly zones. I say to my hon. Friend that we will stop our responses if the Iraqis stop attacking our planes. Saddam Hussein is trying to kill our pilots, and we are acting in self-defence. At some point, he will have to wake up to the fact that he will have to comply with the will of the international community and the resolutions to which he has signed up. At that point, the violence can end.

**Mr. Robert Key** (Salisbury): I thank the Secretary of State for his full answer. Nothing that the Government or the Opposition say or do should hinder the operational effectiveness of our forces or the forces of our allies. That is why we understand the need for caution in pressing Defence Ministers to reveal the rules of engagement and to tell the House whether they have been varied. Parliament has learned in recent years that in military conflicts it is crucial that all allied forces operate with the same rules of engagement. We have heard and seen much of the Secretary of State on radio and television in the past 24 hours, but he should not be dragged to Parliament to account for his actions by the hon. Member for Linlithgow (Mr. Dalyell). We would like to hear more of him on the issue and have the opportunity to question him on it.

We agree that it is necessary to police the no-fly zones to help to protect the Shia Muslims and the Kurds from the excesses of Saddam Hussein. Will the Secretary of State tell us why there appears to be a divergence between United States objectives and those of the United Kingdom? The United States has made it clear that its policy objective is the removal of Saddam Hussein from office; that is also the Conservative position. Today, we have heard nothing about the long-term objectives of the UK Government. The Prime Minister has spoken of putting Saddam Hussein back in his cage. Does the Secretary of State understand that, if he is to retain public support, as well as the support of the whole House, he must develop, and share with us, a long-term strategy on Iraq?

The Opposition agree with the United States Government position, reported yesterday to the US Congress, that the objective should be to help Iraq resume its rightful place in the region, which can be achieved only under new Iraqi leadership. We know that Saddam Hussein is able to sell as much oil as he wants for food and medicine for his people, but that he will not do so. Yesterday, the Prime Minister told the House that the Government

"will not allow him to get round the sanctions and use that oil money to build up a weapons arsenal."—[*Official Report*, 3 March 1999; Vol. 326, c. 1074.]

Therefore, why does it appear that we are allowing the illicit export of oil from Iraq to Turkey through Kurdish areas, by road, with thousands of tankers trading in cash which appears to be helping to keep the Saddam regime afloat?

Today, the Secretary of State tells us that our aircrew are under renewed threat and are acting in self-defence. Will he assure the House that the forces that we are deploying over Iraq have enough equipment, ground support and medical services to sustain those brave men?

I have explained why we are cautious in pressing Ministers to share rules of military engagement with the House; that was the subject of the private notice question tabled by the hon. Member for Linlithgow. However, the House should be aware that, this morning, US sources have told me that the US rules of engagement are a matter of public record, and that, in the United States on 1 March, Defence Secretary Cohen announced a variation to those rules. If that is true, will the Secretary of State also publish the rules of engagement that our forces are following, which presumably are identical to those followed by America? If the rules of engagement for the United States and UK forces are the same at the tactical level, surely the time has come for our strategic objectives to be the same.

**Mr. Robertson:** I thank the hon. Gentleman for what I thought, at the beginning, was a supportive statement. I appreciate that the Government have received support from the Opposition on both the purpose and the method of operating the no-fly zones.

The hon. Gentleman contends that I have been dragged before Parliament and presses me to announce our rules of engagement, but I remind him that our rules of engagement abide strictly by international law. Rules of engagement are a routine and detailed operational matter; they are not normally discussed or published, so as to ensure the safety of our personnel. It has, therefore, been the practice of successive Governments never to notify Parliament of changes in the rules of engagement; nor is there a requirement to do so.

I do not stand at the Dispatch Box to explain a different situation. There has been a sustained and increased level of attacks on coalition aircraft. The attempts by Saddam

Hussein to kill our aircrew continue and increase all the time; indeed, this morning, there were incursions into the southern no-fly zone and attacks on coalition aircraft. That situation continues. However, I refuse to give information of an operational nature that will allow the Iraqis better to target the aeroplanes of the Royal Air Force that are flying at the moment.

The hon. Gentleman asks whether there is a divergence on policy between the United States and Britain. There is not. I have regular communications with my opposite number, Defence Secretary Cohen, and we are absolutely together in our views on this mission, and on the rules of engagement that apply to both countries.

The hon. Gentleman asks why the Government do not state our long-term strategy for Iraq. The House has been informed as to that matter on many occasions. Although the private notice question is on the rules of engagement in the no-fly zones, let me point out that, ultimately, our objective is to ensure that Saddam is not a threat to his neighbours. Since the end of Desert Fox, he has threatened Kuwait and Saudi Arabia; and, only a few weeks ago, he sent Tariq Aziz to threaten the Turkish Government. We intend to ensure that he is not a danger to his own people as well.

As for illicit sanctions breaking, ships of the Royal Navy and the Armilla patrol are engaged in that operation. As my right hon. Friend the Prime Minister said yesterday, we will, whenever we can, tighten the screws of the sanctions on that country.

I will agree with the hon. Gentleman on one point: Saddam is responsible for the miseries of the Iraqi people. He has in warehouses $275 million-worth of medicines and medical supplies which he refuses to distribute. Only 15 per cent. of the medical equipment purchased by the Iraqi Government has been distributed and only 2 to 3 per cent. has been installed. Although wheat and barley production has increased by 15 per cent. this year, Saddam Hussein has not given those crops to his people, but is selling them at cut-rate prices to Syria. Saddam has an obligation to comply with the United Nations Security Council resolutions and he is also responsible for the misery of the Iraqi people.

**Mr. Tony Benn** (Chesterfield): Is the Secretary of State aware that—whatever words he may have used—he has, in effect, announced today a state of war against Iraq with the Americans to remove Saddam when there is absolutely no United Nations authority for that action? Is he aware also that we now know that the United States used the United Nations Special Commission to spy in order to identify current targets? Government policy towards Iraq over the years has failed absolutely, but, although the Government have announced a very important change today, Ministers have been reluctant to come to the House and allow us to debate the matter. This is a state of war, and British pilots are at risk because of the decisions taken by the American and British Governments, which, as I have said, have no legal authority.

Is the Secretary of State aware that, regardless of the statements that he makes in the House, the use of depleted-uranium bullets during the war with Iraq and the suffering in that country have engendered a legacy of hatred which will probably last for generations? We need a middle east peace conference that will address a clutch of issues, including the Israeli invasion of Lebanon, Turkey's invasion of northern Iraq and Cyprus, the Palestinian question and the position of the Kurds. That is the way forward. The Government demand ceasefires whenever wars break out elsewhere in the world, but they have renewed their attacks on Iraq when we should be looking at all the problems of the middle east—including the need to lift sanctions for humanitarian reasons. I beg the Secretary of State to ask his colleagues to allow the House to debate those issues in a manner that will allow more exchanges than are possible in the context of a private notice question.

**Mr. Robertson:** I refute absolutely my right hon. Friend's allegation that this amounts to a declaration of war. If Saddam Hussein stops threatening the lives of our aircrew, we will not need to respond—it is as simple as that. Saddam Hussein's forces are attacking our aircrew and our planes. They are seeking to kill pilots of the Royal Air Force and we are taking defensive action.

It is absurd for my right hon. Friend to suggest that this is in some way a declaration of war or that we are acting without United Nations authority. He will remember the attacks on the Kurds in the north—I saw him on the television standing in solidarity with some of those Kurds a few weeks ago—and what happened to the Marsh Arabs in the south of Iraq. The no-fly zones were put in place in response to those attacks, and they rightly remain today because the threat has not gone away.

Our pilots are at risk. They have a humanitarian mission: they willingly fly every day because they believe in international law and order. They should be applauded and congratulated on their efforts. When I visited them last month, I recognised their bravery and the risks that they are taking. I must remind my right hon. Friend—in all comradeliness—that, if we had listened to his advice in 1990, Kuwait would still be occupied by Saddam Hussein and the gross violations of human rights that we witnessed then would be continuing.

**Mr. Menzies Campbell** (North-East Fife): I do not doubt the need to maintain the no-fly zones or the bravery of Royal Air Force aircrew and the risks that they run. However, does the Secretary of State understand that those of us who supported the use of force as a last resort to compel Saddam Hussein to comply with United Nations Security Council resolutions none the less feel unable to give the Secretary of State the blank cheque to which he alluded today? Is there not a substantial distinction to be drawn between a defensive response to the threat of attack and, as is now apparently taking place, the systematic destruction of Iraq's air defence system? Is that not an escalation that goes far beyond the mere tailoring of the rules of engagement, as the Secretary of State has suggested?

**Mr. Robertson:** No, it does not. I say bluntly to the right hon. and learned Gentleman that what we are doing is proportionate. It uses precision-guided weapons; it is directed only at military targets. There is no escalation that is not mirrored by the increased threat to coalition aircrew. The decision is taken with a heavy heart, and with regret. I take no pleasure in ordering young men—those on the ground who support them suffer the deprivation of being away from home, too—into battle in these circumstances, but we do it because the threat

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is increasing. Daily incursions have increased dramatically since the end of Operation Desert Fox. What we do is robust, but we are conscious at every stage of the fact that, under international law, it must be proportionate. There is no blank cheque. If attacks stop on planes that are policing the no-fly zones and protecting helpless people who have already been attacked, the responses will stop exactly at that point.

**Mr. Gerald Kaufman** (Manchester, Gorton): Is my right hon. Friend aware that his comments today have the overwhelming support not only of the parliamentary Labour party but of the British people? Is he further aware that some of us greet with nausea the comments of apologists for Saddam Hussein, who seem to take no account whatever of the fact that all these actions derive from the annexation of Kuwait and the looting and murder of Kuwaiti people? All these actions arise from this man wanting to dominate the middle east with non-conventional poisonous weapons through persistent violations of United Nations Security Council resolutions, which, despite the inaccurate and illiterate niggling which has occurred, fully authorise the action that is being taken today—and previously.

There would be no need for military action or a no-fly zone if Saddam Hussein did not massacre his people, as he has again recently. The Government should continue with the action that they have bravely undertaken in collaboration with the United States Government. It can end only when Saddam Hussein either at long last complies with the Security Council resolutions or is turned out.

**Mr. Robertson:** I thank my right hon. Friend for his support, which has been consistent down the years, as has his support of the Iraqi people and his opposition to the regime that has visited so much misery on them and their neighbours. He is right to point to the annexation of Kuwait and the renewed threat in the past two months to the borders of Kuwait.

I keep hoping—perhaps it is a vain and naive hope—to hear some of my right hon. and hon. Friends plead with the Iraqis to release the prisoners of war, the disappeared, who were taken from Kuwait following the Gulf war and have not been heard of since. I am glad that the UN Security Council has set up three panels—one on disarmament, the second on the humanitarian needs of Iraq and the third on the Kuwaiti disappeared. It would be nice to hear some of those who express an interest in this subject, and who may even have back channels with the Iraqis, saying a little more about that. To reinforce my right hon. Friend's point about the regime, what kind of leader watches his children die and his hospitals operate without drugs, but keeps $275 million-worth of medicines and medical supplies locked up in a warehouse?

**Mr. Christopher Gill** (Ludlow): The Secretary of State has talked about the risks that RAF pilots are taking, and he has rightly drawn attention to the dedicated efforts that the RAF makes in the area. However, will he answer the specific question put by his hon. Friend the Member for Linlithgow (Mr. Dalyell), who asked what the status of RAF pilots would be if they were downed on Iraqi territory? Would they be prisoners of war, or would they come into another category?

**Mr. Robertson:** I answered the question, and I will answer it again. The obligations of the Geneva conventions apply to Iraq, whether there is a declaration of war or not. The mission of those pilots is humanitarian in its purpose. Iraq would have to, and would be, obliged to adhere to the Geneva conventions.

**Mr. Jeremy Corbyn** (Islington, North): A few moments ago, the Secretary of State spoke of his ordering British pilots into battle against Iraq. A few minutes before that, he said that there was no declaration of war against Iraq. Will he make absolutely clear the state of relations between Britain and Iraq? What are the long-term objectives of the bombing missions and the deployment of aircrew over Iraq? At what point would he be prepared to send in ground troops? Many people wish to know—not as apologists for Saddam Hussein, but as supporters of the Iraqi people—the exact long-term objectives of Britain and the United States in the region.

**Mr. Robertson:** The objectives are absolutely clear: to get Saddam Hussein to comply with the terms of the resolutions that were adopted by the United Nations after the Gulf war, to which Saddam Hussein subscribed, and to ensure that Saddam does not represent a continuing threat to his neighbours in the region and, through that, to international stability.

**Mr. David Winnick** (Walsall, North): Is my right hon. Friend aware how sickening it is for the vast majority of us in the House to listen literally day by day to those who echo the views of the murderous regime in Baghdad, who use every opportunity in the House of Commons—an opportunity that people in Iraq do not have—to express the views of Saddam Hussein? As my right hon. Friend said, the people who opposed the liberation of Kuwait nine years ago are the ones who now echo the views regarding the no-fly zones.

Has my right hon. Friend noticed one difference, however, in the contribution from the critics today? Has he noticed that whereas, previously, they said, "All that is happening is due to President Clinton trying to save his job," they do not say that today? No doubt, however, other smears and innuendo will be used to try to prevent the humanitarian work which my right hon. Friend has described, and which is undoubtedly supported by a large majority of people in this country.

**Mr. Robertson:** My hon. Friend is right. I believe that what we are doing is not only right but supported by the vast majority of people in this country. When, at times, I feel intemperate and feel that this man's threat to the countries of the Gulf that I visited last month should be better appreciated by more people in the House and throughout the world, I reflect on the fact that this is a democratic House—that this is a Parliament in which people are allowed to say what they want, however repugnant it may be, however unfashionable it may be, but at the end of the day the people will decide. In Iraq, no one has any such liberty. Anyone who does not agree with Saddam, even on details, is unlikely to stay alive for long.

**Mr. John Cryer** (Hornchurch): I wonder whether I can press my right hon. Friend on the exact objectives. He said that one of the objectives was to bring Saddam Hussein to the point at which he was no longer a threat to other countries in the region. At what point do we judge that that point has been reached? After all, Saddam Hussein is a butchering psychopath who slaughtered his own people; at what point does he cease to be a threat to the other countries of the region? Does what my right hon. Friend said imply that an objective of policy is to remove Saddam Hussein from office?

I should have thought that most hon. Members would agree that any influx of weapons into that volatile region would not be the best idea. I wonder whether my right hon. Friend will tell us why, in those circumstances, Britain recently gifted—not sold—missiles to Saudi Arabia.

**Mr. Robertson:** My hon. Friend asks what we mean by "when Saddam Hussein is no longer a threat". The resolutions passed following the Gulf war clearly set out the terms that he was expected to adhere to. The disarmament that is laid out there is the matter that has been the source of so much controversy. UNSCOM was the means by which the United Nations sought to find out what weapons Saddam had, especially weapons of mass destruction, and to destroy them. UNSCOM found out an immense amount and destroyed a lot of the weapons, but the United Nations believes that he still has those capabilities and some of those weapons of war. Compliance is the standard set for Saddam.

It is not part of our policy to remove Saddam Hussein from office. That will be done by the Iraqi people in their good time. What we can do is point out to them through every available channel that he is, as my hon. Friend rightly says, a butcher, and a butchering dictator.

My hon. Friend says that we should not sell weapons, apparently, to the region. However, the Gulf countries are friendly countries, they are allies of ours, and they have every right to self-protection, especially as they live in the close neighbourhood of the Iraqi regime. My hon. Friend mentions a specific gift, which is a technical description of some precision-guided weapons. Those have been given to Saudi Arabia to replace the JP233, which we previously sold to Saudi Arabia, but is not compliant with the Ottawa convention which we have signed. The weapons are simply a substitute for weapons that that country bought. That seems to be in the interests of Saudi Arabian self-defence and our commitment to abolishing all forms of anti-personnel land mines.

**Mr. Harry Barnes** (North-East Derbyshire): I have no problem condemning Saddam Hussein or associating myself with the remarks of my hon. Friend the Member for Hornchurch (Mr. Cryer) that Saddam is a "butchering psychopath", nor do I have any difficulty calling for the release of the disappeared, although I do not have any avenue of expression into Iraq, other than views expressed in the House. However, is it not one thing to engage in bombing and economic sanctions, and another to imply that that is problem free and that no moral difficulties attach to it with regard to the condition of the Iraqi people?

The major blame is with Saddam Hussein, and has been since the start of the Iran-Iraq war, but our response to that evil also creates adverse conditions for the Iraqi people. That should be seen by the Government as a problem. They should not treat the matter with glib answers and put all the blame on to Saddam Hussein all the time, as though our response to the situation did not create secondary problems.

**Mr. Robertson:** I do not know where my hon. Friend is directing his accusation of glib responses. My responses are far from glib. Foreign Office Ministers—the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), is present—and we at the Ministry of Defence spend a great deal of time considering precisely the problems that my hon. Friend outlines.

That is why the Government convened a humanitarian conference last year which was directed specifically at examining ways in which we might be able to help the people of Iraq, while making sure that the isolation of the regime continues. That is why this country is the second largest donor of humanitarian assistance to Iraq, and why we sponsored the resolution that doubled the amount of oil that could be sold for food.

That is also why I remind the House and the country that, at a time when Saddam Hussein says that his children are dying because there are no medical supplies, he has $275 million worth of medicine and drugs locked up, which he will not distribute. He cannot skate away from his responsibilities by saying that sanctions have been imposed, because he will not comply. If he complies with the resolutions and the will of the international community, the sanctions will be removed and the Iraqi people will be allowed to get back to a life of normality. I doubt, however, whether there will be full normality until Saddam has gone.

# Trade Sanctions (USA)

1.9 pm

**Mr. Archy Kirkwood** (Roxburgh and Berwickshire) (*by private notice*): To ask the Secretary of State for Trade and Industry if he will make a statement on the unilateral trade sanctions imposed by the United States Administration against cashmere knitted garments and other products.

**The Secretary of State for Trade and Industry (Mr. Stephen Byers):** The European Union and the United States have been engaged in a long-running dispute in the World Trade Organisation over the EU's banana regime. Following two adverse WTO rulings in 1997, an amended regime was agreed by the EU's Agriculture Council in June 1998.

The United States and other complainants maintain that this regime still does not comply with WTO procedures. In November 1998, the United States announced its intention to retaliate against the EU by imposing 100 per cent. import duties on selected products. The United States sought WTO authorisation for that in January. At the request of the EU, the level of damage that the United States was seeking in retaliation was referred to arbitration, to be decided on 2 March.

On Tuesday this week, the arbitrator, in an initial ruling, said that he needed more information to make a decision, and asked the parties to respond to a series of questions by 15 March. He would then return to the issue and come to a final ruling soon afterwards.

However, the United States yesterday announced that, with immediate effect, the United States customs service would begin "withholding liquidation" on imports of various EU products, including cashmere knitwear. We are firmly of the view that that prejudges the panel ruling and is contrary to the WTO dispute settlement rules.

The United States argues that it will not apply the duties until after the arbitrator has ruled, but the practical effect of the measures is the same as if they applied now, because exporters have to put up a bond to cover possible duties in the future.

I deplore the action which the United States has taken. It is completely unauthorised by any WTO procedures and wholly ignores the arbitrator's appeal for discussions to continue. Even now, it is not too late for the United States to reverse its decision. It should do so, in the interests not only of the EU-US relationship but to safeguard the whole framework of dispute resolution and settlement within the WTO. The United States action is irrational and unacceptable. I have summoned the United States ambassador and will make those points to him later this afternoon. We shall also support an urgent convening of the WTO General Council.

It is particularly regrettable that American action is directed against industries that have absolutely no connection with bananas or the issues in dispute. There can be no justification for inflicting, or seeking to inflict, serious damage on businesses and communities in pursuit of objectives that are utterly unrelated to the activities in which they are engaged. We are very conscious of the effect that even the threat of US action has been having over the past few months, especially in respect of the cashmere industry. This is a seasonal industry and it has been particularly affected. Cashmere orders are now being placed and dispatched to the United States for the autumn season.

I spoke this morning to George Pedan, chairman of the Scottish Cashmere Association, who stressed to me the damaging effect that the proposed US action would have. In the light of yesterday's action by the United States, the Government have decided to establish a scheme to guarantee the bonds in respect of the cashmere industry, and we will discuss with the industry, as a matter of urgency, the details of that scheme.

The United States action is unacceptable. We shall do all that we can to reverse it. I hope that the measures that I have announced today to support the cashmere industry will be welcomed on both sides of the House.

**Mr. Kirkwood:** I am deeply grateful to the Secretary of State for taking the opportunity to come to the House at such short notice, and so quickly, to deal with the damaging situation that the cashmere knitted industry faced last night. The anger and incomprehension felt in the Scottish borders at this completely gratuitous hostile and unilateral act at the hands of a so-called ally were palpable. The concern was that knitwear businesses would be driven to the wall and into financial insolvency if they had to carry financial bonds in addition to the other difficulties that the knitwear industry is suffering.

I am deeply grateful to the Secretary of State for making it clear that he has engaged, immediately, in talks with the Scottish Cashmere Association and associated bodies to achieve a scheme that will give confidence to the industry. He is absolutely right to say that this is a crucial time of year for securing contracts for cashmere delivery to the United States. It is the worst time of year for the problem to have arisen. If he can secure agreement with the trade representatives and get a scheme in place at the earliest possible opportunity, that will at least give us some short-term respite during which we can sort out this long-term dispute.

I congratulate the Government on what they have done, but I hope that the Secretary of State will redouble his efforts to resolve the fundamental underlying dispute between the EU and the US about bananas quickly, so that we can all put this deeply damaging and unfortunate incident behind us.

**Mr. Byers:** What can I say? I welcome the positive response from the hon. Gentleman, who modestly did not refer to the fact that, the other evening, he led a delegation to meet me and my hon. Friend the Minister for Trade to discuss precisely those matters. There are two issues at stake, the first of which is the steps that we need to take to ensure that certain industries—in this case, the cashmere industry—are not the innocent victims of the action taken by the United States. The measures that we are introducing and the scheme that we propose will achieve that.

There is a more fundamental issue—the dispute resolution mechanism within the World Trade Organisation. We will certainly do all we can to ensure that the United States recognises that it has a responsibility to comply with the procedures, even when it may appear to the United States that those procedures

are not going in its direction. The acid test of any resolution procedure is all parties agreeing to abide by it, in good times as well as bad.

**Mr. John Redwood** (Wokingham): I, too, am grateful to the Secretary of State for his answer and I am glad that he can, at last and after so long, see the damage that US action can do to innocent industries in Britain. Will he promise to get the EU to settle this diplomatic trading dispute? He accepted in his statement that the EU has twice broken the rules and twice lost the case in the WTO. Will he promise us that he and Brussels now have a compliant regime? When does he intend to establish that regime to the satisfaction of the WTO?

Why did the Secretary of State or his predecessor not intervene a long time ago to achieve a proper, compliant agreement from Brussels so that we could have avoided this whole sorry mess? How much money will be made available to help the cashmere industry during its time of trouble? Does he now agree that the Government's appalling diplomacy, in Brussels and beyond, has made the banana row so much worse? Does that not show that the Secretary of State has no influence in Brussels, that he has failed to stand up for British industry and that he does not care about British manufacturing? First, he makes it too dear to make things in Britain; then, he fails to keep our markets open for those who are still struggling to succeed.

Will the Secretary of State now stand up for the UK cashmere manufacturers, stand up for the others and do whatever is necessary, through Brussels, to solve this dispute and to impose a compliant regime on Brussels?

**Mr. Byers:** First, I congratulate the right hon. Gentleman—it was fully 45 seconds before we got to the Brussels-bashing element of his speech, which is something of a record. Usually, he reaches it far more quickly.

This is a serious issue and it is unfortunate that the right hon. Gentleman has sought to use it in the way that he has. Whether the regime is compliant is a matter for the dispute resolution procedure to determine, which is exactly what it is in place to do. The regime is being challenged and it is for the dispute resolution procedure to determine that challenge. The matter is for the arbitrator and the panel to determine and they are in place to do precisely that.

We have taken action to ensure that we offer protection to the cashmere industry in these particularly difficult times and we have intervened in Brussels to promote, and to try to achieve, a settlement on this issue. I regret that that has not been possible, but we will ensure, in the days and weeks ahead, that we continue to do all we can to resolve the issue to the satisfaction of the cashmere industry and the other sectors that are also affected by the retaliation.

**Mr. George Stevenson** (Stoke-on-Trent, South): Does my right hon. Friend agree that this US action is in pursuit of the singular interests of the multinational banana companies controlled by the United States which dominate production in central, north and south America? Does he also agree that, if its agenda of removing the European Union regime on quotas for Caribbean bananas is successful, it will result in the total destruction of the Caribbean banana industry? Given the siren calls that we have just heard from the right hon. Member for Wokingham (Mr. Redwood), does my right hon. Friend further accept that the European Union—particularly the United Kingdom—has a traditional and current responsibility to ensure that the interests of the Caribbean banana producers are protected under whatever regime is eventually negotiated?

**Mr. Byers:** My hon. Friend makes an important point. I am sure that many people will be asking why the United States, where no jobs are at stake because of the banana regime, is putting WTO procedures at risk over this issue. Its motives should be questioned and scrutinised in some detail. This is a crucial issue, and we shall do all that we can. There is a responsibility to countries in the Caribbean that depend on the regime that the EU has put in place. We do not intend to stand to one side and watch people in those countries becoming innocent victims; nor do we intend to stand to one side and watch what is happening to the cashmere industry.

**Mr. Michael Moore** (Tweeddale, Ettrick and Lauderdale): The Secretary of State will be aware that there have been thousands of job losses in the borders in the past couple of years. This deplorable unilateral action by the American Government threatens hundreds more jobs. As the Secretary of State has acknowledged, this action could not come at a worse time, because companies in the United States are at this very moment encouraging people to buy Scottish cashmere to put on their shelves for next season.

I welcome what the right hon. Gentleman said about the bond scheme, but will he tell us how quickly that scheme will be worked out? This morning, I spoke to a local manufacturer, who said that he is suddenly faced with a bill of £50,000. He must find that money this week to get his goods in America delivered on time for his customer. This is a serious matter, and I hope that the Government will ensure that their welcome initiative is speedily implemented.

**Mr. Byers:** I agree that time is of the essence and that we have to get the scheme in place as a matter of urgency. That is why I have already had a brief discussion with the chairman of the Scottish Cashmere Association about how the scheme should be formulated. I note the hon. Gentleman's points about the particular effect that this action will have on Scotland. I regret that no members of the Scottish National party are present in the House to address this matter of great concern to Scotland. This is a key issue for Scotland, and we shall do all we can to protect the cashmere industry in Scotland and in the rest of the United Kingdom.

**Ms Diane Abbott** (Hackney, North and Stoke Newington): My right hon. Friend will be aware of the great concern in the Caribbean region, in the Caribbean community in this country and among friends of the Caribbean about the issue underlying this dispute, which is access to European markets for Caribbean bananas. As hon. Members have acknowledged, it is important that this dispute is resolved speedily, but I hope that my right hon. Friend will assure the House that there will not be a speedy resolution at the expense of hundreds of thousands

*[Ms Diane Abbott]*

of people in the eastern Caribbean, whose countries face economic collapse. A speedy resolution at their expense would mean that the bully-boy tactics of the US had won.

**Mr. Byers:** This is a novel occasion, because I am pleased to agree with my hon. Friend on the points that she made. We believe that the revised regime that the European Union has put in place meets the WTO's requirements and protects the countries and communities to which my hon. Friend referred.

**Mr. Tony Baldry** (Banbury): The Secretary of State will be aware that this coming Tuesday is Commonwealth day. At least a quarter of the Commonwealth countries are in the Caribbean, and the economies of many of them largely depend on the banana industry. When the Secretary of State sees the American ambassador this afternoon, will he explain to him that many people in this country think that it is crazy that the United States should seek to undermine the economies of the Caribbean? It will pay the penalty through drug trafficking and money laundering, because not one job in the United States will be affected. This action is short-sighted, stupid and crazy.

**Mr. Byers:** I shall be pleased to pass on the hon. Gentleman's views to the American ambassador—and I am grateful for the fact that, when I speak to the ambassador this afternoon, I shall be able to speak on behalf of hon. Members on both sides of the House in adopting the robust approach that I intend to adopt.

**Mr. Jim Cousins** (Newcastle upon Tyne, Central): I welcome what my right hon. Friend has said, the style with which he has said it and the action that he has taken. Does he accept, however, that there is a certain ironic contrast between the subject matter of his statement and that of the earlier statement? This is a very poor moment for the United States to declare war on British biscuits and pullovers. Does he further accept that this constitutes a dangerous lurch towards the crudest kind of protectionism, at a time when world markets are extremely fragile? Will he ensure that representations are made at the highest levels with the aim of reversing this crazy action, and will he assure the House that he will not lend his name or his hand to any equally crude reprisals that may occur in the European Union?

**Mr. Byers:** The European Union will obviously need to consider its response to the measures announced by the United States yesterday. However, I agree with my hon. Friend that it would be retrograde for us to impose sanctions as a response. The fact is that—particularly as the world economy is slowing—we need free trade and commerce. Protectionism anywhere is a threat to prosperity everywhere. We have a great tradition as a trading nation, and we need to ensure, through our efforts in the World Trade Organisation, that we can maintain that position.

**Miss Anne McIntosh** (Vale of York): I associate myself entirely with what has been said by hon. Members whose constituencies will be deeply affected by the cuts. I think that all who, like me, were born in Scotland are immensely proud of the cashmere industry, and proud to wear cashmere.

I commend the negotiations conducted by Sir Leon Brittan, who has been zigzagging across the world in his attempts to prevent a trade war. It is in that connection that I want to question the Secretary of State, for a broader issue is at stake—an issue that goes beyond bananas and cashmere. The United States appears, by stealth, to be leaving behind its policy of free trade, and turning increasingly to protectionism. We have seen that especially in the context of bananas: it is dollar bananas versus Commonwealth bananas, Chiquita versus Geest. The economies of the Windward islands and other Commonwealth areas—and, indeed, those of European areas, such as the Canary islands—are being forgotten.

I wonder whether the Secretary of State can help us in another respect. Can he prevent a trade war from arising over Hushkit aircraft? That will be the next development. We are talking about noisy reconditioned aircraft that should be prevented from flying into the United Kingdom from 2002—

**Madam Speaker:** Order. The hon. Lady is a long way from bananas.

**Miss McIntosh:** May I leave the Secretary of State with a final thought? If we do not beat the United States on bananas, we shall have to take hormone-produced beef, which consumers in this country simply do not want.

**Mr. Byers:** A range of issues are relevant to the difficulties that we will face if this issue escalates into a wider trade dispute. As was suggested by my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins), it is important for us not to allow that to happen. Sanity must return to the situation. The steps taken by the United States yesterday were really for internal political consumption, rather than implying that the US was a player in a world organisation such as the WTO. That makes these developments particularly regrettable.

**Mr. Dale Campbell-Savours** (Workington): Will my right hon. Friend remind the American ambassador that there is a specific interest that the United States should take fully into account in deciding what to do? I refer to the whole question of regional political instability, which the US will provoke in an area that is very near its frontiers. He might well also remind the Americans of their policy on and concerns about Cuba, and the fact that they had to invade Grenada for reasons—in their interpretation—of instability. If they carry on with their policy, they might provoke such ferocity and instability that they find themselves having to intervene again. They are on a very silly course.

**Mr. Byers:** My hon. Friend makes some important points. I will ensure that the strength of feeling that he has expressed is relayed to the American ambassador this afternoon.

**Mr. Owen Paterson** (North Shropshire): Any breach of free trade with the world's largest economy must be deplored. Has the Secretary of State considered the fact that, if this country had joined the North American Free Trade Agreement, there would have been mechanisms through which to resolve the dispute some time ago?

**Mr. Byers:** I have to admit that I have been concentrating more on trying to resolve the current issue and on the pressing problems that are affecting the cashmere industry, but I note the hon. Gentleman's point and I might give it some consideration, although perhaps not for too long.

**Mr. Jeremy Corbyn** (Islington, North): I welcome my right hon. Friend's response to the point that was made by my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) about the plight of Caribbean banana producers. Can he be a bit more specific about what can be done to help banana producers in the eastern Caribbean, who face an immediate loss of orders, serious unemployment problems and the resulting collapse and implosion of their economies? I understand the point about arbitration, but any delay will be disastrous for the many small, hard-working farmers in those islands.

**Mr. Byers:** My hon. Friend raises significant points. The Government are already taking steps. The banana recovery plan is in place and offering help. There are opportunities to diversify from the banana industry, so that alternative forms of employment are provided for those communities. Therefore, we do not intend to walk away from our responsibilities to those countries. We will do all that we can to discharge our responsibilities to them.

**Mr. Nigel Evans** (Ribble Valley): I am a great supporter of the United States, but even I think that it has gone off beam with its decision. I welcome the support that the Government are giving to the cashmere industry. I hope that the right hon. Gentleman will give an equal commitment and support to Caribbean banana producers because, if they lose out, their economies will be totally devastated and we will have to give them an enormous amount of aid. Trade is far better than aid.

I am a bit perplexed because I thought that the Prime Minister was a great pal of the President of the United States. I cannot understand why he has not picked up the telephone, called Bill and asked him what support he can give to the cashmere industry in Scotland. After all, the Prime Minister was the human defence shield for the President when he had difficulties. Now that the cashmere industry in our country has difficulties, is it not about time that the Prime Minister started calling in a few favours? When will he pick up the telephone and say, "Dear Bill, give us your support"?

**Mr. Byers:** I am not party to the conversations that my right hon. Friend the Prime Minister may or may not have had with President Clinton, but I do know that right is on our side. It should be a question not of calling in political favours, but of the United States abiding by agreed international procedures. That is the issue at stake. As a result of the action that it announced yesterday, it is failing to do that. That is unacceptable. It needs to comply with those procedures. That is what we need to ensure happens. We need the weight of international opinion to be brought to bear on the United States so that it recognises that, yesterday, it made a bad mistake. There is time to get it right and to change its approach.

## Business of the House

1.34 pm

**Sir Patrick Cormack** (South Staffordshire): Will the Parliamentary Secretary, Privy Council Office be good enough to give us the business of the House for next week?

**The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping):** The business will be as follows:

MONDAY 8 MARCH—Consideration of a Lords Message which may be received to the Road Traffic (NHS Charges) Bill.

As this is International Women's Day, there will be a debate entitled "Delivering for Women" on a motion for the Adjournment of the House.

Subject to the progress of negotiations, it is proposed that we should debate the Implementation Bodies (Northern Ireland) Order.

TUESDAY 9 MARCH—My right hon Friend the Chancellor of the Exchequer will open his Budget statement.

WEDNESDAY 10 MARCH—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

Continuation of the Budget debate.

THURSDAY 11 MARCH—Continuation of the Budget debate.

FRIDAY 12 MARCH—Private Members' Bills.

The provisional business for the following week will be as follows:

MONDAY 15 MARCH—Conclusion of the Budget debate.

TUESDAY 16 MARCH—Remaining stages of the House of Lords Bill.

Motion on the Prevention of Terrorism (Temporary Provisions) Act 1989 (Continuance) Order.

WEDNESDAY 17 MARCH—Until 12.30 pm, debate on the 2nd report from the Environmental Audit Committee on the greening Government initiative, followed by a debate on the 6th report from the Environment, Transport and Regional Affairs Committee on the Maritime and Coastguard Agency, followed by debates on the motion for the Adjournment of the House.

Remaining stages of the Tax Credits Bill.

THURSDAY 18 MARCH—Opposition Day [7th Allotted Day].

There will be a debate on an Opposition motion, subject to be announced.

At 7 o'clock the House will be asked to agree the spring supplementary estimates, excess votes and defence votes A.

FRIDAY 19 MARCH—Private Members' Bills.

The House will wish to know that, on Tuesday 9 March, there will be a debate on end of life vehicles in European Standing Committee C.

On Wednesday 10 March, there will be a debate on transport infrastructure charging in European Standing Committee A.

On Wednesday 17 March, there will be a debate on the welfare of laying hens in European Standing Committee A. Details of the relevant documents will be given in the *Official Report*.

*[Tuesday 9 March:*

*European Standing Committee C—Relevant European Union document: 11034/97, Treatment of End of Life Vehicles; Relevant European Scrutiny Committee Reports: HC 34-iv, HC 34-vi and HC 34-ix and HC 34-xi (1998–99). Relevant European Legislation Committee Report: HC 155-vi (1997–98)*

*Wednesday 10 March 1999:*

*European Standing Committee A—Relevant European Union document: 10778/98, Transport Infrastructure Charging. Relevant European Legislation Committee Report: HC 155-xxxvii (1997–98).*

*Wednesday 17 March 1999:*

*European Standing Committee A—European Union document: 6985/98, Welfare of Laying Hens. Relevant European Scrutiny Committee Report: HC 34-vi (1998/99). Relevant European Legislation Committee Report: HC 155-xxviii (1997–98).]*

**Sir Patrick Cormack:** I welcome the hon. Gentleman to his first business questions. I thank him for giving next week's business and the provisional business for the week after. I thank him, and through him the Leader of the House, for conceding that it would have been totally inappropriate to have the remaining stages of the House of Lords Bill just a couple of days after the conclusion of the Committee stage. We are grateful to the Government for that concession.

It is obviously appropriate that, on international women's day, there should be a debate on women, but I am not sure that "Delivering for Women" is the most felicitous title.

I remind the hon. Gentleman that we are still anxious to have a debate on the White Paper on the House of Lords. You, Mr. Deputy Speaker, and your colleagues have rightly insisted that the debate on the Bill should be tightly confined. We need to debate the Government's proposals for the future of the House of Lords. Can the hon. Gentleman assure us that there will be a debate on that soon?

May we also have a debate in the near future on the euro and the Government's changeover plan? It appears from certain items in the newspapers that the Prime Minister has his own hidden agenda on that. Could we have a debate, and could it be introduced by the Prime Minister?

May we have clarification next week from the hon. Gentleman or the Leader of the House on what is envisaged as the precise role for the Committee of the Regions? As the hon. Gentleman will know, at least one Select Committee Chairman—a Labour Member—has indicated that Select Committees have responsibility for certain subjects that would presumably devolve to such a Committee.

Could the hon. Gentleman give us some idea of when we can expect a debate on the Lawrence inquiry? The Home Secretary indicated that the Leader of the House had promised such a debate.

The hon. Gentleman will be aware that there is great concern about the future of the Good Friday agreement. May we have an assurance that, before the House rises for the Easter recess—in other words, before the first anniversary—there will be an opportunity for a full debate on that agreement?

The hon. Gentleman will doubtless be aware that the Prime Minister has recently made statements casting certain doubt on the precise nature of the ministerial code. Will the hon. Gentleman therefore ask the Prime Minister whether he will make a statement next week on the ministerial code? In the debate this week on Sierra Leone, the Minister of State, Foreign and Commonwealth Office, the hon. Member for Manchester, Central (Mr. Lloyd), offered an interpretation of the requirement of Ministers to give accurate and truthful information to Parliament which seems to be totally different from a reasonable interpretation. I am sure that the Parliamentary Secretary, Privy Council Office agrees that we need clarification of the matter, and that the only person who can give it is the Prime Minister.

Very soon, the House will also have to debate two other subjects. The first is genetically modified food, about which there is concern across the country. The other is the millennium bug; we have not had our quarterly statement on the millennium bug. Is that because something has got into the works? Will we have it next week?

**Mr. Paul Tyler** (North Cornwall): It has been genetically modified.

**Sir Patrick Cormack:** Perhaps, but we should have had it on 2 March. May we be assured that it will be given at least next week?

**Mr. Tipping:** I thank the hon. Gentleman for his opening comment.

The hon. Gentleman made a number of points, the first of which was on the House of Lords. I am delighted that we have been able to establish a good relationship in dealing with the matter, and that we have proceeded on it, so far, by agreement. I hope that we shall be able to continue doing so. I am also very conscious of the desire for a debate on the White Paper. As he will know, discussions are taking place on the matter through the usual channels, and I hope that we will soon be able to achieve something.

The hon. Gentleman also asked about the national changeover plan and the Prime Minister's intentions on that. The Prime Minister made his position perfectly clear, only last week, in a statement to the Commons. The hon. Gentleman will know that, next Tuesday, we shall start a four-day debate on the Budget. I do not think that it would test hon. Members' ingenuity too much to arrange for the issue to be raised in that debate.

The hon. Gentleman raised the important issue of regionalisation. One matter that draws hon. Members into the Chamber at business questions is the desire to raise issues affecting their locality and region. It is important that we should have opportunities to discuss regional matters, and the Modernisation Committee has considered the issue. I am making arrangements for the memorandum submitted to the Modernisation Committee to be placed in the Library, so that all hon. Members will be able to read the proposals. I suppose that we shall have to make haste rather slowly on the matter.

I agree entirely on the need for a debate on the Lawrence inquiry. The Home Secretary has made his intention on the matter very clear—he would like a debate soon. Although it is important that we should have an

opportunity to study the inquiry before we have that debate, the hon. Gentleman may rest assured that there will be such a debate.

The hon. Gentleman asked for clarification of the ministerial code. It would be in everyone's interests if we all knew where we stood on the matter, and the Select Committee on Standards and Privileges is considering the issue. I am certain that the Government will take notice of the Committee's report.

The hon. Gentleman asked about GM food, which is a very lively issue. Agriculture Question Time will be held next Thursday, when I suspect that the issue will arise.

The hon. Gentleman also mentioned the millennium bug. I promise him that the quarterly statement will arrive in the not-too-distant future, computers permitting.

**Mr. Tyler:** I welcome the Parliamentary Secretary, Privy Council Office to his new position, and I welcome his positive remarks on the Lawrence inquiry report, which Liberal Democrat Members also are anxious urgently to debate.

May I ask the hon. Gentleman to respond also to the question on the Good Friday agreement? There is widespread concern in the House that we should have an opportunity to consider the situation.

Has the hon. Gentleman had any indication of when the Ministry of Agriculture, Fisheries and Food expects to make a statement on the progress—or non-progress—of the current talks on the future of the common agricultural policy? This is an intensely important issue for the industry, which is already in a very delicate state. The continued uncertainty is damaging its confidence, even without further delay and indecision. Even if no final deal is reached, I hope that the Minister will come to the House to report on the lack of progress.

I should like a statement next week on the management of the passage through the House of the Greater London Authority Bill. A serious situation is arising, with the Government rewriting huge sections of the Bill in Committee without following the normal conventions of ensuring that all members of the Committee—Back Benchers as well as Front Benchers—have an opportunity to assess the importance of the changes and to write amendments. The problem is so great that I have had a memorandum produced, which I shall be happy to give the hon. Gentleman. One example arose a few days ago, when the Government substantially rewrote a clause on road user charging. They tabled 11 pages of replacement schedules on 2 March, in the expectation that they could be considered and appropriate amendments could be tabled in just 48 hours or so. That is intolerable, showing that the Government are not managing the Bill with the care and attention that it deserves. It is an arrogant insult to the House not to pay more attention to the needs of Back Benchers and Opposition parties.

**Mr. Tipping:** I am grateful again for the hon. Gentleman's request for a debate on the Lawrence inquiry. I am confident that there will be one in the not-too-distant future. The hon. Gentleman asked for a discussion on the Good Friday agreement. I am sorry that I neglected to mention it when responding to the hon. Member for South Staffordshire (Sir P. Cormack). There is a case for taking stock a year on of what has been achieved—there have been achievements—and looking at the difficulties. I shall bear in mind what both hon. Gentlemen have said.

Like the hon. Member for North Cornwall (Mr. Tyler), I come from a rural area. He will know that my right hon. Friend the Minister of Agriculture, Fisheries and Food has written to every farmer asking for views on the way forward on CAP reform. We have talked about it for a long time. People know that change is inevitable. It is particularly important now, given the state of the industry, that we should be able to give reassurance and have a debate with producers so that they know the way forward. I shall ensure that my right hon. Friend hears the hon. Gentleman's points clearly.

I was aware of difficulties with the Greater London Authority Bill; I am conscious of the fact that there have been many amendments. It is a complex Bill. We may have to have further discussions to see whether we can help the Committee with its important work.

**Mr. George Galloway** (Glasgow, Kelvin): There has been a development in the past few hours at the Security Council in New York. It came too late to influence the private notice question that we had earlier, but it demands a statement from my right hon. and learned Friend the Attorney-General. I should be grateful if my hon. Friend would pass that message on. China, in the chair of the Security Council, has declared that the no-fly zones about which the House heard earlier are illegal, and are not endorsed by any United Nations Security Council resolution. That requires a judicial review, because it calls into question the expenditure by the Ministry of Defence in support of the no-fly zones, and the status of pilots who might be involved in an accident or might be shot down while implementing a policy that the Security Council chair has decreed is illegal. It also calls into question the moral and ethical basis for the policy that has resulted in more bombs being dropped since the end of Operation Desert Fox than were dropped during it—a policy that the United Nations Security Council, in whose name it is supposedly being conducted, has declared illegal.

**Mr. Tipping:** I am not sure whether my hon. Friend was here earlier for the private notice question, but some of the points that he made—particularly about the safety of our airmen—were covered fairly extensively at that time. Iraq has been discussed in one way or another on every day this week in the House, and I suspect that hon. Members, such as my hon. Friend, will use opportunities to raise the issue further. I will draw his comments to the attention of my right hon. and learned Friend the Attorney-General, but I believe that the will of the House is to safeguard the interest of innocent parties in Iraq. That must remain our course, and I have no doubt that my right hon. and hon. Friends will continue to pursue it with vigour.

**Mr. Michael Fabricant** (Lichfield): Will the Minister make time for a statement on the EU inspection of abattoirs which, as he will know, is a prerequisite to the lifting of the beef ban? Is he aware that the Prime Minister stated categorically last week:

"We have of course invited the inspectors"?—[*Official Report*, 24 February 1999; Vol. 326, c. 386.]

*[Mr. Michael Fabricant]*

It now transpires that the Government had not, and that an urgent invitation was sent out the following day. The House needs to know whether the Prime Minister was merely reckless in his statement to the House, or whether he set out to mislead.

**Mr. Tipping:** We all share the view that it is important to get the beef ban lifted as quickly as possible, and that abattoirs are inspected. Our current intention is to have the inspection around the end of March. An invitation has been issued—[HON. MEMBERS: "When?"] The matter was raised with the Prime Minister. The important thing is to ensure that we pass the inspection, and that we ensure that beef is once again exported from this country.

**Mr. Dennis Skinner** (Bolsover): When can we have a statement about vibration white finger payments and chronic bronchitis and emphysema payments to miners, retired miners and—in some cases—widows? We know that the Government have about £2 billion ring-fenced for the payments, but the truth is that we are beset by as many as 220 lawyers who have their fingers in the pie and are holding up payments which are badly needed by, in some cases, very aged people. Will he ensure that the appropriate statement is made shortly, so that these important compensation payments can be made and so that a minimal amount of money goes to the lawyers? Rumour has it that they are concentrating on getting as much as 10 to 15 per cent. commission payments from the fund. It is high time that the Government told the lawyers to get on with the job, get it settled and get the payments made.

**Mr. Tipping:** I congratulate my hon. Friend on the campaign that he has initiated and followed for a decade to ensure that former miners get compensation for vibration white finger and chronic bronchitis and emphysema. We are now nearly there, and a third of a million pounds was agreed in compensation to a small group of miners only last week in respect of VWF. That is the tip of the iceberg. I hear what my hon. Friend says about solicitors and their agents. I will draw his remarks to the attention of my hon. Friend the Minister for Energy and Industry who, as he knows, has taken a personal interest in the matter. He is working vigorously to ensure that money gets into the pockets of disabled mineworkers by the summer.

**Mr. Peter Brooke** (Cities of London and Westminster): Further to the question asked by the hon. Member for North Cornwall (Mr. Tyler) about the Greater London Authority Bill, may I make it clear that the problem is not so much with amendments, as with the reams of new clauses that effectively involve the rewriting of the Bill? The Committee has been good-natured, but, frankly, that good nature is being curdled by the fact that the Government give no reasons why that procedure has to be followed. The habit of having milestones in the Bill, especially when the amendments or new clauses crop up just before a milestone is reached, does not, in my view, assist the structure of discussion.

**Mr. Tipping:** I have heard clearly what the right hon. Gentleman has said on the matter. I gave an undertaking to investigate it. I will ensure that my colleagues are aware of the strength of feeling in the Committee and try to ensure that progress towards establishing a Greater London authority runs more smoothly than at present.

**Mr. David Drew** (Stroud): Earlier today, I attended the launch of Ecotricity, a new joint venture company set up by the Renewable Energy Company, based in my constituency, and Thames Water. The launch was addressed by my hon. Friend the Minister for Energy and Industry, and the Opposition spokesman, the hon. Member for Daventry (Mr. Boswell), was present. Will my hon. Friend consider the possibility of an early debate on the importance of renewable energy and on the way in which it can contribute to the reduction of our carbon dioxide emissions, in line with our commitment to a 20 per cent. reduction by 2010?

**Mr. Tipping:** I know that my hon. Friend takes a close interest in this matter. If he looks carefully at the business statement, he will see that, on Wednesday 17 March, there is a debate concerning the Environmental Audit Committee, and it may be possible to raise the subject under that heading. There are a number of arrangements, such as Adjournment debates, whereby he could raise the matter.

**Mr. Christopher Chope** (Christchurch): Will the Minister be more precise about the timing of the millennium compliance quarterly report? Will it be on Monday and, if not, why not? Nothing could be more urgent, as the day of reckoning for the Government will by then be fewer than 300 days away.

May we have a debate on open government, by which I mean honest government, and, in particular, on the way in which the Prime Minister uses words loosely? Before the general election, he said that there would be no increase in taxes, but it has now been revealed that there will be £40 billion of tax increases.

As my hon. Friend the Member for Lichfield (Mr. Fabricant) said, the Prime Minister said that of course the Government had sent a request for inspectors to the European Union, but it turns out that he was wrong in saying that. Most seriously of all, at the first opportunity that the Government had to put the record straight, when a question was tabled for answer the following Monday, they gave a holding answer. Quite contrary to the spirit of open government, holding answers are being used to cover up the Government's dirty work.

**Mr. Tipping:** We have been waiting for the millennium for a millennium. There are 300 days to go, as the hon. Gentleman says. I cannot promise a statement on Monday, but, if he is patient and waits a few more days, he will get his statement.

There will be plenty of opportunity to discuss taxation in the Budget debate.

Let me say plainly to the hon. Gentleman and to other hon. Members that the Prime Minister did not mislead the House. Discussions had been going on for several weeks with European Union partners about inspectors visiting at the end of March. The fax inviting them was not a new development, but merely confirmed the date.

The important thing is to ensure that our abattoirs pass the test and that British beef can again be exported throughout the world.

**Mr. Gareth R. Thomas** (Harrow, West): Will my hon. Friend make time for an early debate on the health service? St. David's day on Monday saw the start of the west London NHS Direct scheme, which serves my constituents. That scheme, together with the recent announcement by my right hon. Friend the Prime Minister of some £780,000 to modernise the accident and emergency unit at Northwick Park hospital, represents probably the best three weeks for Harrow's health service in any of the past 20 years, and is in stark contrast to the 18 months before the general election, when my constituents had to suffer the loss of Mount Vernon A and E unit, closed by the Conservatives, and of Edgware general A and E unit, also closed—appropriately, on 1 April—by the Conservatives.

**Mr. Tipping:** I cannot promise my hon. Friend an early debate on the matter, even though I know that he has worked hard to bring better health and accident care resources to his area. He mentioned Northwick Park hospital, and I am delighted that substantial new money will be made available to that hospital and to A and E departments all over the country to help them to provide that valuable service better. I am also pleased that NHS Direct is proving to be such a successful service. My hon. Friend may know, but other hon. Members may not, that we have asked Sheffield university to examine the successes and to evaluate NHS Direct. I look forward to seeing the report. The provisional results show that 97 per cent. of callers are satisfied with the results of the new service.

**Mr. Robert Walter** (North Dorset): I am somewhat disappointed by the response that the Minister gave to the questions from my hon. Friends the Members for Lichfield (Mr. Fabricant) and for Christchurch (Mr. Chope) on the response that the Prime Minister gave me at Question Time last week. It is a fact that Mr. Horst Reichenbach, the Director-General of DG XXIV, the consumer affairs directorate in Brussels, produced the letter from the chief veterinary officer that was received on Thursday in Brussels and said that it was the first invitation that had been sent. There is, therefore, some confusion between the Ministry of Agriculture, Fisheries and Food, Downing street and the Minister about the facts. Will the Prime Minister come to the House and explain to whom he issued the invitation?

**Mr. Tipping:** There is no confusion on my part. I remind the hon. Gentleman that, after years of bungling by his colleagues in the Conservative party, and their inaction and inability to discuss the issue with partners in Europe, we are now on the verge of having the ban lifted. Farmers in my area and his will welcome the positive action taken by my right hon. Friend the Prime Minister and his colleagues to make that happen.

**Mr. Paul Flynn** (Newport, West): When may we have a debate on the important subject of primary education, so that we can applaud the remarkable achievement by 29 schools in Newport in obtaining the quality mark for basic schools, which represents by far the largest group of schools in any area in England and Wales, and 10 per cent. of the marks awarded throughout the two countries? Is it not important that, in that debate, we emphasise that the award does not recognise a few high-flyers in the school, but means that every pupil in the school is given basic skills in literacy and numeracy? May we have that debate soon so that other areas, less favoured than Newport, can emulate the splendid achievements of Newport council?

**Mr. Tipping:** I am pleased that my hon. Friend has reminded the House that children are our future and that we need to invest in them, because that is in all our interests. I am pleased that so much has been achieved in Newport, but I cannot promise my hon. Friend the debate that he wants. The Prime Minister, as we speak, is visiting primary schools in Ealing—he may have opportunities to visit Wales at some time—to announce an extra £150 million to ensure the achievement of our pledge that all five, six and seven-year-olds should be taught in classes under 30. That is a substantial extra sum. We are on target to achieve our plans and another manifesto milestone has been reached, not only in Newport, but across the country.

**Mr. Eric Forth** (Bromley and Chislehurst): May I support the request of my hon. Friend the Member for South Staffordshire (Sir P. Cormack) for an urgent debate on the so-called national changeover plan in relation to the euro? I ask that because, as the matter is, mercifully, to be decided by the people of this country rather than by the Government, and as there is every indication that the people are likely to say no, we need to know more about the Government's plans in the event that we do not join the euro. It is grossly irresponsible for any Government who even pretend that the matter is still at issue not to prepare the country for the important eventuality—I hope it is a certainty—that we do not join the euro.

**Mr. Tipping:** The right hon. Gentleman makes an important point: the choice will be made by the people of this country through a referendum. I welcome that and I am sure that he welcomes that. Let us ensure that we—

**Mr. John Bercow** (Buckingham): Get on with it.

**Mr. Tipping:** Let us ensure that we do get on with it and that, if the time comes for us to join the euro, we are ready for it. Today, the first meeting takes place of the cross-party group to consider those arrangements. I am sad that there is still an empty space on that group for a Conservative Member.

**Mr. Andrew Love** (Edmonton): Has my hon. Friend read early-day motion 365, which deals with the licensing of medicines for children?

[*That this House notes that 25 per cent. of all hospital treatments given to children are either unlicensed for this purpose or are not used in accordance with the instructions on the label; expresses concern that some of those treatments have resulted in death or injury to some of those children; recalls the comments made by the Health Committee in its report, The Specific Health Needs of Children and Young People, 10th February 1997, that 'the current situation in regard to the testing and licensing of medicines for use by children is unacceptable'; further notes that European Union*

*guidance on this issue came into force in September 1997; but expresses concern that the Medicines Control Agency does not hold information on those products which are being developed in accordance with this guidance, and that the MCA does not keep a record of those companies which may be complying with the guidance; notes with interest that from April 1999 in the United States, pharmaceutical companies will be compelled to provide information about the effects of their drugs on children if such a use is likely; and urges the Government to take steps to strengthen the regulatory framework in the UK, and establish a satisfactory system for testing and licensing treatments for use on children.*]

Recent research shows that 25 per cent. of treatments are either unlicensed for the purpose or not carried out according to the instructions on the label. Considerable concern has arisen about the possibility of accidents, and a number of cases of injury and death have been reported. In a recent report of the Health Committee, the situation was described as "unacceptable". The issue is extremely important and should be discussed by the House. Will my hon. Friend find time for that discussion in the near future?

**Mr. Tipping:** I had read the early-day motion, but have now had another opportunity to look at it. I regret that it will not be possible to arrange for the debate requested by my hon. Friend in the foreseeable future, but his early-day motion and the points that he has just made help to raise the profile of that important issue.

**Several hon. Members** *rose—*

**Mr. Deputy Speaker (Mr. Michael Lord):** Order. A number of hon. Members are trying to catch my eye. If questions and answers are a little shorter, hopefully all those hon. Members who want to speak will do so.

**Mr. Paul Burstow** (Sutton and Cheam): I draw the Minister's attention to early-day motion 369.

[*That this House supports Age Concern and the Royal College of Nursing in urging the Secretary of State for Health to issue urgent advice to health authorities and local authorities on their respective responsibilities following the judgement in R v North and East Devon Health Authority ex parte Coughlan which asserted that both general and specialist nursing care remain the sole responsibility of health authorities; and further urges the issuing of advice to those individuals who are currently in hospital assessed as needing nursing home care, or who are currently paying for nursing in nursing homes and who may now believe as a result of the judgement that nursing in nursing homes is free.*]

It is gaining support from all sides of the House; it calls for the Government to issue urgent guidance to health authorities and local authorities in the wake of the Coughlan case, in which it was found that the national health service cannot shirk its responsibilities to pay for nursing care wherever it is provided. May we have an early debate, in Government time, to consider that matter in the context of the report of the royal commission on the long-term care of the elderly, so that we can end the uncertainty of many thousands of people who face the prospect of selling their homes to pay for their care, when we now know that they might not have to do so?

**Mr. Tipping:** The hon. Gentleman will recall that he spoke in the debate on the statement about the royal commission's report earlier this week. We need a debate and an exchange of ideas over a relatively short time, so that we can make progress on the report of the royal commission. I am aware of the court case to which he refers; he will know that my colleagues in the Department of Health are considering the matter, and I hope that there will soon be progress.

**Mr. Tam Dalyell** (Linlithgow): When my hon. Friend told my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway) that he would secure a comment from the Attorney-General about the legality of the Iraq situation, he could not have known that the chair of the Security Council—China—has said that the Council believes the action is illegal. That creates a new situation. In light of that, could we have a response from the Attorney-General on Monday?

**Mr. Tipping:** I have nothing to add to what I said to my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway). However, I will ensure that the comments of my hon. Friend the Member for Linlithgow (Mr. Dalyell) are also drawn to the attention of the Attorney-General.

**Mr. Desmond Swayne** (New Forest, West): Can the hon. Gentleman afford us a debate, or at least a statement, so that the Government may clarify their position in light of the interview given by the Foreign Office Parliamentary Private Secretary, the hon. Member for Rotherham (Mr. MacShane), to *Le Monde*, in which he stated that the Prime Minister had already made up his mind to abolish the pound? Could that debate be sufficiently elastic to allow us to consider the employment consequences of that move?

You may be aware, Mr. Deputy Speaker, that Andy Masters in West Bromwich lost his job as a consequence of having displayed a poster issued by *The Sun*—the same poster that appears on my gatepost. That debate could give us an opportunity to consider our own arrangements in the House. The poster gives a telephone number—0660 100721—that members of the public can ring to register their support for retaining the pound. I dialled that telephone number from the House and found that the House telephone system is configured to prevent hon. Members from making such a call.

**Mr. Tipping:** Here is another hon. Member who heeds what *The Sun* says. Perhaps *The Sun* has some knowledge of the hon. Member, as it is not prepared to listen to what he says. I am aware of the comments of my hon. Friend the Member for Rotherham (Mr. MacShane). He speaks from his position as a Back Bencher who represents the constituency of Rotherham.

**Mr. George Stevenson** (Stoke-on-Trent, South): I refer my hon. Friend to early-day motion 371.

[*That this House, observing the current unacceptable deterioration of human rights in China and Tibet, calls on the Government to support a resolution on China at the forthcoming 55th United Nations Commission for Human Rights in Geneva.*]

It expresses concern about the serious deterioration in the human rights situation in China and Tibet, and refers to the forthcoming 55th session of the United Nations

Commission on Human Rights. In view of the fact that the Commission will meet in the next few weeks and given that the United States Senate voted recently 96:0 to support a resolution at the Commission meeting condemning those abuses of human rights, will my hon. Friend find time for the Foreign Secretary to make a statement to the House in the next week identifying whether the United Kingdom Government support such a resolution and outlining their policy in this area?

**Mr. Tipping:** My hon. Friend has enough perception to note that the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), is sitting on the Front Bench. Discussions are under way with our European partners on this matter, and I am sure that my hon. Friend the Minister will liaise with my hon. Friend the Member for Stoke–on–Trent, South (Mr. Stevenson) in this regard.

**Mr. Graham Brady** (Altrincham and Sale, West): Can an early opportunity be found for the Prime Minister to come to the House to clear up the confusion caused by his remarks on various occasions? I refer to the Prime Minister's speech in Bristol a month ago in which he said that it was time to repeal some European directives that imposed costs on business. However, he now says that he has none in mind. I refer also to the Prime Minister's recent speech in which he said that Britain should follow United States labour practices. Those statements do not make any sense when the Government are driving the Employment Relations Bill through the House, which will pile new costs on business.

The director general of the Engineering Employers Federation has commented astutely that the Prime Minister appears to be saying one thing and doing another. Many of us believe that it is not the first time that that has happened. Given the confusion that the Prime Minister is causing in the business community, among trade unionists and for hon. Members on both sides of the House, I believe that he should be given the chance to come to this place and explain himself.

**Mr. Tipping:** The Prime Minister comes to the House every week to take questions. He believes in a strong and vigorous business sector. Debate on the Budget will begin next week and continue for four days, and I am sure that the hon. Gentleman will try to catch the Speaker's eye then.

**Mr. Jeremy Corbyn** (Islington, North): Will my hon. Friend make time for a debate in the near future on Britain's relations with Turkey so that we may discuss the problems of human rights abuses, Turkish incursion into Iraq and the contracts apparently being considered—which have been supported by the Department of Trade and Industry—that involve British construction companies in the damming of the River Tigris? That project would cause considerable problems for people living in the Kurdish part of eastern Turkey.

**Mr. Tipping:** The Minister of State, Foreign and Commonwealth Office is by my side and he has heard the points that my hon. Friend has raised. I remind my hon. Friend that it is not too long to wait until Foreign Office questions, when he may have an opportunity to raise this matter again.

**Mr. Bercow:** Further to the pertinent inquiry from my hon. Friend the Member for New Forest, West (Mr. Swayne), will the hon. Gentleman reconsider and provide for an early statement on the role and responsibilities of Parliamentary Private Secretaries to Ministers, about which confusion is prevalent within Government ranks? The hon. Gentleman told the House a moment ago that the hon. Member for Rotherham (Mr. MacShane) had spoken in his capacity as a constituency Member of Parliament. Will the hon. Gentleman take account of the crucial fact that the hon. Member for Rotherham is not just any old Parliamentary Private Secretary: he is a Parliamentary Private Secretary at the Foreign and Commonwealth Office? Can the House be told whether the hon. Member for Rotherham was blurting out the Government's true intentions, and therefore will soon be promoted; or he was misrepresenting the Government's position, in which case he will presumably be either sacked or otherwise disciplined?

**Mr. Tipping:** I am pleased to hear the hon. Gentleman describe my hon. Friend the Member for Rotherham as "not any old Member of Parliament".

**Mr. Bercow:** PPS.

**Mr. Tipping:** He is not any old PPS, for that matter. He is a man of many talents, some of them eccentric. I have made the position absolutely clear: my hon. Friend speaks for himself as the Member of Parliament for Rotherham.

**Dr. Julian Lewis** (New Forest, East): I draw the attention of the House to the disturbing report that appears in today's edition of *The Express* newspaper about the background to the massacre in Uganda. New information has come to light since the Foreign Secretary made his statement on Tuesday. The report reveals that a Briton was abducted in the same area six months ago and has not been seen since. It suggests that the Foreign Office told the man's brother and family to say nothing about the incident, and points up the sharp contrast between the Foreign Office's failure to change its advice to travel companies and the actions of the Australian Department of Foreign Affairs and Trade, which issued a very tough warning as a result of that incident. This is a very disturbing matter and I believe that time should be found to enable the Foreign Secretary to return to the House and explain why our Foreign Office did nothing, whereas the Australian Department of Foreign Affairs and Trade issued a dire warning about what might happen to tourists in that area.

**Mr. Tipping:** It is important that hon. Members do not believe everything they read in the newspapers—even if it is *The Express*. My hon. Friend the Minister of State, Foreign and Commonwealth Office, the hon. Member for Manchester, Central (Mr. Lloyd), has written to the newspaper pointing out that its story is wrong in many respects. I shall give two examples of its inaccuracy. The unfortunate person in this very difficult situation was in the Democratic Republic of Congo, and the Foreign Office gave very clear advice not to travel to that area. I also understand that there has been close contact between the Foreign and Commonwealth Office and the gentleman's family.

**Mr. Christopher Gill** (Ludlow): In company with other hon. Members, I was scheduled this afternoon to

*[Mr. Christopher Gill]*

meet the Minister of Agriculture to draw attention to the impending crisis in the small abattoir sector as a result of the colossal increase in charges that it will face from 1 April. I would like to think that the Leader of the House will recognise that that subject merits debate in the House so that I and other hon. Members who represent constituencies with small abattoirs can make the case for an urgent review of the current proposals. Typical of these cases is the abattoir in my constituency at Bishop's Castle, which will face an almost doubling of its meat inspection charges from 1 April. For every slaughterman, it will have one vet or meat inspector. Those small abattoirs are generally located in rural areas, and I think the House should have an opportunity to debate the effect on the rural economy, on employment in those areas, on animal welfare and on the niche marketing of specialist high-quality products if the abattoirs are forced to close. That is a likely prospect if the charges are introduced on 1 April. I seek the hon. Gentleman's assurance that he will grant that urgent debate.

**Mr. Tipping:** The hon. Gentleman has made several important points about the needs of rural communities and the countryside—many of which I agree with. He had the opportunity to raise such issues with the Prime Minister only yesterday. He raised the issue of beef on the bone, but could have extended his question to abattoirs. I am sorry that he is not meeting the Minister of Agriculture this afternoon, but I shall ensure that his comments are drawn to my right hon. Friend's attention. It will not be possible to have a statement on the issue, although there will be Ministry of Agriculture. Fisheries and Food questions next Thursday, when I expect that the issue may arise.

**Mr. Owen Paterson** (North Shropshire): Last Wednesday, 2,000 road hauliers gave up a whole day's work to descend on London to stress to the Government that their vindictive policy will cause the loss of up to 50,000 jobs—more than the west midlands would lose if Longbridge were to close. The road hauliers were struck by the lamentable lack of interest among Labour Members of Parliament and the Government. They were astonished the following day, when my hon. Friend the Member for Ludlow (Mr. Gill) raised the issue in Department of Trade and Industry questions, that the Government did not appear to understand that 95 per cent. of British freight goes by road, and that, by penalising this strategic industry, every business in the country is made less competitive. Could we have an emergency debate on this vital strategic industry?

**Mr. Tipping:** I am aware of the problem; hon. Members on both sides of the House take an interest in the matter. Indeed, I have visited road hauliers in my constituency. There is an issue. Excise duties are high in this country, but certain concessions from which our road hauliers benefit are not available in other European countries.

**Mr. Paterson:** Not enough.

**Mr. Tipping:** It may not be enough, but difficult judgments must be made. I imagine that there will be an opportunity, not for a statement and debate on this issue, but to raise it in debates on the Budget, which start on Tuesday.

# Orders of the Day

## House of Lords Bill

*Considered in Committee [Progress, 3 March].*

[MR. MICHAEL LORD *in the Chair*]

### New Clause 9

SENIOR SALARIES REVIEW BOARD

'(1) The Secretary of State shall ask the Senior Salaries Review Board:

(a) to review the salaries and expenses paid to members of the House of Lords; and

(b) to detail the costs of their recommendations.

(2) The Secretary of State shall lay the final report of the Senior Salaries Review Board before each House of Parliament.'.—*[Mr. Evans.]*

*Brought up, and read the First time.*

*Question proposed [3 March],* That the clause be read a Second time.

2.23 pm

*Question again proposed.*

**The Second Deputy Chairman of Ways and Means (Mr. Michael Lord):** I remind the Committee that, with this, we are discussing amendment No. 12, in the title, line 2, after 'about', insert

'the salaries and expenses paid to members of the House of Lords and'.

**Mr. Eric Forth** (Bromley and Chislehurst): To continue—Members of stage 1 of the upper House to play a full and active part in it. Underlying that matter is the effectiveness of the interim upper House, which, in turn, depends very much on its composition and the contribution that its Members will make.

So far, we have rather taken for granted the unique contribution of hereditary peers, which stems not only from their independence of mind and expertise, but from the fact that, crucially in the context of the new clause, they have made their contribution without being paid. That raises the crucial issue of whether the interim House, as the Government envisage it, can survive and be as effective without the hereditary element, and without the payment of its Members. Will life peers not only continue to make their variable contributions, but fill the gap left by the disappearance of hereditary peers, without us seriously considering pay and allowances—hence the new clause's importance?

I do not want to prejudge the matter. I have made my position very clear, for what that is worth. Ultimately—I hope sooner rather than later—I believe that we shall have a properly elected, accountable, small upper Chamber, which has equivalent powers to this place and whose Members are paid and supported appropriately by staff. It is much more difficult to envisage the operation of the interim House, composed as it will be mainly of life peers, with, perhaps, additional life peers appointed in some way about which we are not yet entirely clear, and to decide whether we think that they will be prepared and able to make an effective contribution, so that the interim House is effective as an upper Chamber, if they are not paid.

We cannot proceed any further without providing a mechanism, as the new clause and the amendment do, to deal urgently with the matter; otherwise, we risk expecting an upper House of radically changed composition to play the role that it has up to now without any alteration in the support that we give to its Members.

**Mr. Oliver Letwin** (West Dorset): Does my right hon. Friend agree that we are dealing with an historical hangover, because it was assumed that hereditary peers would have wealth, and that there is absolutely no reason for a similar assumption concerning life peers?

**Mr. Forth:** My hon. Friend is absolutely right, although I am sure that some of the hereditary peers that he and I know and love very greatly would say that the golden era in which they could be assumed to have wealth has, regrettably, long since gone. In fact, I would argue that, in some ways, the hereditary element is representative of society, because, regrettably, many hereditary peers are almost as impecunious as I am. Therefore, they could be said to represent a surprisingly large spectrum of society.

**Mr. Letwin** *rose—*

**Mr. Forth:** Perhaps my hon. Friend is going to tell the Committee how impecunious he is.

**Mr. Letwin:** I shall resist that temptation. Does my right hon. Friend agree that the problem resides in the fact that many life peers are more impecunious than he is because they have no visible means of support?

**Mr. Forth:** Yes. That takes us to the kernel of the matter. We cannot wait until stage 2, the final outcome, the culmination of the process, before we take a serious look at whether an interim upper House can be sustainable and credible if it is based on the acts of charity of its Members, on which we have relied for too long.

**Dr. Phyllis Starkey** (Milton Keynes, South-West): As I understand it, the right hon. Gentleman is attempting to develop the argument that most hereditary peers are able to attend because they have some income. Given that only about 20 per cent. of hereditary peers attend, is there a relationship between the ones who attend and their wealth, compared with the ones who do not attend and their wealth? That would support his notion that attendance is related to one's other financial means.

2.30 pm

**Mr. Forth:** I am not sure whether the hon. Lady's figures are correct, but I will not fall out with her over that. I do not think that such on analysis has been made. I accept the relevance of her question. However, I believe that I am approaching the issue from a different direction.

We cannot assume that hereditary peers are all wealthy in their own right; that era is long gone. We cannot assume that hereditary peers make no contribution to the upper House, because they make a distinct and valuable

*[Mr. Forth]*

contribution. We cannot assume that life peers make an overwhelmingly positive contribution either, because it is a sad fact that very many life peers make little or no contribution to the upper House.

This is where I differ from Labour Members. I am sure that the hon. Member for Milton Keynes, South-West (Dr. Starkey) does not fall into this category, but some of her hon. Friends make the mistake of assuming that "hereditary" means useless and bad and that "life" means valuable and good, and that therefore we shall have a splendid upper House if we do away with the hereditaries.

I challenge all those assumptions. Given the changes that will now take place—because the Government are willing them upon us—and given that, willy-nilly, the interim Chamber will consist overwhelmingly of life peers, we must seriously consider whether unpaid life peers will be able to sustain a credible upper House that will make a valuable contribution to the legislative process of holding the Government to account. That is the important question at issue as we debate the new clause.

As ever, my hon. Friends have done Parliament a valuable service in bringing this matter to our attention and giving us the opportunity to set up a mechanism to conduct a review of salaries to run in parallel with the work of the royal commission. At least that provides the opportunity to have properly remunerated Members of the upper House.

**Mr. Michael Fallon** (Sevenoaks): My right hon. Friend referred to the Members of the interim House being properly remunerated. That is the exact terminology that the Government use. In chapter 8 of their White Paper "Modernising Parliament—Reforming the House of Lords", they refer to the "proper salaries" and research costs that a fully elected House would command, and indeed deserve. Why should something that is proper for an elected House be improper for an interim House?

**Mr. Forth:** My hon. Friend makes an important point. I said a moment ago—I may be coloured by my own prejudice—that in my view we should have, as quickly as possible, an elected, accountable Chamber, but a very small one. I have suggested that it should have 87 Members. I have said that because there are 87 European parliamentary constituencies, so we would have a ready-made electoral map for that small upper Chamber. In those circumstances, because of the nature of that Chamber, I should have thought that the Members could expect a rather substantial salary to reflect the role that they would play. The same analysis cannot apply to the interim House, which would still have several hundred Members.

I support the new clause because I believe that we need an opportunity to consider the payment of the Members of the interim House, bearing in mind its size, composition and so on. Of course, we would then have to look beyond that at how the final upper House—in my view, elected and accountable—would operate, in view of the number of its Members.

**Mr. Desmond Swayne** (New Forest, West): The number 87, which my right hon. Friend has conjured up, strikes me as a useful number. He will have heard my hon. Friend the Member for Ribble Valley (Mr. Evans), who opened the debate yesterday, speak of the conditions in which the present Members were accommodated—seven to a room. Does my right hon. Friend agree that such a number as 87 would fit very conveniently into that temple to the part-time Parliament which is being erected across the road from this place?

**Mr. Forth:** My hon. Friend is trying to tempt me into speculating where my upper House of 87 Members would be accommodated. I can tell from the look on your face, Mr. Lord, that if I were to start to reply to him in even the briefest terms you would not allow me to do so, so I shall not, tempted as I am.

**Mr. Oliver Heald** (North-East Hertfordshire): Will my right hon. Friend give way?

**Mr. Forth:** I hope that my hon. Friend will not tempt me further to explore the shape, size and accommodation of my preferred upper Chamber, although I hope that the day will come when I may explore those options fully.

**Mr. Heald:** I certainly would not trespass on that dangerous ground.

In reviewing the salaries and allowances, should not the Senior Salaries Review Body carefully consider what the functions of the upper House are and might be? In those circumstances, does my right hon. Friend feel that a wide-ranging review by the SSRB is needed, focusing on the allowance available for research and secretarial assistance? I suggest that, if Members of the upper House are to have enhanced functions, they will need considerably more back-up than they have had.

**Mr. Forth:** My hon. Friend asks a vital question. Interestingly, it runs in parallel with the question that we, the House, shall have to consider concerning the pay and allowances paid to Members of the Scottish Parliament when that Parliament comes into being. After all, their function and role will have altered, will it not?

We must confront the same question in relation to developments elsewhere in our constitutional arrangements. When we have a Scottish Parliament, with MSPs—as I believe that they will be called—fulfilling their functions, the relationship between such functions and pay will need to be explored.

**Mr. Letwin:** Does my right hon. Friend agree that the problem to which he has so forcefully drawn the Committee's attention is greater than he has been describing if, as a result of yesterday's debates and the lamentable lack of any concession by the Government to our amendments, the interim Chamber lasts a very long time indeed?

**Mr. Forth:** I hope that that reinforces my argument. In the context of our amendments, if the Government had told us that they could guarantee that the interim arrangements would last only two or three years, we might then have conceded that it would not be necessary or proper to consider pay and so on. However, my hon. Friend must be right in saying that, given that we have no such guarantee, and that we cannot be certain how long the interim arrangement will last, we must have a mechanism to consider the issue of functions as related to pay.

All this argument now comes together in the new clause that my hon. Friends have offered to the House. I hope that we shall receive a very positive response from the Minister about it because I fear that, if we do not, we shall be left even more uncertain, confused and unhappy than we were when we considered the matter yesterday.

**Dr. George Turner** (North-West Norfolk): There are considerable dangers in the use of simile or metaphor, but my views on the new clause are best communicated by some form of simile.

Our current position is like that of a family with two cars, one of which has long been neglected, has been due for replacement for several decades, has not been maintained and is, in the family's general opinion, clapped-out or in a bad state of repair. Some members of the family argue that it is a vintage car, which should be protected, but the majority view is that it should be scrapped, and that that decision should be taken before the family argue about what should replace it. Some of the family may argue that the second car may not be appropriate to the modern age, and others may argue about the model of car that should be chosen.

New clause 9 is rather like asking the family, once they have decided to scrap the car, to have a discussion about whether—at such a late stage, the day before it is scrapped—it should be taken in for an assessment and overhaul, and perhaps a respray. I believe that most family members would accept that the new car would have to be appropriately maintained and that it should probably be a new model. There may even be an argument about what type of car it should be.

Whether or not we accept the need to discuss those issues, the relevant decision should be taken once we know what the new model of car is and, indeed, whether the family are intending to have a new car; after all, some of the family may have argued that, in the modern age, they should not buy one.

That simile illustrates our current position. Sensibly, Conservative Members are asking that we ensure that the new model of car is appropriate to its new function. Perhaps we should be arguing about why we need the second car, what it should do, how big it should be and when it should be used. When we have determined that, we can discuss the maintenance schedule, how much we invest in it and what colour the seats should be. All those questions are appropriate at the right time, but now, at the death-bed of the House of Lords as we have known it, is not the time to discuss how we should improve it and maintain it, or to determine—

**Mr. Forth:** To follow the hon. Gentleman's rather ghastly analogy, what we are discussing is whether we should put any petrol in the car.

**Dr. Turner:** I accept that on the way to the scrap yard is not the time to fill the tank with petrol.

Of course there is a serious point. When we debate a new form for the other place, we should make sure that it is appropriately equipped to do the job. We need to know whether its Members will be part-time or full-time, whether they will be seconded from industry for fixed periods to do a technical job, or whether they will be elected and will serve full-time, doing a different kind of job.

**Dr. Liam Fox** (Woodspring): Does the hon. Gentleman accept that—using his analogy of scrapping the current model—what is being created by the Bill is an entirely new model? The interim House may not be a temporary measure; it may be a long-term measure. Therefore it makes perfect sense to consider terms and conditions and pay as part of the new package that the Government will introduce as a result of the Bill.

**Dr. Turner:** I admitted at the outset that there were limitations to the use of simile and metaphor, but it has some merits. I accept that the Opposition fear that what is seen as a temporary situation may be longer lasting. However, the new clause looks as though it is designed for the long term. By the time the work load of the interim House has been properly examined and reported, and the recommendations implemented, many of my hon. Friends and I will want an entirely new House of Lords brought into existence by legislation.

If the new clause is not mischievous, it is badly timed. We should indeed debate those topics, but at a later date.

**Mr. Swayne:** It could, perhaps, be argued that there is some measure of profligacy on the Opposition's part. The taxpayer has undoubtedly been enjoying a bargain. If one measures productivity in terms of 2,000 amendments accepted per year, the rate currently paid out for the job is remarkably small. There is a strong argument that the taxpayer should continue to enjoy such a bargain, but that takes no account of the fact that the situation will have changed radically as a consequence of the Bill.

That is where I depart from the hon. Member for North-West Norfolk (Dr. Turner). He is wrong in his simile about the car being scrapped. We are speaking of a different vehicle. The reduction in the hereditaries will remove a significant number of the working peers. That work load will devolve on to the remaining peers.

**Caroline Flint** (Don Valley): Has the hon. Gentleman's party been asked to act as the trade union for the life peers? Have the life peers asked you to propose terms and conditions for them in the interim period?

**Mr. Swayne:** I do not know whether you, Mr. Lord, have been asked any such question, but I certainly have not.

The issue is the work load that will devolve on to the working peers. Unless support is provided for them, the work simply will not be done. There will be an insufficient number of peers to attend to it.

Only last night the Minister of State, Lord Chancellor's Department refused to give any indication of the period that the Government had in mind for the duration of the transitional arrangements. That makes it clear that it is entirely proper to consider the issues arising from the proposed changes.

For the benefit of the Minister, I reiterate my suggestion that, when we consider how the even more productive peers are to be accommodated, we should remember that an almost purpose-built building is being erected, which surely could not be given up for the accommodation of members of a House who recently voted to give themselves a half-day on Thursday and an extra week's holiday in February.

2.45 pm

**Mr. Andrew Miller** (Ellesmere Port and Neston): I shall be brief. I find the debate a little odd. I shall not be drawn into the analogy of cars, because everyone knows that all the best family saloons are made in my constituency by Vauxhall. I have no aspirations to go to the other place, so I shall not be drawn down that road.

The Opposition frequently preach to us about their supposed business skills, yet the new clause negates all the principles that would usually be used to examine a business case for determining the pay and conditions of a group of workers. The Opposition keep telling us that we do not yet know what those people will do, how long they will do it and how many of them there will be, so the Senior Salaries Review Body would be faced with an impossible task if we followed the logic of the Opposition case. On that simple basis, I hope that the Committee will resist the motion.

**Sir Patrick Cormack** (South Staffordshire): The hon. Gentleman misses the point entirely. We know that some time during this Parliament—if the Government have their way, at the end of this parliamentary Session—the House of Lords will lose a large percentage of its active membership. We also know that the House of Lords will continue to have to perform the functions that it currently performs. In other words, it will have to scrutinise legislation, and its Select Committees will have to examine deregulation, European Communities legislation and all the other things that they do at present.

We know that, in fulfilling those functions, the House of Lords will be deprived of the services of a great many Members who regularly attend, man those Committees and carry out that scrutiny. We know that there is no proposal in the Bill to change the functions of the House of Lords.

I find the hon. Member for North-West Norfolk (Dr. Turner) an endearing Member, but what he said was arrant nonsense. He had the chance to try to push things on yesterday, but he did not take that chance by voting for the appropriate amendment. We know that the Government have no idea how long the House of Lords will continue to sit in its present form, but deprived of the membership of some of its most active Members. It might be for one year or two years. Even on the Government's admissions from the Dispatch Box, through the mouths of several Ministers in this debate, we know that we are speaking of a new form of second Chamber coming into existence after the next general election, at the earliest.

For a minimum of two years, but very likely for far longer than that—even if the Government win the election—

**Mr. Forth:** Oh!

**Sir Patrick Cormack:**—even if the Government win the election with a commanding majority—

**Mr. Forth:** Oh!

**Sir Patrick Cormack:**—both of which propositions I find highly improbable, as I am sure my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) would agree. Even if that happened, we are probably talking, on the Government's own admissions at the Dispatch Box, of a minimum period of about four years from now before any replacement second Chamber could be functioning effectively.

**Mr. Martin Linton** (Battersea): Will the hon. Gentleman assure us that he has no interest to declare, as what he describes is, effectively, a new deal for hereditary peers? We have often been told how many of these hereditary peers live in Conservative Members' constituencies. I dare say that many of the backwoodsmen live, literally, in the constituency of the hon. Member for New Forest, West (Mr. Swayne). How many live in the hon. Gentleman's own constituency of South Staffordshire?

**Sir Patrick Cormack:** None. Not only is that irrelevant, but the hon. Gentleman has failed to listen to and understand what we have been saying.

We accept that the Government will get their way on the matter of the hereditary peers. That is not in dispute. We have accepted that time and again, although we do not necessarily think that the Government were right to make that a priority of their legislative programme. My hon. Friend the Member for Woodspring (Dr. Fox) said only yesterday that we accept that the Government were elected with a large majority and that that was part of their manifesto, although I doubt whether many of those who voted for new Labour did so for that reason. Nevertheless, the Government are entitled to claim a mandate. That is not at issue. At the end of this Session, the Bill is likely to become an Act of Parliament and, as a result, there will be no hereditary peers.

Not only is no Weatherill amendment incorporated in the Bill, but, when the House was offered the opportunity to vote for a similar amendment a couple of weeks ago, it rejected it. Therefore, we are talking of a House that will have a much smaller number of active peers than it has at the moment.

**Mr. David Winnick** (Walsall, North): The hon. Gentleman would make a passionate shop steward, but my experience over many years of trade unionism is that a group of people who want a pay rise put in for it first, before any other representation is made. I am not sure whether any such claim has been or is to be made. What purpose would there be in setting up any such review until we know the future make-up of the second Chamber? For example, if it is made up of largely indirectly elected Members from the regions—it may well be, but it may not be—how shall we to know what salaries such people are already receiving? It makes no sense at this stage to look at their salaries.

**Sir Patrick Cormack:** I almost despair. We know the composition of the House of Lords for the foreseeable future. We also know what its work load will be. That is not in dispute between the two Front Benches or between anyone who has examined the matter. We know that there will be a House of Lords which, for the foreseeable future, will consist of those who are presently life peers, those who are presently there by virtue of the fact that they are among the 26 bishops of the established Church,

and those who are there because they are Law Lords. The Government have said that. But the interim may be a long time.

**Dr. George Turner** *rose—*

**Mr. Heald:** Will my hon. Friend give way?

**Sir Patrick Cormack:** In a minute. I am trying to conduct a teach-in on the new House of Lords. Let my hon. Friend contain his patience for half a second.

The House of Lords will consist of those three elements—the life peers, the bishops and the Law Lords. We also know that there may not be any of the 91 hereditary peers, because that is not in the Bill, and the attempt to put them there has been emphatically rejected by the House. We also know that, with the increase in business emanating from Europe, the work load will increase. Therefore, we know that a significant burden will be placed on the shoulders of a relatively few life peers. It is important to recognise that.

The hon. Member for Milton Keynes, South-West (Dr. Starkey) was wrong when she intervened, because 40 per cent. of those who currently attend the House of Lords are hereditary peers, and 10 of those who are members of the 20-strong Committee—the most important Committee of all—examining European legislation, are hereditary Peers. They will go. According to the Bill, they will not be represented by any of their number.

**Dr. Starkey** *rose—*

**Sir Patrick Cormack:** Let me make a final point and then I shall give way to my hon. Friend the Member for North-East Hertfordshire (Mr. Heald), the hon. Member for Milton Keynes, South-West (Dr. Starkey)—chivalry demands that—and then to the hon. Member for North-West Norfolk.

We have the work load, but we will not have the hereditary peers. All we are saying in this modest new clause is that the functions and composition of the House of Lords should be referred to the Senior Salaries Review Body so that it can assess whether it is desirable, sensible, prudent—whatever one likes to call it—that those sustaining the work load for that indefinite period should be adequately recompensed for so doing.

**Mr. Heald:** Is my hon. Friend aware that the Prime Minister said last week that it would be wrong to abolish duty-free goods until a permanent successor regime was put in place? Yet he is prepared to go ahead without any permanent successor regime for the House of Lords. Is that not one of the difficulties that we face? Therefore, would it not be right for the Senior Salaries Review Body to look at not just the temporary arrangement, but a range of options for the future?

**Sir Patrick Cormack:** The real difficulty that we face, as my hon. Friend knows, is that we have a Prime Minister who has perfected the art of dining à la carte, and who, therefore, picks and chooses what he wants, and who has no consistency, theme, rhythm or purpose behind his constitutional endeavours. The Prime Minister is perfectly happy to get up and talk about duty-free goods and to enunciate a principle which, if applied to this Bill, would have led to the acceptance of not only this new clause but most of the amendments hitherto debated.

**Dr. Starkey:** I simply wanted to correct a mathematical point that the hon. Gentleman has just made. When I intervened, I said that only 20 per cent. of hereditary peers turn up and vote. That is entirely consistent with his alternative mathematical expression. That 20 per cent. may constitute 40 per cent. of the active peers. I simply wanted to make it clear that my point was correct and not altered by the hon. Gentleman's point.

**Sir Patrick Cormack:** If, inadvertently, I made any allegation of innumeracy against the hon. Lady, I unreservedly withdraw it. But the fact remains that 40 per cent. of those who regularly attend, who bear the burden and heat of the day, are hereditary peers. That is why, if the hon. Member for North Norfolk, who is becoming agitated—a state to which he is thoroughly accustomed—had used the analogy of a bus with half its passengers missing rather than a car, it would have been a much more telling analogy.

**Dr. George Turner:** The hon. Member for North Norfolk (Mr. Prior) sits on the Conservative Benches and I do not want to be associated with the Opposition. The hon. Member for South Staffordshire (Sir P. Cormeck) seems entirely to ignore the point that change will begat change. It is said that the graveyard is full of the bones of indispensable men. Those who are doing the work now in the House of Lords will have volunteers to replace them. They are not indispensable, as the hon. Gentleman would have us believe. If not enough are forthcoming and willing to work, and if we are to go for the extended period, which the hon. Gentleman envisages—which I do not—there is the option of new blood. Shall we not be able to debate many such matters when the Bill returns from the other place?

3 pm

**Sir Patrick Cormack:** I remind the hon. Gentleman that all we are saying is that the Senior Salaries Review Body should have the opportunity to keep these matters under review. He is a man with a literary turn of mind, so perhaps he recalls that lovely—

**Dr. Turner:** I am an engineer.

**Sir Patrick Cormack:** The hon. Gentleman appears to have a literary turn of mind. I was giving him a reputation for couth and culture, which I would have thought that he would be delighted to revel in. Perhaps he knows that lovely poem by John Betjeman about the death of the golf club secretary. The final lines are:

"It's strange that those we miss the most
Are those we take for granted."

We take those peers, and the work that they do, for granted. When they have gone, the work will remain and somebody will have to do it.

One does not have to be a mathematician of the genius of the hon. Member for Milton Keynes, South-West to be able to accept that more work will fall on fewer shoulders. Therefore, those people will not be able to attend their offices, the law courts and the other places where they are

*[Sir Patrick Cormack]*

otherwise gainfully employed, in some cases, as often as they do at the moment. How often have we heard it said that the very removal of those peers—"Off with their heads"—will make the House of Lords better? If the Government want the new House of Lords to be better than the one it replaces, surely it is incumbent on them to take every logical and prudent step to ensure that those who bear that burden will be enabled to do so.

**Mr. Winnick:** The Opposition amendments that we debated yesterday emphasised the need to make sure that the Government produce the second stage as quickly as possible, but the hon. Gentleman is asking for salaries, and the rest of it, for the interim, which is almost an incentive for that interim to remain permanent. He is contradicting what he said yesterday.

**Sir Patrick Cormack:** On the contrary, Mr. Lord. How good it is to have someone of your name in the Chair when we are discussing these matters. If anyone is being inconsistent and contradictory, it is the hon. Gentleman. Yesterday, we said that we were deeply unhappy with the way in which the Government were handling this whole issue and that it would be sensible to put a terminal date on the existence of the so-called interim Chamber. I remind the House that, as I said yesterday, at no stage does the Bill refer to the interim Chamber.

The Government were supported by the hon. Members for Walsall, North (Mr. Winnick) and for North-West Norfolk—I am grateful for the correction of the hon. Member for North-West Norfolk, and I of course apologise to him, and to my hon. Friend the Member for North Norfolk (Mr. Prior)—who voted against those amendments, which were eliminated. The Government strenuously resisted any attempt to put a terminal date in the Bill, so—

**Mr. Winnick:** That is correct.

**Sir Patrick Cormack:** I am grateful for the gracious affirmation of the hon. Gentleman in that regard; I heard every word that he uttered. All we are saying is that there must be proper provision to ensure that those who have to do the work are enabled to do it.

Among the life peers, on whom that work will fall, there may be some wealthy men and women, but an awful lot are not wealthy. Many extremely hard-working Labour peers will not be able to devote the extra time necessary. A number of them are friends of mine. I chair a large all-party Committee of both Houses of which a number of those peers and peeresses are members and I know very well that they would not be able to do that extra work without recompense and compensation for it. That is all we are saying.

**Mr. Bill Rammell** (Harlow): Does the hon. Gentleman agree that making a proposition without specifying the cost, so that people are aware of it, is not good politics in this House? If the new clause is successful and the issue goes to the Senior Salaries Review Body, will the Conservative party submit evidence to that body and argue for a bridging of the gap in financial support between this House and the other place? Yesterday, the hon. Member for Ribble Valley (Mr. Evans) implied that that would be the case. Does the hon. Gentleman agree that, if the Conservative party argues that case, the cost would be £200 million a year? Is that the Conservative party's priority for any additional expenditure?

**Sir Patrick Cormack:** Let me answer the hon. Gentleman's main question. We would give evidence to that body and the evidence would be based on a careful assessment of what was needed. We do not suggest in the new clause that Members of the other place should immediately be given parliamentary salaries equivalent to those received by Members of this House, who have constituents and other responsibilities. We are suggesting that a number of life peers, many of them Labour peers, would have to do more work although they have other jobs to do and would not—

**Mr. Rammell:** Uncosted.

**Sir Patrick Cormack:** Yes, the salaries are uncosted, which is why they should be put to a review body. That is a simple point.

We are not saying that those people should receive X thousand pounds a year. All we are saying is that the review body should consider what they are doing, and what it is costing them, and decide whether it would be appropriate for them to receive more in secretarial and other allowances, although it would not necessarily be appropriate for them to do so.

**Mr. Rammell:** I think that we are making progress. The Conservative party submission to the Senior Salaries Review Body would not argue for parity with this House in terms of financial support. What figure would the Conservative party put in its submission? The hon. Gentleman clearly wants the new clause to be accepted and wants the issue to go to the Senior Salaries Review Body. What detailed thought has the Conservative party given to the submission that it would make?

**Sir Patrick Cormack:** The matter would be given to the review body. The hon. Gentleman should understand that we are not advocating any specific sum of money. The review body should be given the job and we hope that everybody—including Labour Members with friends in the other place—will give evidence.

Some of those peers spend a prodigious amount of time scrutinising legislation and in Select Committees. Some can afford to give that time and some cannot. There are those who have received peerages, from the Labour party and from my party, who have nominally been Members of the other House for a considerable time—in some cases, a number of years—and have yet to make a maiden speech. I can think of two former Conservative Cabinet Ministers, who were ennobled during the past five or six years, who have yet to make a maiden speech.

I am not suggesting that those people's honours are not fitting recognition of the work that they have done for this House and for the country, but they are not, by any stretch of the imagination, active peers. I can think of at least four Labour peers who fall into roughly the same category. I am not casting aspersions at them either, but I want to show that there is a finite body of men and women who have a valuable job to do. There is no point in saying that they can be augmented; of course they can. New peers

can be appointed, but the hon. Member for Harlow (Mr. Rammell), who is a reasonable man, will accept that we cannot create experience overnight.

If the Government's objective is to be fulfilled and the successor House of Lords is to be at least as effective as the present House, it is crucial that those who work there should be able to work there. That may mean, in some cases, their receiving better recompense. All we are saying—

**Mr. Gordon Prentice** (Pendle): Should it be performance related?

**Sir Patrick Cormack:** If the Senior Salaries Review Body recommended that it should be performance related, I would have no qualms about that. What Members of the House of Lords receive now is performance related, because they receive an attendance allowance.

**Mr. Keith Bradley** (Treasurer of Her Majesty's Household): When they turn up.

**Sir Patrick Cormack:** The Deputy Chief Whip, who has obviously been pregnant with speech for hours and is desperate to intervene, says that they receive the allowance if they turn up. The Senior Salaries Review Body would be quite at liberty to say that any award that it recommended depended not only on turning up and signing a register, but on proper participation. The hon. Gentleman, as Deputy Chief Whip, knows that one or two people in this place merely turn up. He also knows that he sometimes offers them inducements not to turn up. The Deputy Chief Whip, as Deputy Patronage Secretary, is in no position to lecture me or any of his colleagues on that subject.

The Senior Salaries Review Body would be able to adjudicate on all those issues and particulars. This is a modest new clause.

**Mr. Andrew Tyrie** (Chichester): I think that I have almost got to the bottom of this statistical problem. It is clear from the figures that hereditary peers contribute half the total activity. In the 1996–97 Session, 182 hereditary peers and 186 life peers attended more than half the sitting days. That is rather more than the 40 per cent. you were suggesting, and strengthens the point you were making about having to do something about the remainder.

**The Second Deputy Chairman:** Order. I was not making any suggestions.

**Sir Patrick Cormack:** No, Mr. Lord, indeed you were not, but I was and I am grateful for the added weight that my hon. Friend's sage intervention gives to the argument that I have been trying to advance.

The issue is simple: do we want the new Chamber—the existing Chamber deprived of the services of the hereditaries—to be an effective, functioning Chamber? If so, surely it is common sense to allow the body that we have already established to look at the rewards for public service to include in its remit the service rendered by those who will sit in the other place? I rest my case.

**Mr. Dominic Grieve** (Beaconsfield): I intended to intervene briefly. Indeed, I had not originally intended to speak to this new clause, but it raises some important points that we would be wise to address at this stage of the Bill rather than to defer them. We are moving to some different form of second Chamber, which will have different functions and probably far fewer people to discharge them. On that basis alone, it is apparent that the cut-price second Chamber that we have had for a long time, whereby a large number of people give their services voluntarily, will not be feasible for the future.

Listening to the debate on this issue yesterday and today, it struck me forcefully that many Labour Members have not focused their minds on this aspect. They seem to assume that, if we wave our magic wand, the second Chamber will be transformed and we will continue as before. Their contributions to the debate have reinforced my anxiety about stage 2, because they are quite incapable even of looking beyond stage 1. They continually repeat the mantra "get rid of hereditary peers" without any thought for the consequences, one of which will be financial.

**Mr. Heald:** Does my hon. Friend agree that there is something rather sinister in increasing the work load of each individual peer without providing an adequate research allowance for the detailed back-up that they will need to do their job property? That may be because this arrogant Government do not want people saying, "We don't agree with you, and these are the reasons why."

3.15 pm

**Mr. Grieve:** One has only to examine the contents of the White Paper, which contains hidden suggestions that the future role of the House of Lords may be purely consultative because it will have no teeth, to realise that the Government's agenda gives rise to serious concern. *[Interruption.]*

**Mr. Tyrie:** The Minister is nodding his head in agreement.

**Mr. Grieve:** I shall give way to the Minister, so he can explain himself.

**The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping):** I was interested in the language of the debate, and the remark about hidden suggestions in the White Paper. They are either in the White Paper or they are hidden from the White Paper.

**Mr. Grieve:** White Papers always make fascinating reading. I enjoy reading them, but we must look between the lines. The drift of the Government's message was entertaining. In the White Paper, the Government said that they would make no recommendations to the commission about what they wanted, but, if one read about what might come out of the commission or what issues might be addressed, one immediately began to discover the Government's agenda. It is not just this White Paper: every Government document published for consultation purposes contains the same nuances, which one can quickly pick up.

I was fascinated to see in the White Paper the suggestion that, in future, there should be no blocking mechanism, even for one Session, that would allow the second Chamber to block legislation from this House, and

*[Mr. Grieve]*

that the other place should be merely a consultative Chamber. It is extraordinary that that suggestion was included and that it came from a Government who want to extend democracy and extend and improve scrutiny of legislation.

**Mr. Letwin:** Does my hon. Friend agree that the Minister's assertion that there are no hidden suggestions in the White Paper is contradicted by the fact that, although the foreword says that the Government will move to long-term reform, paragraph 11 on page 29 tells us that they will do so only if there is consensus?

**Mr. Grieve:** My hon. Friend is absolutely right. Doubt about whether stage 2 will ever happen is a subject that has exercised us greatly during the debate. That is why the new clause and the amendment are desirable. We need pretty quickly to focus our minds on the matter of what facilities the other place, even in the interim, will require to discharge its functions properly.

We complain that we have inadequate facilities in this House—we complain that our secretaries are 300 yd from where we work and there are often complaints about resources available to Members. Compared with the resources available to Members of the other place, we bask in the lap of luxury at the taxpayer's expense. Those facilities are necessary so that we can discharge our functions.

I take the point that Members of the other place, not having constituents, do not have the same remit or the same responsibilities that we have. Nevertheless, they require support services, which they do not receive at present because it is, in effect, an amateur second Chamber. People contribute their expertise on a voluntary basis. It is my view that, even when the hereditary peers go, there will be a profound change in the ethos of the upper House and in the way in which it operates. Whether for the better or for the worse, the prevailing ethos in the upper House is that which has been created by the generations of hereditary peers who have attended. I picked that up from talking to life peers, who reinforced my view.

Leaving aside the fact that it is only the hereditary peers who are going, the upper Chamber will change considerably. We shall have to decide whether the life peers who remain will require a better form of remuneration and support. That will be one of the essential building blocks, and we shall have to see how that works when we consider stage 2. The Government say that we cannot divorce stage 1 from stage 2 and that we must view them together, albeit that stage 1 must take place separately to clear away the logjam. The promise is, however, that stage 2 will follow.

I shall be reassured that stage 2 will really take place when, even at this stage, we start to consider some of the issues that will be involved in that stage and can also be legitimately considered now. One of those issues must be the way in which Members of the upper House are remunerated. For that reason alone, I consider the new clause entirely innocuous. It does not interfere with the Government's main programme of getting rid of hereditary peers; it is sensible, for the Senior Salaries Review Body should have an opportunity to consider the matter; and, as a result, we shall be far better informed.

I dare say that, when it reports in December, the Appointments Commission may wish to consider this among other issues. However, it will help the House of Commons to have the independent view of the review body, which will constitute compelling evidence. I am worried about what happens once we have dealt with the principles involved in stage 2. It is apparent again and again that the Government are not very interested in allowing the House, or any other forum, to consider these difficult issues.

I am committed to an effective second Chamber that works. As I have said before, I believe that we shall end up with an elected second Chamber. I approve of that, but I think that it will prove rather more costly than what we have now. The sooner we get round to considering that, the better; otherwise, we shall remain in the cloud cuckoo land in which we are currently living and in which we are told, "Get rid of the hereditaries, cut off their heads, and we can forget about everything else." We cannot.

**Mr. Gerald Howarth** (Aldershot): My hon. Friend the Member for Ribble Valley (Mr. Evans) moved the motion very eloquently last night. I remember what he said, and I hope that others do as well. He was extremely lucid. Other Conservative Members have also made a strong case for the acceptance of this straightforward and simple proposal by all reasonable people. I am sure that only reasonable hon. Members are present now!

I do not often pray in aid the Lord Chancellor—save, of course, when I require a verdict on taste in wallpaper. For the benefit of those who do not already know, I should explain that it was I who found out what the Lord Chancellor was up to in that regard, and was able to acquaint the public with the facts. The Lord Chancellor described the other place as one of the busiest Chambers in the world, and my hon. Friends the Members for South Staffordshire (Sir P. Cormack) and for Beaconsfield (Mr. Grieve) made the same point very forcefully. The other place is not a retirement home for faded politicians; it is an important working Chamber which does an enormously valuable job in scrutinising legislation, and is, I think, widely respected for doing that job. At a time when the House of Commons is, perhaps, not held in the highest public esteem, the other place is held in such esteem, not least because of the weighty advice that it gives and the experience that it brings to bear.

**Mr. Grieve:** The other place is certainly not a retirement home; but is not one of the odd features of the removal of hereditary peers the fact that it will become a little more like a retirement home for ex-politicians? Although there are working peers, a large number of peers do not do very much.

**Mr. Howarth:** Indeed; and it is possible that only those who are prepared to undertake to work for a certain number of hours a day—consistent with the working time directive, of course—will be eligible for nomination. The Patronage Secretary and her deputy—who has now left the Chamber—will have an important role to play: they will decide the composition of the other place. It is clear that, following the removal of the hereditary peers and the contribution that they can make, the advancement of people to the upper House will be possible only if they can undertake not to accept the post as a sinecure, but to slave away and do the work.

As we consider the burdens that will rest on those who remain in the upper House, and how those people should be remunerated, we should also consider what is involved in terms of the commitment that they give. I understand that the House of Lords sits for 143 days a year, for seven hours a day, and that in the last Session it achieved an all-time record of 228 days, or 1,604 hours, with 102 sittings after 10 pm. Having taken a short break, which I was invited to take by my former constituents, I can say that I notice how rarely this House sits after 10 pm. The fact that the other place has sat after 10 pm 102 times demonstrates the volume of activity there. If the hereditary peers are indeed to be removed, 759 potential contributors to the work of the upper House will be removed, and the full burden will descend on the 484 life peers, the Law Lords and the bishops—to the extent that they participate.

Not only will the burden increase on those who remain, but the upper House will be deprived of a huge amount of experience and knowledge. In due course, the House of Commons will consider weighty matters, not least whether we are to join the single currency. If the other House is neutered, and not enough people with the expertise to consider such matters in detail are prepared to give their time, we shall, in effect, have a unicameral arrangement. The House of Commons will be the sole source of scrutiny—and we know how much scrutiny is given by many Labour Members: we know that 100 are sent away every week so that they cannot clog up this place.

**Mr. Letwin:** Have not the Government an opportunity this evening to prove, by accepting the new clause, that they do not intend to neuter the House of Lords?

**Mr. Howarth:** Indeed. It behoves the Government to respond seriously to the new clause. I do not think that they have been entirely frank with the British people about the practical consequences of their proposals. Unless a review body is established to examine the salaries, or rather the compensation, for those of our fellow citizens who are to give up their time to scrutinise legislation in the other place, how on earth are we to persuade people to do the job?

**Mr. James Gray** (North Wiltshire) *rose—*

**Caroline Flint** *rose—*

**Mr. Howarth:** If my hon. Friend will forgive me, courtesy and chivalry instruct me to give way to the hon. Lady.

**Caroline Flint:** Will the hon. Gentleman comment on the proposition of the right hon. Member for Bromley and Chislehurst (Mr. Forth) that the second Chamber could exist with only 87 members, given his own suggestion that some 500 people could not cope with the work involved in the transitional period?

**Mr. Howarth:** Although I have been here for most the debate, I did not hear my right hon. Friend's suggestion. *[Interruption.]* I am advised that it was the right hon. Member for Chesterfield (Mr. Benn) who made that suggestion. My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) makes an outstanding contribution to the development of all sorts of fascinating ideas. He is an original thinker. He is not merely a time-server; he makes a valuable and stimulating contribution.

3.30 pm

**Sir Patrick Cormack:** I am sorry to interrupt my hon. Friend's panegyric, but my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) was talking not about the interim Chamber, but about a pipe-dream that he had of some future Chamber. Frankly, it is an absurd proposition—I have told him that already. He was not talking about the Chamber that we are debating at the moment. That is the point.

**Mr. Howarth:** As ever, I am most grateful to my hon. Friend, a former neighbour. Of course, we are debarred from addressing how the next House should be constituted. You would therefore rule me out of order, Mr. Lord, if I were to go further down that line, but the views of my right hon. Friend the Member for Bromley and Chislehurst show that there is no shortage of ideas among Conservative Members. We merely have a temporary shortage of votes.

Mr.—Sir Alan; I was pausing merely to enable you to take your seat comfortably. I was referring to the work that has been done in the other place and the need, under the new arrangements, for adequate compensation to be awarded to those who will assume the responsibility of scrutiny in the other House. You were not in the Chair when I gave some statistics on the work that is carried out in the other House, but I conclude this section of my remarks—[HON. MEMBERS: "Oh, no."] I am sorry. I have much more to impart to the Committee. I conclude my remarks on the section by pointing out that hereditary peers do almost half the key work of deputy speakers and form half the membership of Committees in the other place.

As I have said, some of the Committees of the other House—for example, those that deal with matters such as technology—enjoy a substantial reputation well beyond the walls of the palace of Westminster. Those Committees are made up largely of hereditary peers. If they are stripped, removed and booted out, the burden of responsibility for dealing with those important matters will rest on the remaining hereditaries. Who is to say that they will be able to assume that burden?

If the remaining hereditaries are not able to do so, and there is no proposal in the Bill to supplement them by any elected means in reinforcing that House, the only other source of expertise will be supplied by the patronage of the most patronage-conscious of Prime Ministers we have had since the second world war—the right hon. Member for Sedgefield (Mr. Blair).

**Dr. Starkey:** The hon. Gentleman has praised the work of the Select Committees of the House of Lords. He will know that one of the Select Committees with the greatest reputation is the Science and Technology Committee. Although it is true that some hereditary peers are members of that Select Committee, does he agree that its reputation rests largely on the fact that it has life peers who have pursued eminent scientific and engineering careers and bring technical and professional eminence to the Committee? There is no reason to suppose that other life

*[Dr. Starkey]*

peers with equal scientific and engineering expertise will not easily fill the gaps in that Select Committee and add lustre to it.

**Mr. Howarth:** I was not seeking to make the point that life peers do not make a contribution. By definition, they do. Many are appointed to the other place because they are eminent in their field of expertise, but there is perhaps a difference of view between Labour Members and Conservative Members. Although, in our view, the hereditaries are a repository of expertise, that is not given proper acknowledgment by Labour Members.

I was talking about the burden of responsibility that will rest on the new interim Chamber, whatever we call it, following the changes that are introduced by the Bill, and the effect that that will have on scrutiny of important legislation which will come before Parliament. That legislation will be decided in the House of Commons, which is overwhelmingly dominated by one party and uses every opportunity to maximise its patronage. A neutered Chamber at the other end of the building will simply not have the capacity to examine that complex legislation, which will affect the future of this country and our people.

That is a grave charge against the Government. The new clause, modest as it is, at least seeks to address, in a way that we have found very difficult in respect of the Bill, the democratic deficit—what I like to call the scrutiny deficit—that will arise as a result of the passing of the Bill.

My hon. Friend the Member for South Staffordshire said that we had been extremely fortunate to have the upper House on the cheap. Last night, my hon. Friend the Member for Ribble Valley spelled out graphically the difference in cost between that House and the House of Commons.

For the sake of those who were not here last night—I think that the hon. Member for Leominster (Mr. Temple-Morris) was not, so he will benefit from it—I remind hon. Members that the total cost of the House of Lords in the previous Session was £39.4 million, whereas the House of Commons cost £241 million and the European Parliament, understandably, an excessive and outrageous £607 million. *[Interruption.]* I thought that the hon. Member for Milton Keynes, South-West (Dr. Starkey) would like that. However, the average cost—it is important and particularly germane to the new clause—of a Member of Parliament is £366,000 and the cost of a peer is a mere £37,000; that is 10 per cent. of the cost of a Member of the House of Commons.

It comes back to the question: will we be able to run the other Chamber on the cheap without having a new clause that deals with that issue?

**Mr. Linton** *rose—*

**Mr. Rammell** *rose—*

**Mr. Howarth:** If the hon. Member for Harlow (Mr. Rammell) will forgive me, the hon. Member for Battersea (Mr. Linton) sits on the Select Committee on Home Affairs with me, and I may need his help in future, so I will give way to him.

**Mr. Linton:** Does the hon. Gentleman accept that there is a price to be paid for that cheap second Chamber, in that the debates in the other place are even more dull to listen to than the debate here in the past two days? I speak as someone who has personal experience of listening to days' worth of House of Lords debates in my former capacity as parliamentary editor of a national newspaper. Although I have sat through many incredibly dull debates, yesterday's was perhaps a connoisseur's choice.

There are many dull debates in the House of Commons, but nothing would prepare hon. Members for the boredom of the other place. One of the Press Association reporters who used to cover the House of Lords regularly—I am forbidden by the rules of the House from seeing whether she is sitting in her customary place in the Press gallery—claimed for a boredom bonus because of the boredom factor in the House of Lords.

**Mr. Howarth:** Was that not spoken like a true journalist and, particularly as the hon. Gentleman came from the Grauniad newspaper, completely understandable? He is absolutely right. The House of Lords is far too boring for our modern times. It deals with matters of substance, not all the trivia with which we have to deal too often in the House of Commons. Those are people who are serious. They have made a serious, eminent and, in many cases, outstanding contribution to our national life, and that lot wish them to be booted out of our Parliament.

**The Chairman of Ways and Means (Sir Alan Haselhurst):** Order. The substance of the amendment is not boredom, or otherwise, but remuneration, so I would not want the hon. Gentleman to be headed off by the intervention that he invited. I might add while I am on my feet that he must also presume that every Member in the Committee has digested all that has been said in the earlier part of the debate.

**Mr. Howarth:** I am always more than happy to be guided by your excellent wisdom, Sir Alan, and I will not seek to pursue that argument. However, with your permission, I will just say that, when listening to "Yesterday in Parliament", I have often been hugely impressed by the quality of debate in the other place. It may sometimes be rather boring, but, to be perfectly candid, every hon. Member knows that, when we are scrutinising legislation, it is often rather more boring than we would like it to be and it seldom catches the headlines. If, as parliamentarians of either House, we try simply to catch headlines, rather than deal with the substance of the issues, the people will not be served properly.

The new clause tries to address how we will remunerate those on whose shoulders will rest the burden of scrutiny in the changed—I will not use the word "reformed", because I believe this process to be a profoundly undesirable change—composition of the other place.

**Mrs. Gwyneth Dunwoody** (Crewe and Nantwich): Pretending for a moment that the hon. Gentleman is making a serious case, I shall just point out that there is a difference in the running of the two Houses, because Members of this House have considerable constituency responsibilities, which is not the case for the other place. My mother used to say that the difference in the quality of the post was noticeable because people were polite to Members of the other place. I hope that the hon. Gentleman will remember that that is a radical difference.

If we are to pursue the absurdity of this case, I hope that he will accept that there is no logical reason for the House of Lords. It happens to work and, as soon as we start interfering with it, we will get ourselves into the sort of muddle that he outlines.

**Mr. Howarth:** That is an extremely valid point, and I am disappointed to say that I do not disagree with the hon. Lady. I am a Conservative and I do not believe in change unless—

**Mrs. Dunwoody:** I know that.

**Mr. Howarth:** I am grateful to the hon. Lady for saying that she knows that I am a Conservative—just in case anyone was in any doubt.

I believe that we should make change only where it needs to be made. I believe that the hon. Lady shares with me a concern that our Parliament is losing a great deal of its ability to hold the Executive to account, and I know that we agree that it does not matter which party is in government. There are enough parliamentarians around who believe in this place and will continue to make that point.

When considering how we will deal with the other place and the 484 life peers on whose shoulders the burden will rest, it is important to consider—this point has been made by a number of hon. Members—that life peers will not all have the same time to devote to proceedings in the other place as some of the hereditaries have had in the past, for one reason or another. The Government have appointed business men, leaders of the arts and so on to the other place. Such people are already leading busy lives and, if we were to rely on them, the place would grind to a halt. It is the hereditaries who are holding the fort and doing so much of the nitty-gritty, day-to-day work.

I am not against the appointment of such people, just as I was not against the appointment by previous Conservative Prime Ministers of business men with burdensome outside activities. I believe that, on the big occasions when the other place is dealing with important measures, those people should be able to come from their boardrooms and factories to provide up-to-the-minute evidence.

**The Chairman:** Order. The hon. Gentleman is straying too far from the substance of the new clause. I heard the same arguments deployed during the first debate on the first day in Committee. That would have been the appropriate time for him to make his remarks. He must confine his comments to the question of remuneration in the terms of the new clause.

**Mr. Heald** *rose—*

**Mr. Howarth:** I will give way to my hon. Friend.

**Mr. Heald:** Does my hon. Friend agree that, as many of those individuals have a relatively small amount of time available, in order to make full use of their time at the House they will require substantial allowances for research? The increased burdens which will be placed on those busy people are such that, if there is not the proper research to enable them to make good-quality speeches and so on, the quality of our democracy will be damaged.

3.45 pm

**Mr. Howarth:** I agree with my hon. Friend. If those people are to assume additional responsibilities, they will have to have the means to carry them out; unless the Government intend to neuter the other place so that it is powerless to scrutinise legislation. If that is the case, the House could work its wicked way without any interference from the other place. It is right and proper to consider how best to equip those who remain in the other place with the tools necessary to carry out the scrutiny of legislation that the Government say—they pay lip service—they want them to do. If not, the Government should come clean and say, "We do not want anybody to interfere in our work. We are booting out one lot and we do not want to remunerate properly those who remain."

**Caroline Flint:** We have discussed the absence of so many hereditary peers and some life peers in the work of the other place. That has not happened overnight, but has been going on over generations. A minority of those who can take part in the proceedings in the other place actually do so. In the 18 years of Tory government, why did the Conservatives not propose a scheme to look at better attendance fees and allowances for those who work in the other place? Why has that matter arisen now? Is it just about trampling on the first stage of the abolition of the House of Lords and the hereditary principle?

**Mr. Howarth:** If the hon. Lady does not understand why I am raising this issue now, she does not understand the massive changes that those on her Front Bench propose. When we were in government, there was no reason to do anything other than what we did. Throughout the life of the previous Conservative Government, we reviewed the arrangements for the remuneration of Members of the upper House. Now, the hon. Lady and her party want to remove nearly 760 Members of that place, to leave 484. All those people are to be turfed out. If the Government—and the hon. Lady—believe that the current degree of scrutiny should continue, those who remain will have to shoulder the burden. That is why we think that it is right and proper that the question of remuneration, or at least a mechanism by which it can be properly reviewed, must be written into the Bill.

It is fair to say that the House has confidence in the pay review bodies which have been established for particular groups of professionals such as the armed forces, the police and nurses. We believe that, because they are professional and have a good track record, they could do a professional job in dealing with the requirements of those who will remain in the other place to scrutinise the legislation that will originate from the Government.

I should like to single out the case of one Member of the other place. I do not intend to criticise him, so I have not warned him that I intend to mention his name. Lord Simpson, a Labour peer whom I know only vaguely, is the chairman of GEC and has made a great contribution to our industrial life. In his case, a salary review body may not be required, because he is paid even more than the Lord Chancellor. I doubt that he was paid as much as the Lord Chancellor earned in private practice, but not many people in this country are. He was, of course, the ultimate fat cat.

Lord Simpson—who makes a very big contribution to our national life—may indeed not require so much secretarial support in, or compensation for, contributing

*[Mr. Howarth]*

to the other place. Nevertheless, I tell the Minister that it is on the likes of Lord Simpson and other captains of industry that he and other hon. Members will have to rely to scrutinise legislation proposed by the Government. If we are to ask people like that to play a bigger part in scrutinising, we shall have to deal with how they are remunerated.

Some companies may say, "We cannot afford to lose our chairman for the required hours. Therefore, we shall cut his pay." That chairman may say, "Thank you very much, but I shall not attend. I cannot give up the time." The review body would be properly charged to consider such issues.

In the Committee's proceedings yesterday, the right hon. Member for Berwick-upon-Tweed (Mr. Beith) made an interesting, but disappointingly short, speech. He made the point that some of those in the other place were already sufficiently wealthy and would not need even £37,000 in support. As I was not able to tell him last night, I shall tell him now that those people could follow the example of Cabinet Ministers—with the exclusion, of course, of the Lord Chancellor, who does not apply; he takes his full salary—by forgoing some of their salary.

Simply because we are proposing that there should be a review body to deal with and to make recommendations on remuneration, no remaining life peer should feel required to accept all the money proposed as salary or compensation. Such people could forgo some of it, as Cabinet Ministers do.

**Mr. Gray:** Throughout my hon. Friend's speech, I have been reflecting on the irony of the situation. In town councils, county councils and district councils across the land, the Labour party—ably assisted by their friends, the Liberal Democrats—spends its entire time arguing that councillors are so badly remunerated that they must increase their allowances by attending as many committees as possible. Now, the Government are proposing reforming local government so that many councillors are wholly salaried. Although they propose making those changes across the country, they propose that people in the other place should not be remunerated properly. Is that not ironic?

**Mr. Howarth:** There is some irony in it.

**Mr. A. J. Beith** (Berwick-upon-Tweed): It cuts both ways.

**Mr. Howarth:** I cannot deny that; one has to be straightforward about the situation. However, I know that you would not wish me to go down the route of examining the issue of local government remuneration, Sir Alan, as I would be straying from the subject of the new clause and the amendment.

I have attempted to make a relatively short contribution to our proceedings—*[Interruption.]* The hon. Member for Stoke-on-Trent, South (Mr. Stevenson) should not shake his head. We are debating very serious matters. He sat there and said absolutely nothing. Some of us believe that the legislation is profoundly unacceptable, profoundly wrong and profoundly damaging to our country. The Bill would put nothing in the place of the current upper House. If the hon. Gentleman does not like my speech, let him stand up and say so, rather than sitting there like a silent so-and-so. Does he have something to say? Would he like to intervene? No. Is that not significant? We are debating an issue on which the future government of our country depends, but the hon. Gentleman can only sit there, shake his head and say absolutely nothing.

**Mr. Rammell:** Does the hon. Gentleman agree that Conservative Members' tactics and lengthy speeches are an attempt to filibuster, so that, ultimately, the Government will be forced to impose a guillotine—so that he can cry shame and say that the Government have done something that they should not have done? Is it not simply a naked tactic and an abuse of parliamentary procedure?

**The Chairman:** Order. I have heard enough of that exchange. Let us get back to the substance.

**Mr. Howarth:** Thank you very much, Sir Alan. All I should say is that, were I filibustering, I would be ruled out of order. I am not seeking to filibuster. Labour Members who know me will know that I feel passionately about the issue. If I have spent some time on it, it was merely to try to explain to hon. Members the consequences that would flow from the legislation.

The Committee is considering a new clause and an amendment. I feel passionately about this matter, and have sought to argue, with as much humour as I can command, that the measures would add to the Bill. I therefore hope that the Government will consider very carefully the arguments made in the debate by my hon. Friend the Member for South Staffordshire, by other Conservative Members and, perhaps, even by me. I hope that the Committee will take those arguments into account, and perhaps even respond sympathetically to them.

**Mr. Heald:** One of the arguments that the Government seem to be making is that it is premature for us to discuss salary arrangements for the House of Lords. They seem to be saying, "In the interim House, the Lords will be doing the same job that they are doing now. It is too early to say what the future arrangements should be, because the royal commission hasn't yet reported." It has occurred to me during the debate that that is a typically jobsworth approach.

Earlier in the debate, hon. Members mentioned an American President who was unable to walk down the sidewalk and chew gum at the same time. All too often in the United Kingdom, we take a similar approach—in not doing two things at once. Why cannot the royal commission and the Senior Salaries Review Body work simultaneously, each examining one of the two issues that will have to be decided for the future? One of them—the commission—could consider composition of the House of Lords, and the other could consider what pay and allowances Members of the other place should receive if any of the running options for the other place were to be taken.

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) suggested the option of creating a senate comprised of about 87 members. If we opted for such a scheme, the senators would require very substantial allowances if they were to do their job properly. Anyone

who has been to the American Senate will know that Senators work across such large geographical and policy areas that they require very large staff. When one goes to a meeting with an American Senator, one spends half an hour with a chief staff officer who is in charge of a specific policy issue before spending only 10 minutes with the Senator to discuss broad policy issues. The detail is dealt with by a Senator's staff.

**Mr. Forth:** Will my hon. Friend give way?

**Mr. Heald:** Yes, of course I shall.

**Mr. Forth:** I am grateful to my hon. Friend, who can have 10 minutes with me any time he likes. Does he agree that the issue we are debating cannot be examined in a static environment? Does he agree that both the commission and the review body will have to examine the issue in the context of a Scottish Parliament and possibly—as I should prefer—an English Parliament? Would not an examination within that context put a different complexion not only on a new upper Chamber, but on the role of this place? All those matters would have to be taken into account as the situation developed.

**Mr. Heald:** My right hon. Friend makes a very important point. Many of the duties currently undertaken by Scottish Members will be dealt with by Members of the Scottish Parliament. Therefore, we should examine whether, in future, English Members—who will be performing both sets of duties in this place—and Scottish Members require the same staff and other back-up. The matter will have to be examined. I am not saying that we will necessarily conclude that Members of the Scottish Parliament should not have a very substantial allowance. I am saying that there would be no harm in asking the Senior Salaries Review Body to conduct a very wide-ranging inquiry not only into the situation in Scotland and Wales but, more importantly, in the House of Lords. In parallel with the deliberations of the royal commission, the SSRB should consider the options, including a senate and the proposed interim Chamber, and produce a range of recommendations for the salary and allowance packages in each case.

4 pm

It is wrong for the Government to dismiss the issue. Hon. Members on both sides of the Chamber—particularly Labour Members—voted enthusiastically to increase our office costs allowance to ensure that we had proper research back-up. Is it right to expect the other place to go on as now? The Government cannot have it both ways. If they want a serious House of Lords that has been reformed or changed for the better, they must accept that reducing the number of people engaged in the other place will result in an increasing work load for those who are left. That may mean that more research back-up is needed.

My hon. Friend the Member for Aldershot (Mr. Howarth) talked about busy men who make a living outside the other place and go there to make contributions to debates in the evenings. They will need much more research back-up to be able to continue doing the job properly with an increased work load.

The Government pretend to be keen on Parliament and to want a decent Parliament doing a decent job, although their actions do not necessarily correspond with that. Is it not sinister for them to reduce the numbers in the other place, increase their work load and refuse to give them proper research facilities? Do they want a hobbled House of Lords? There is a strong suspicion that we shall never get to the second stage. We have been pressing hard for it to avoid ending up with a hobbled House of Lords.

**Mr. Miller:** I should like to be clear about which part of the Conservative argument the hon. Gentleman is following. His analogy with the American Senate, made up of 100 people, loosely follows the argument of the right hon. Member for Bromley and Chislehurst (Mr. Forth), which was described by the hon. Member for South Staffordshire (Sir P. Cormack) as absurd. Dividing £39 million among the 87 Senators proposed by the right hon. Member for Bromley and Chislehurst would leave a budget per head of about £450,000. Would that not be enough? Which argument is the hon. Gentleman following?

**Mr. Heald:** The real problem is that, although the Prime Minister said that the duty-free regime should not be replaced until a permanent successor regime had been established, he is prepared to abolish the hereditary peers in the House of Lords with no clear idea of where he is going.

**The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett):** I am unwillingly drawn to intervene on the hon. Gentleman. This is the umpteenth time that I have heard that argument, among the many other ludicrous arguments from the Conservatives. Of all the ludicrous points that I have heard, comparing the replacement of the duty-free regime, which has been under discussion for four or five years, with a debate that has been taking place for most of the century is the worst.

**Mr. Heald:** The right hon. Lady makes my point. How ludicrous that on duty free—an issue of much less importance—the Government say that there has to be a permanent successor regime before the existing one is replaced, but, on the future of Parliament, which is critical to parliamentary democracy and the life of this country, they do not. They just take a pig in a poke and kick the issue into the long grass, waiting to see what the royal commission says. That laughable proposition has put us in this difficulty. I do not know what the royal commission is going to come up with, because I am not on it and it has not yet started its deliberations.

**The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon):** Yes, it has; it has had one meeting.

**Mr. Heald:** I am glad that progress is being made. The only way to speed matters up—which is important—is for the Senior Salaries Review Body, which will have to consider the issue at some stage, to start now rather than waiting for four years, or however long it takes to get the royal commission report. Let us start the work now so that we can make some progress. People in this place should not have to work on the basis that it is a privilege to be here; neither should those at the other end of the Corridor. That is the effect of not giving a proper allowance for decent research facilities in the other place.

*[Mr. Heald]*

The new clause is well conceived. After a good debate in which many important points have been made, I hope that the Government will not come back with the contentious attitude that we have just heard from the Leader of the House.

**Mr. Tipping:** Some serious points have been made during the debate, particularly by the hon. Member for Ribble Valley (Mr. Evans), who introduced it last night. I understand why he is not here this afternoon. He returned to an issue that was discussed on Second Reading—the value of the hereditary and life peers in the other place. Several hon. Members have challenged me and my hon. Friends to support that argument. I have no hesitation in doing so. My colleagues at the other end of the building do a good job. They work hard and we should respect and value what they have achieved over many centuries. However, that does not justify the existing system. There is an acceptance across the House that the system has to change.

We get good value from the Lords. It is important to set the record straight. Life peers and hereditary peers work hard. I should like to give some figures. Some 40 per cent. of life peers attend two thirds of the sessions and 34 per cent. of them attend less than one third. Of the hereditary peers, only 20 per cent. attend two thirds of the sessions and 67 per cent. attend less than one third of the time. I am not criticising anybody. Those are the facts. There are 200 hereditary peers who have never attended.

**Mr. Grieve:** I find it difficult to do the calculations immediately, but I am sure that the Minister can clarify whether those statistics show that the preponderance of day-to-day participation in numerical terms is by hereditary peers. We have tried to address the serious point that a substantial voluntary contribution from hereditary peers has provided the dominating ethos of attendance in the other place.

**Mr. Tipping:** That may be the case. I shall do the sums. However, if the House and the other place pass the Bill, we shall still have a second Chamber with more than 500 Members. That is large in international terms. Those who have spoken in the debate have argued that 500 is not enough to do the important business at the other end of the building. I do not agree. The average daily attendance in the other place is around 400. I have tried to find Divisions involving more than 300 Members in the other place, and that happens most infrequently. The real work load and delivery of the vote are carried by fewer than 300 people.

A number of right hon. and hon. Members have said that all the peers have a bad time and are not well regarded or well treated. The right hon. Member for Bromley and Chislehurst (Mr. Forth) referred last night to peers' poor accommodation. I have some sympathy with that view, and I believe that accommodation in this House could also be better. We need to work on that, but these are matters for the relevant House authorities—they are not within my gift, or that of the Government.

The hon. Member for Ribble Valley talked last night about the rates of pay—in real terms, the expenses that peers receive. He quoted the figures. I will not argue with the thrust of what he said, but he quoted the last set of figures, rather than the current set. However, it makes no real difference. The attendance allowance and expenses are meagre, and I suspect that they will need to be looked at.

Despite the shortage of good accommodation, and despite the rates of pay, there appears to be no problem in attracting candidates. I will remind the Committee of the words of the former Prime Minister, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), on Second Reading. The right hon. Gentleman indulged in patronage and appointed life peers. He made it clear that his acceleration rate was not as high as that of some others.

**Sir Patrick Cormack:** It was a deceleration rate.

**Mr. Tipping:** I am sure that that was the point, and that the right hon. Member for Old Bexley and Sidcup was proud of his achievements. On Second Reading, he said:

"Every time I created one, nine people turned up saying that it should have been them."—[*Official Report*, 2 February 1999; Vol. 324, c. 759.]

There speaks a man who has done the job. I have listened carefully to the debate, and I have not heard it advanced that we cannot find high-quality peers to do the job that we require.

Lying behind the new clause is an assumption that has been made throughout our consideration of the Bill—that the transitional House will be our end goal, and that there will not be a second or final phase. I wish to reinforce a point that has been made perfectly clear—that that is not our intention. We need to deliver and finish the job, and the White Paper indicates the timetable. Some argue that the timetable is too short, while others argue that it is too long. I am not sure of the view of the Opposition, which seems to vary.

**Mr. Winnick:** If the Conservatives believe their own propaganda—and I have some doubts—why should they believe that, if we are willing, as I am, to accept an interim arrangement in which 93 hereditaries remain, that should be permanent? We want all hereditary peers to be removed. Stage 2 is as important to us as it is—so they say—to them.

**Mr. Tipping:** Our manifesto made it clear—as my hon. Friend has reinforced—that we want to see the end of hereditary peers. If an amendment to that effect were tabled in another place, we would oppose it at the moment. However, if that eventually came to pass, it would be a trigger for us to make haste more quickly. The Committee must be clear that we will complete the process.

It has been suggested that a reformed House of Lords will cost more than the present House. I do not deny that costs are important, but the issue was highlighted in the White Paper. We have specifically drawn the attention of the royal commission to costs. In considering the various possible options for the long-term composition of the fully reformed House, it is important to take into account the public expenditure implications. Some will cost more than others—that is a fact. At this stage, we have made no assessment of the additional costs and of whether the House will provide good value for money.

4.15 pm

As the right hon. Member for Berwick-upon-Tweed (Mr. Beith) pointed out last night, the time will come to review costs. That time should be at the end of the long-term review, after the royal commission, when we are clear on the functions and composition of the newly reformed second Chamber. At that stage, it might be appropriate to invite the Prime Minister to invite the SSRB to look at the salaries and expenses of Members of the fully reformed House. That issue would fall properly within the body's remit, and I hope that, at that point, there will be such an examination.

This is not the time to adopt the approach advocated in the new clause. We must be clear where we are going in the long term. We need to ensure that the second Chamber plays a valuable role and that its functions and composition are resolved via the royal commission and the Joint Committee, and via a consensus that we hope we can build up. That would be the point at which to look at salaries. Given that, I hope that the Committee will reject the new clause.

**Sir Patrick Cormack:** The Minister is a reasonable man who tries to show that he has listened to the argument, and tries to respond constructively when points are put to him. For that, we all honour him. Quite honestly, however, he has not responded to the debate at all. Let me put it simply and in words as clear I can muster—if the Bill is enacted, we will have a House of Lords, as from the end of this Session, which will consist of the present life peers.

Incidentally, I must correct the Minister. The Father of the House, my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath), never created or recommended a single hereditary peer.

**Mr. Tipping:** I did not say that.

**Sir Patrick Cormack:** If the Minister consults *Hansard* tomorrow, he will see that, inadvertently, he did.

**Mr. Tipping:** If that is the case, let me correct the record now. That was certainly not my intention.

**Sir Patrick Cormack:** I fully accept that.

We shall have life peers, perhaps augmented as a result of the Weatherill amendment. On the Minister's own admission, they have a heavy work load. I am glad that he paid tribute to the work done in the other place by hereditary and life peers. He said that before—it was gracious of him—and he said it again today.

On the Minister's own admission, there are rarely more than 300 peers in Divisions; upon that 300, the burden descends. He has admitted that roughly half that 300 are hereditary peers—so upon 150 life peers, the burden of scrutiny and manning Committees will descend. We believe that it is wrong to place that large burden on that small number of people without asking the Senior Salaries Review Body to consider their remuneration.

The Minister made half a concession when he readily admitted that there would be a time when it would be appropriate to refer the matter, but he must acknowledge that we have ahead of us at least four years with the so-called interim House, and he has himself said that the creation of a new House will depend to a large extent on consensus—he certainly conceded that the speed at which it is created will depend on consensus—so that burden will be placed on those 150 people for an indeterminate and possibly considerable time.

I hope that the Government will reflect on what has been said. Serious and sensible points have been made about the burden and the remuneration for it. I hope that, building on the Minister's half-concession, the Government will consider adding a provision, before the Bill goes to the other place, to enable the review body to be involved.

**Mrs. Beckett:** No chance.

**Sir Patrick Cormack:** The right hon. Lady's interjection is in churlish contrast to the Minister's emollient words. I would prefer to accept the sweet reasonableness of Nottingham rather than the intransigence of Derby. On that basis, I beg to ask leave to withdraw the motion.

**The Chairman:** The hon. Gentleman cannot do that, because he did not move it.

*Question put and negatived.*

**New Clause 14.**

WRIT OF ACCELERATION

'( ) Nothing in this Act shall prevent the operation of a writ of acceleration other than preventing the recipient from becoming a member of the House of Lords.'.—*[Sir Patrick Cormack.]*

*Brought up, and read the First time.*

**Sir Patrick Cormack:** I beg to move, That the clause be read a Second time.

**The Chairman:** With this, it will be convenient to discuss new clause 51—*Claims of peerage and precedence*—

'.— Nothing in this Act shall question the right of the Committee for Privileges of the House of Lords to consider claims of peerage and of precedence.'.

**Sir Patrick Cormack:** I do not want to detain the Committee long on these new clauses, because those that follow are of even greater importance. The new clauses concern the hereditary peerage, but we do not seek through them in any way to revisit—to use the awful American jargon—the argument whether hereditary peers should sit in the other place.

When the Bill becomes law—because of the Government's majority, it will inevitably do so—we shall still have an hereditary monarchy, which the Government defend and accept, and an hereditary peerage. Nothing in the Bill does anything about the hereditary peerage as such and the Bill contains nothing antagonistic to the hereditary principle in itself. Not many hon. Members seriously disagree with the hereditary principle. You, Sir Alan, are an hereditary Haselhurst, and you have taken over from an hereditary Lord. We are all, in our individual capacities, part of that great pageant.

Many people take great delight in the hereditary principle as exemplified in the hereditary peerage, and many life peers take delight in the one hereditary element

*[Sir Patrick Cormack]*

that they have: the choice of a coat of arms. I have had many interesting conversations with Labour life peers about their armorial achievements and how glad they are to have them and to be able to pass them on to their descendants. That is an entirely reasonable sentiment.

I need make no apology for saying that many people in this country take delight in a bit of pomp and pageantry, regarding colour as one of the better attributes of public life. Colour is best exemplified in some of our state pageantry: the state opening of Parliament, trooping the colour and all the rest of it.

New clause 14 deals with the rather arcane procedure of the writ of acceleration. Through it, we seek an assurance from the Government that the procedure will continue. We are not talking about the person who is accelerated to the title sitting in the House of Lords. That is not the issue.

New clause 51 is concerned with disputes over peerages. As we know, there are occasionally disputed peerages, just as there are disputed wills. There was a colourful example only a few months ago when a former Member of Parliament, Colin Moynihan, became Lord Moynihan as the result of an exceptionally colourful legal case. We expect the procedure to continue and the responsibility to remain with the House of Lords.

The new clauses are essentially of a probing nature. I do not believe that the Government intend to change the law in this respect, but we seek an assurance from the Minister.

**Mr. Peter Temple-Morris** (Leominster): After many years of knowing you, Sir Alan, I suddenly realise that I am addressing the hereditary Haselhurst. I never knew that a name amounted to a title, but I am charmed by the colourful description given by the hon. Member for South Staffordshire (Sir P. Cormack), who is no doubt overcome by the romance of the upper House. I am most grateful to him, and to the Opposition generally, because today, amid all the awful lot of talking that we have been engaged in, wonderful creatures about which one had long forgotten have galloped back on to the contemporary horizon.

Even the Scottish peerage looms in amendments that we have not discussed. That is very nice, and I am sure that many people in Ireland are getting terribly excited at the prospect of the Opposition finding a way in an amendment—albeit one that is unlikely to be successful—of reviving their hopes of a title after all these years.

Suddenly, this writ of acceleration has appeared. It just so happened that, through accident rather than erudition, I was one of the few hon. Members who had some vague idea before we started these discussions of what a writ of acceleration was. When, last night, I intimated to my Front-Bench team that I had such a vague idea, I became an instant expert in the eyes of others who were, perhaps, as ignorant as I was before I found out a little about the matter.

I went to the Library to have a word with those who advise and carry out research for us. One approaches such people with some humility. I said to the gentleman concerned, "I want to ask you about a writ of acceleration. I know what it is, but I want to find out more." I expected him then to inform me in great detail about that historical operation, but his face fell and he seemed overcome with the fact that he had no idea what I was talking about. He said, "I'm glad you know what it is, Mr. Temple-Morris, because I haven't the first idea. Please tell me."

The new clause should not be taking up our time, but it provides for some interesting historical discussion. I am sure that the Opposition are itching to get on to the next group of new clauses. Having sat and listened to them for so long on the previous group, I feel that, had they reined in their remarks a little on that group, they might have deserved to get on to the next. As they do not quite deserve that, I shall continue to explore the writ of acceleration, and I hope that many other hon. Members will find the subject most interesting.

The new clause is bogus.

**Mr. Tipping:** I wonder whether the time has now come for my hon. Friend to give other people a tutorial.

4.30 pm

**Mr. Temple-Morris:** I shall do my best, but I do not wish to speak for longer than the occasion demands. The new clause would provide that the writ of acceleration should continue, but the reason for it will not continue. It therefore becomes contemporary nonsense and an historical perversion of the concept.

A writ of acceleration is the use of a junior family title to bring the son, or occasionally grandson, into the Lords, when the father who is the holder of the senior title is already sitting there. That was usually done because the king thought that the son would be handy to have in the Lords, and that could be for reasons of state or reasons of court. Such sons were brought into the House of Lords while their fathers were sitting there. Because such families tended to bristle with various titles as they ascended through the peerage—they also assimilated titles through marriage—the king often deemed it a waste of time to create a new peerage for the son, and he therefore took one of the courtesy titles belonging to the family. He was then accelerated into the service of the state.

The device has been seldom used over the years. Before the time of Henry VIII, it was quite popular, but, as mediaeval times passed, it was used less. Lord Cranborne—who is in a position to do some contemporary good, although his previous track record on Lords reform is not all that it might be—decided, for his own reasons, that he could do without a life peerage. I had no clue what a writ of acceleration was until Lord Cranborne decided to enter the House of Lords, having left this place after two Parliaments, and to take one of the Cecil family's old hereditary titles—Baron Cecil of Essendon, which was created in about 1601. He sits in the House of Lords in splendid anonymity as Lord Cranborne, which is a courtesy title in its own right.

I do not know which of my former hon. Friends has trawled round to dig this concept up, but the new clause is utterly pointless. No one can be accelerated anywhere if there is nowhere to accelerate them to. The new clause would merely create, for no reason, more than one active peerage in a family when there would be nothing to be active about. The families to which the new clause would

apply are in the upper echelons of the peerage, as the hon. Member for South Staffordshire knows perfectly well, and they are all bristling with courtesy titles anyway.

**Mr. Grieve** *rose—*

**Mr. Temple-Morris:** I cannot resist giving way.

**Mr. Grieve:** The hon. Gentleman is the very embodiment of the hereditary principle, because he has a double-barrelled surname, which suggests that somebody had a hereditary interest at some point in his forebears' past. There is one possible application of the writ of acceleration in future—if the eldest son of an existing hereditary peer were to be made a life peer. He would not be able to use one of the courtesy titles of his family when sitting in the House of Lords. The retention of the writ of acceleration would allow him to use a family title even though the hereditary peerage no longer existed.

**Mr. Temple-Morris:** The hon. Gentleman is a friend, if no longer an hon. Friend and, with all respect, he must realise that this is 1999 and we are working on the abolition of the House of Lords as it stands at present, which many of us have advocated for a long time. We do not know what we will end up with, but the membership of the House of Lords, and the whole concept of the peerage, will be dramatically changed. The last thing we want, with all respect to Lord Cranborne, is to have a lot of accelerated people wandering around among those who may be in part appointed and in the main elected. We are dealing with two different worlds, but so much of the comment from the Opposition belongs firmly to the world that is past. Having said that, it is enjoyable to talk about it.

The loss of the concept of writs of acceleration is nothing to be upset about. The families involved do not need to be accelerated anywhere, and the senior ranks of the peerage already have below them two ranks of courtesy titles for their sons and grandsons. That will go on, because nobody will disturb it, but it will no longer be related by automatic right to the legislature and these Houses of Parliament. That reform is long overdue.

New clause 51 deals with the right of the Committee for Privileges of the House of Lords to consider claims of peerage and precedence. It is totally unnecessary, because the Bill—which is an interim Bill, anyway—will have no effect in that area. The new clause is pointless in relation to the Bill, but it will be relevant to phase 2. I am grateful to the Opposition because so much of what they have said will be relevant to phase 2, although they have raised it during phase 1. The structure of the Committee for Privileges is a good example of what will have to be dealt with in phase 2 of the reform of the House of Lords. Obviously, the new upper House will have a Privileges Committee, but it will no longer consider issues to do with the hereditary peerage and matters of precedence. Those issues will have to be considered elsewhere, along with many other appendages of the House of Lords that will no longer be relevant.

**Sir Patrick Cormack:** That is true, but the hon. Gentleman must remember that we are dealing with an interim stage of indeterminate length. The hon. Gentleman has had a good run and said some interesting and amusing things, but we have tabled the new clauses to try to obtain some assurances from the Government about the interim period.

**Mr. Temple-Morris:** The hon. Gentleman is asking for something that depends on something that is not in the Bill. The Government have included nothing in the interim Bill that means that the hon. Gentleman's question needs to be asked. The new clauses are, therefore, completely unnecessary. In the House of Lords of the future, the issues of privilege and peerage will be separated. The Committee for Privileges will have to be reconstituted, because at present, it is a mixture of life and hereditary peers, including any four of the Law Lords. That will need to be addressed when the upper House becomes a more political, reformed and, in no small part, elected House. It has still to be decided whether the Law Lords will remain.

I have enjoyed this little contribution, Sir Alan. I gather that not only are you now hereditary, but I am also, and that has provided a bond between us that we have never quite had before. I did not realise that having a double-barrelled name raised me to that status. I am flattered, but now that the House of Lords is to be abolished, I am too late informed that I might have some hope of inheriting a role in it. It is very sad that the word has come too late.

**Mr. Forth:** The unease I expressed earlier has now increased. The hon. Member for Leominster (Mr. Temple-Morris), who is obviously a close confidant of the Government, appears to know a lot more about stage 2 than any member of the Opposition, and possibly more than any member of the Government. Having said that, I have some sympathy for his remarks.

I want to raise the question of what lies behind new clause 51. It is the new clause that attracted my attention more than any of the others, because it appears to highlight some of the confusion that will undoubtedly face us during stage 1, let alone beyond stage 1. New clause 51 refers to:

"the Committee for Privileges of the House of Lords"

in the context of

"claims of peerage and of precedence."

I accept the hon. Gentleman's remarks about the role of the Committee for Privileges in another place, which is analogous to the role of the Select Committee on Standards and Privileges in this place. One may assume that such a Committee would have to continue in another place, regardless of its structure and even of its function or its composition. In the same way that this place needs a Privileges and Standards Committee because of its unique role, so would any other legislative Chamber. That much is fairly safe common ground.

However, when one comes to matters of peerage and precedence, the picture becomes more complicated, because we are contemplating the role of a Committee involved in matters of peerage and precedence at a time when the structure and nature of peerages are being changed. We are to have different sorts of peerage; some peers—we believe, we are led to believe, we think, I imagine—will remain in the interim House, while others will be outside; therefore, some will be legislative peers, while others will be non-legislative, in rather the same way as baronets have titles, but no legislative role. I think

*[Mr. Forth]*

that I am right in saying, although I stand to be corrected, that, at some time in the dim and very distant past, baronets had a legislative role—but no matter, they have no such role now and we do not contemplate giving them one, unless the Minister is about to inform us that that is to be part of stage 2.

In the context of new clause 51, it might be helpful if the Minister told us more about how he envisages the relationship between the different sorts of peerage that are going to result from the Government's reforms; and about the role that the Committee for Privileges in the upper House will have in that environment of change. Does he believe that that Committee will be secure in its continuing role, or that it might need to change to take account of the different sorts of peerages that will arise? That point is detailed and rather technical, but such are the issues that the Government have to consider seriously. The value of the amendments and new clauses tabled by my hon. Friends is to enable us to look as far ahead as possible.

I shall give a different example, if the Committee will bear with me. I have been allowed to mention in passing, Sir Alan, my preference for a wholly elected upper House. In that context, I accept that we would need a body analogous to the Supreme Court of the United States, because the judicial function of the upper House, as we have always understood it, would have to disappear. That is an example of an extremely important institutional change that would have to take place consequent to changes in the upper House as a legislature. The new clause gives a different, more specific, but nevertheless important example of the sort of thinking that will be needed as we go through the process of change. The issue is important and deserves careful consideration, so I am grateful to my hon. Friends for having raised it in the form of new clause 51.

4.45 pm

**Mr. James Clappison** (Hertsmere): I found the contribution of the hon. Member for Leominster (Mr. Temple-Morris) interesting and enjoyable. I hope that I do not speak as a half-forgotten creature galloping over the landscape, as he put it. Even though a Minister not currently sitting on the Treasury Bench described me the other day as a "young fogey", I do not feel like a young fogey, and I assure the Committee that I have no expectation of inheriting a title or anything like one.

I accept the hon. Gentleman's analysis of the position of writs of acceleration, but I am somewhat perplexed by the conclusion at which he arrives after that analysis. His analysis was that our proposals were pointless, because, after the reforms, there would be nowhere to which anyone would be accelerated; therefore, reform was long overdue and it should all be done away with. That causes me some concern because, although I do not want to present myself as a defender of ancient rights and privileges of the aristocracy and their different titles, I am somewhat suspicious of those who want to modernise such matters. I have no strong feelings either way, but I know that many people derive great pleasure from the contemplation of our country's history, as represented by the hereditary principle and the panoply of titles that goes with it.

The creation of many of the titles may well have been somewhat arbitrary: perhaps Edward III created the rank of duke only because it was convenient for creating the first Duke of Lancaster; and other monarchs created other titles for reasons of convenience and pragmatism. None the less, hereditary titles are part of our history, and I cannot see the point of getting excited about them and trying to root out the phenomenon wherever it occurs. If there is to be any change, I look to the Minister for a careful explanation of whether the Government's reforms will bring any other changes to the way in which the system of hereditary titles operates. If the Government are proposing any such changes, I want to know the reasons why.

**Angela Smith** (Basildon): I thank the hon. Gentleman for giving way, for I have become confused by his argument. I think that he completely misunderstands the position of the Government and of Labour Members. No one has any particular objection to someone holding one, 20 or even 30 titles, if that is what that person wants; our objection is to the fact that a title can entitle a person to take part in the legislative process in the upper Chamber.

**Mr. Clappison:** It is reasonable for the hon. Lady to make that point, but it is not the point that we are currently debating. The hon. Member for Leominster argued that the new clauses were meaningless in view of the changes that the hon. Lady wants; therefore, reform was long overdue and there was no reason not to do away with the whole system. If that is the Government's position, I want to know why they would want to do away with it, because there are many other features of our constitution and the fabric of our national life that might appear pointless and difficult to justify, but give some people a lot of pleasure and are regarded as part of our history.

I do not sit up at night tearing through the pages of "Burkes Peerage" to read about the hereditary peers. If someone derives pleasure from being an hereditary peer, that is a matter for that person; I have no strong feelings either way. However, I know that many people enjoy the contemplation of this country's history, so if there are to be any changes other than those that are necessary to bring about reform of the legislature, I want to hear the Minister explain them.

**Mr. Grieve:** I am grateful to my hon. Friend for giving way, as it will avoid my trying to catch your eye, Sir Alan. The key issue is whether the writ of acceleration allows somebody who would be entitled to an hereditary peerage to take one of his father's courtesy titles if he is appointed as a life peer to the House of Lords. As that has nothing whatever to do with getting rid of hereditary peers, my hon. Friend may agree that it would be wise for the Government to respond to that point at the close of the debate.

**Mr. Clappison:** My hon. Friend makes an important point. I must admit that securing a courtesy title in that way is not something that I have contemplated personally, but it is an important issue for others. Therefore, I am sure that the Minister will want to address it.

I want to move on to the important issues which we will discuss later of who will constitute the new legislature and how we will ensure that the second Chamber is robust and

strong and does its job. However, I am not prepared to let hon. Members—I address my remarks slightly tongue in cheek to the hon. Member for Leominster—who wish to present themselves as being at the cutting edge of new Labour's modernisation to get away with claiming that they are achieving long-overdue reform by doing away with something that is pointless to them, but gives pleasure to others.

**Mr. Fallon:** On new clause 14, the hon. Member for Leominster (Mr. Temple-Morris) did the Committee a service by giving us a brief tutorial about the origins of the writ of acceleration. He certainly educated me: I always thought that a writ of acceleration was used when an elder son wished to serve in the House of Lords—because it was thought that he would serve some purpose by so doing—when his father was too old to serve or did not wish to do so. I did not know that writs were used to allow an elder son to serve alongside his father. I assumed that the writs were designed to enable an elder son who was due to assume his place in the House of Lords to do so slightly sooner because of particular family circumstances, and so on.

**Mr. Temple-Morris:** I thought that I should respond as I have been referred to so many times—I just missed intervening on the hon. Member for Hertsmere (Mr. Clappison). I hope that the hon. Member for Sevenoaks (Mr. Fallon) was listening to my tutorial. My point was that, like the monarchy, peers take their places in the House of Lords for life. That situation will be reformed and changed for the upper House. The question is whether it is relevant for a subsidiary title within a family to be used to accelerate the accession of a son chosen by the king or the Government to the House of Lords. The new clause is totally unnecessary because, when the House of Lords is reformed, the writ of acceleration procedure will fall with it; it is completely irrelevant. I would have thought that any other issues are a matter for the College of Heralds.

**Mr. Fallon:** As the writ of acceleration will fall in the new reformed Chamber, it is important that we understand what is being dispensed with. That is why this little debate on new clause 14 has done the Committee a service.

Turning to new clause 51, the Minister will have to clarify exactly what will happen to the Committee for Privileges in terms of the handling of titles. The legislation abolishes not the hereditary peerage—as the hon. Member for Basildon (Angela Smith) pointed out—but the right of hereditary peers to sit in the House of Lords. Hereditary titles will continue, so claims to them will recur. There are constant squabbles and competing claims for titles within families. Such instances are not as unique as my hon. Friend the Member for South Staffordshire (Sir P. Cormack) might think—I cite the case of Lord Ampthill a few years ago. So long as titles exist, there will occasionally be disputes about who has the proper claim to them.

The Government must explain exactly how those claims will be handled in future. Do the Government intend to allow that role to be performed outside Parliament? Is the Minister suggesting that it might be transferred to some other body, such as the Judicial Committee of the Privy Council or the Garter King of Arms and his team—who knows? At the very least, the tabling of this new clause has enabled the Committee to explore the issue and has reminded us all that, when we start tinkering with the upper House, a range of subsidiary questions emerge that prove that the Government have not thought the measure through.

**Mr. Tipping:** This has been a short but interesting debate on the Bill's effect on the institution of the hereditary peerage. The new clauses in question deal with the specific issues of, first, writs of acceleration; and, secondly, claims to peerage. I take it from the way in which the clauses were introduced that they are of an inquiring and probing nature, and I hope to reassure the Committee in that regard.

Before discussing the new clauses, I shall comment on the effect of the Bill on the institution of the peerage generally—an issue that concerned the hon. Member for Hertsmere (Mr. Clappison) and others.

I should make it absolutely clear that the Bill will not affect the peerages in question. There will be no effects save concerning the House of Lords. The peers will continue to exist. The heraldry, the pomp, the circumstance will still exist. The tourist attraction will still exist. It will remain open to Her Majesty to create hereditary peers, but they will not carry the right to attend and vote in the House of Lords.

The privileges of peerage that do not relate to membership of Parliament will remain. The precedence, ranks, titles, rights to armorial bearings and rules of succession will all remain. That may disappoint some of my hon. Friends, but others, certainly on the Opposition Benches, as well as many on the Government Benches, will celebrate the fact that the rich tapestry will remain.

**Mr. Edward Garnier** (Harborough): Will the Minister advise me on how the new clause would affect the preamble to future Bills? He will notice that they always begin:

"Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal".

Will that need to be changed? At the moment, Lords Temporal include hereditaries and life peers. Must new Acts of Parliament make it clear that the Queen has been advised only by some peers and not all Lords Temporal?

**Mr. Tipping:** I do not envisage change, but I shall check the matter and write to the hon. and learned Gentleman.

**Mr. Grieve:** As the preamble goes on to state that those temporal peers are those

"in this present Parliament assembled",

that is, presumably, already the defining category.

**Mr. Tipping:** We will have to see. These are precise points, which link to the point about the need to consider the effect of the Bill on wider peerage issues. I am fairly confident that there will be no change in the preamble to Bills.

My hon. Friend the Member for Leominster (Mr. Temple-Morris) answered on the issue of writs of acceleration, but I shall reinforce the message. New clause 14 misunderstands what "acceleration" means. It means the issue of a writ of summons to Parliament to the heir

*[Mr. Tipping]*

of a peer who has more than one peerage, to allow him to sit in the Lords. As my hon. Friend said, as there will no longer be an hereditary element, there is no need to accelerate to a destination that no longer exists.

The only purpose of the writ is to confer membership of the House of Lords. It does not create a new title; it gives ownership of the title to the new recipient. Therefore, once hereditary peers are no longer eligible to receive writs of summons in the name of their hereditary peerage, there is no mechanism for issuing the writ. The issue of a writ of acceleration would be the issue of a writ by virtue of an hereditary peerage and, as such, is covered by the Bill.

The hon. Member for Beaconsfield (Mr. Grieve) asked whether a writ of acceleration could be used for a son if his father took a life peerage. Clearly, as the son is not receiving the writ of summons to go to the other place, the matter does not arise.

**Mr. Grieve:** I am sorry to labour the point, but let us take the example of Lord Cranborne. If his right to sit as an hereditary peer were to go and, subsequently, he were made a life peer, he would presumably not be able to take, if he wished to do so, the title of the barony of Essendon. That could be granted only by acceleration—the very thing that will no longer be possible. Will the Minister confirm that that decorative little bit of our past will disappear?

5 pm

**Mr. Tipping:** I will have to take advice on the matter, although my view is different from the hon. Gentleman's. To put it commonly, as they might in Nottingham, Lord Cranborne's title is another gong that he wears, and he is entitled to retain that gong. The key point is that the writ of acceleration is the writ of summons, and if there is nowhere to be summoned to, there is no question of a writ of acceleration. I had hoped to avoid any reference to Lord Cranborne, who has been paid a great deal of attention in the context of this debate.

I shall now discuss the question raised by new clause 51, which concerns the rights of the House of Lords in relation to claims of peerage and of precedence. A former colleague, now Lord Moynihan, was mentioned, among other examples.

I shall try to reassure the House that nothing changes. Difficult cases of claims of peerage will still be referred to the House of Lords for consideration, in the way that claims of Irish peerage continue to be referred to the Lords long after anyone has been able to sit in the Lords by virtue of an Irish title.

Although, under the Bill as it stands, no hereditary peers would be Members of the upper House, the accumulated wisdom of the House on the matter of peerage claims and precedents would still be available. I believe that the only requirement laid down in the Lords Standing Orders for hearing peerage claims is that three of the four Lords of Appeal need to be present. They will remain in the upper House because they will be members of a continuing Committee for Privileges, which will sit on the case.

**Mr. Fallon:** How can the hon. Gentleman assure the House that that will happen? Presumably, it will be for the new House to decide on its own Committees and their functions. How can the Government be sure now that that new House will consider claims to titles that have nothing to do with itself?

**Mr. Tipping:** We are talking of a long historic tradition; a House of Lords Committee for Privileges that has existed and will continue to exist. It may well be within the gift of the other place to change its Standing Orders, but the Bill will change nothing in that regard; that is already within its gift. We intend the Committee for Privileges to continue, with three of the four Lords of Appeal sitting on cases.

As hon. Members know, these are technical and highly legal matters. There is no automatic qualification. The continuing Committee for Privileges will have to exercise its judgment. Given those reassurances on writs of acceleration and on the continuation of the House of Lords Committee for Privileges, I hope that the new clause will be withdrawn.

**Sir Patrick Cormack:** I thank the hon. Gentleman for the manner in which he has responded to this brief debate. I also thank him for his unequivocal assurance on behalf of the Government about the continuation of the peerage and so many of the colourful things that go with it, which obviously mean as much to him as they mean to me and many others.

The Minister may underestimate the difficulties that the Government will face as they move towards establishing their next Chamber, but for the immediate future we are grateful to him, and I beg to ask leave to withdraw the motion.

*Motion and clause, by leave, withdrawn.*

**New Clause 24**

CRITERIA FOR CONFERMENT OF LIFE PEERAGE (NO. 1)

'(1) A person shall not be a member of the House of Lords by virtue of a peerage conferred under the Life Peerages Act 1958 unless he has first declared a willingness to serve as a member of the House of Lords.

(2) The declaration shall indicate a willingness to participate in—

(a) the consideration of Bills and draft statutory instruments,

(b) the study of European Community obligations of the United Kingdom,

(c) the scrutiny of Ministers of the Crown, and

(d) the work of select committees.'.—*[Dr. Fox.]*

*Brought up, and read the First time.*

**Dr. Fox:** I beg to move, That the clause be read a Second time.

**The Chairman:** With this, it will be convenient to discuss the following: New clause 25—*Criteria for conferment of life peerage (No. 2)*—

'(1) A person shall not be a member of the House of Lords by virtue of a peerage conferred under the Life Peerages Act 1958 unless he has first declared a willingness to serve as a member of the House of Lords.

(2) Any such declaration shall be ineffective at the end of the Session of Parliament in which it is made.

(3) Subsection (2) shall not prevent a further declaration being made at any time.

(4) The declaration shall indicate a willingness to participate in—

(a) the consideration of Bills and draft statutory instruments,

(b) the study of European Community obligations of the United Kingdom,

(c) the scrutiny of Ministers of the Crown, and

(d) the work of select committees.'.

New clause 26—*Criteria for conferment of life peerage (No. 3)*—

'(1) A person shall not be a member of the House of Lords by virtue of a peerage conferred under the Life Peerages Act 1958 unless he has first declared a willingness to serve as a member of the House of Lords.

(2) Any such declaration shall be ineffective at the end of the Parliament in which it is made.

(3) Subsection (2) shall not prevent a further declaration being made at any time.

(4) The declaration shall indicate a willingness to participate in—

(a) the consideration of Bills and draft statutory instruments,

(b) the study of European Community obligations of the United Kingdom,

(c) the scrutiny of Ministers of the Crown, and

(d) the work of select committees.'.

Amendment No. 11, in the title, line 2, after 'about', insert

'appointments to the House of Lords and'.

**Dr. Fox:** The new clauses and the amendment have three purposes. The first purpose is to move the debate on to the territory on which I believe the Committee would have preferred it to be from the start of the Bill's consideration—discussion of the role of the interim Chamber and, by implication, the Chamber thereafter.

It is extremely important that we consider the issue in the right order. We believe, as we have said from the outset of debate on the Bill, that first we must consider what Parliament as a whole should do, and what the relationship should be between Parliament and the Executive, the judiciary and Europe. When we have decided what the role of Parliament should be, we can decide what the balance between the two Chambers should be. When we have decided the balance between the two Chambers, and the relative powers and roles of the two Chambers, we can decide composition. That is a logical and sensible way to deal with our constitutional model.

The Government continue with their obsession with composition. The White Paper states in chapter 8, paragraph 1 on page 43:

"Central to the future House of Lords is its composition."

The Government begin every argument with composition, rather than role. The purpose of the new clauses is to set out what we believe the role of the second Chamber should be and to put the debate on a firmer footing.

Secondly, we want to reaffirm our commitment to a second Chamber—not one that is weakened and supine, which effectively leads to single-Chamber government, but a strong and virile second Chamber that will stand up to an ever more mighty Executive, which increasingly has the House of Commons in its grip. At present, the Commons is largely the Prime Minister and Parliament. We need a Chamber that is willing to tackle the Government and engage in serious scrutiny, without the fear of the retribution of the Whips, which is felt to a large extent in the House. That practice has existed for some time, but has worsened in recent years. It is an unhealthy development in a modern democracy.

Along with our commitment to a strong second Chamber, those in that Chamber must have a commitment to the workings of Parliament. If the number of Members of the upper House is to be reduced by the Government's actions through the Bill, it is essential that Members of that House are willing to play a full role in the workings of the House and the duties that will accompany membership.

I take the opportunity to pay tribute to all those who have played an active role in the upper House and who have been willing, for the meagre sums that were mentioned in previous debates, to become engaged in long and arduous debate on behalf of the people of this country—a contribution made not least by many hereditary peers. I wish that, during the many stages of the debate, the Government had been a little more generous in spirit about the fantastic contributions made by many hereditary peers to the process of government. That includes hereditary peers on both sides of the House and on the Cross Benches.

We assume in the new clauses that, if the Weatherill amendment comes to pass, it will be via the Life Peerages Act 1958, and that is how any new life peers will be created. However, I am sure that I am wrong and that there is to be a new mechanism. No doubt the Government will want to clarify that as soon as possible.

The three new clauses are somewhat different, and we shall seek to divide the House on new clause 26, which we believe to be preferable. What do the new clauses suggest that the House should do? Clearly, it should examine Bills, draft statutory instruments, study European Community obligations, undertake the scrutiny of Ministers of the Crown and carry out the work of Select Committees.

I shall begin with Bills. We have had adequate reason in recent times to be grateful to the other place for its detailed scrutiny of legislation. That is a good signpost for the future. We will want Members of a reformed Chamber, whether the interim Chamber or beyond, who are willing to take an active interest in Bills and willing to send back to the House of Commons Bills that they believe to be mistaken and about which we should think again.

Let me give three examples. The Education (Student Loans) Bill was sent back to the House of Commons by the House of Lords, which believed that there was no excuse for treating English students differently from Scottish students or students in other parts of the European Union in respect of tuition fees. It was perfectly legitimate for that to be sent back. We want to keep in the interim House people of that calibre who are willing to take an interest in such a subject.

Peers were willing to send back the Crime and Disorder Bill, because they believed that the provisions on sexual offences contained insufficient protection for minors. The House of Commons thought about the matter again and dealt with it in a mature way. It was valuable to the process of politics in our country that the upper House was willing to do that.

I know that some Labour Members—I can see one, at least—believe in unicameral government. We need a second Chamber to ask us to think again. Few people can

*[Dr. Fox]*

believe that their wisdom is so great that no one else can ever have a better idea. In the White Paper, the Government say clearly that they are committed to a second Chamber, but that second Chamber must be worthwhile, not simply a roll-over-and-die second Chamber.

Perhaps the best most recent example of proper scrutiny was in relation to the closed-list system for the European elections. The upper House, which the Government say has no democratic legitimacy, was willing to stand up for the rights of voters when they were being diminished to give more power to politicians. The number of times that that legislation was sent back to the House was a good example of how an upper House, which is not democratically elected, can have a far better feel for democracy than an Executive who are overcome with the intoxicating effect of their majority.

**Mr. Hoon:** Can the hon. Gentleman give a single example of a Conservative Minister calling for a stronger second Chamber?

**Dr. Fox:** It is always easy for one Government to ask why a previous Government did not do something when they were in power. It was never regarded as a priority. But many Conservative Members have, for many years, believed that there was strong case for reform. In 1968, the Conservative party was at the forefront of negotiations on the House of Lords, and it was the House of Commons that prevented that reform.

I have two personal reasons for being in favour of the reform of both Houses of Parliament. As a Whip in the previous Government, I believed that the Whipping process was too strong. Through the Whips, the Executive had too much power. I still believe that to be true. Moreover, as a Minister in the Foreign Office, I never felt myself to be under great scrutiny by the House of Commons. There is a role, to which I shall come, for the greater scrutiny of Ministers.

One of the advantages of being in opposition is that we have experience of being in government, as well as the rather unpalatable task of being the Opposition. For Ministers to say that, because we did not do something when we were in power it cannot be important, is naive and disingenuous.

**Mr. Fallon:** Before my hon. Friend takes the process of personal self-flagellation too far, will he not totally ignore the role of previous Conservative Governments in strengthening the upper House? After all, it was a Conservative Government who introduced life peerages in the first place.

**Dr. Fox:** There were also the Select Committees, which gave hon. Members a greater say, to which I shall come. Notwithstanding that—I hoped to tread the path between self-righteousness and self-flagellation rather more delicately than I obviously did—experience gives us a chance to consider how the system operates. Many ex-Ministers feel that Parliament does not provide sufficient scrutiny. I know that some feel that more would not be a good idea anyway and would be rather inconvenient for Ministers, but, as we are in an era when we seem to want to apply quality control to everyone else, it seems rather illogical to exempt Ministers of the Crown from the process. When any individual undergoes a period of scrutiny, it provides a better reason to perform well in any particular task.

The second area that we want to consider concerns draft statutory instruments, and that brings us to the question of secondary legislation. Most of our legislation now is secondary legislation. There is a strong argument that the structure of both Houses of Parliament was designed primarily to consider primary legislation. In a system where most of our legislation is now secondary, we must ask whether Parliament fulfils its most basic task, which is the scrutiny of legislation that affects the British people. Serious questions must be asked about the current mechanism for doing so.

There is a potentially dramatically increased role for an upper Chamber to consider secondary legislation. With the best will in the world, that growing volume of secondary legislation, not least that which comes from beyond our borders through the European Union, will require ever more scrutiny.

With regard to the United Kingdom's EU obligations, it is well accepted—I hope that it is on both sides of the House—that the European Communities Committee in the other place is possibly the most effective seriously scrutinising body that we have in this area. In my view, it does its work better than we in this House do. It has the advantage of having less input from the Patronage Secretary and her troops. It will take on an increasingly important role after devolution, when we will undoubtedly be involved in disputes about which part of our parliamentary structure should scrutinise certain aspects of European obligations.

5.15 pm

A good example of that came in our debates on the Lords amendments to the Scotland Bill. We talked about quantitative distribution of international obligations and it became clear that the process of consultation between Westminster and the Scottish Parliament was rather unclear. Those European obligations will have to be scrutinised carefully in the upper House. The Government must take that into account as we move towards the interim Chamber, and the royal commission will have to take that seriously when it discusses a proper and fully operational stage 2.

The third matter under consideration in the new clauses is the scrutiny of Ministers of the Crown. As long as members of the Executive sit in the legislature, and, therefore, as long as there are Ministers in the House of Lords, it is essential that they are scrutinised and questioned. That is especially important because Ministers in the other House are direct appointees of the Prime Minister, are not answerable to the electorate and have immense Executive power without ever being accountable to anyone but the Prime Minister.

As hon. Members on both sides of the Chamber would agree, that is, effectively, presidential government via the legislature. It is essential, therefore, that Ministers are brought to account. The Minister for Trade and Competitiveness in Europe, Lord Simon, and the Minister for Science, Lord Sainsbury, are two good recent examples—I will not go into the politics of that because you would certainly rule me out of order, Sir Alan—

of why we need proper scrutiny of Ministers in the upper House. Without that, we would be failing in our duty to hold the Government properly to account.

My hon. Friend the Member for Sevenoaks (Mr. Fallon) mentioned the strengthening of the House by the Conservatives and identified the setting up of Select Committees as one of the ways in which previous Conservative Governments, when we had large majorities, set about making sure that there was a balance of power and that Parliament was able to have better control over the Executive. I pay handsome tribute to House of Lords Select Committees such as the Science and Technology Committee, which has already been mentioned by several hon. Members, and the Delegated Powers and Deregulation Committee. Those Committees do tremendous work, boosting the reputation of Parliament and improving its workings.

Our Select Committees are one of the finest parts of the institutions of our Parliament, but there is a considerable way to go in strengthening them. There is an appetite in both Houses for Select Committees to be given more teeth to bring the Executive ever more to account. One of the more healthy trends in recent politics is that Select Committee Chairmen have been willing to bear their fangs a little more at the Executive, which is entirely understandable when they are treated with contempt by the Government. For example, the Government say that they will ignore any criticisms made of them by a Select Committee.

For Select Committees to work, the culture governing them must be working properly and the culture of the Government must be governed by a willingness to accept criticism when it is valid.

**Mrs. Beckett:** I am sure that the hon. Gentleman does not mean to mislead the House. I am sure, too, that he is aware of the doctrine on relationships between Ministers and Select Committees, as promulgated by the then Leader of the House, Lord Howe, in 1990. I do not have the words with me, but that doctrine makes it very plain that there is nothing out of the way in Ministers responding to criticism from Select Committees, whether in reports, comment from hon. Members or whatever. Indeed, that is part of the robust relationship between Ministers and Select Committees.

**Dr. Fox:** I absolutely accept that. What I find rather bizarre is the concept that Ministers should criticise Select Committee reports before they are published and should say that, if there is any criticism of the Government, they will not accept it. That is either utter stupidity or utter arrogance. I tend to think that it is the latter.

New clause 24 asks those who are Members of the House of Lords by virtue of a life peerage to make a declaration of willingness to scrutinise, once and for all. New clause 25 asks for that declaration at the beginning of every Session of Parliament and new clause 26 asks for a declaration once every Parliament. Of the three, new clause 26 strikes the better balance and its request is more reasonable.

The Government are obsessed with composition. We should move the debate on to firmer territory. If we are to make progress, and if we are to get anything like the consensus that the Government say in the White Paper that they seek, we must move the debate on to territory on which we can make progress. We must get away from the Government's obsession with composition and deal with the role and functions of the other place. We are talking not about Mickey Mouse changes, but about a fundamental alteration to the way in which we are governed. The nation needs to know what those changes will be.

The new clauses set out in more detail than anything the Government have produced what an interim Chamber should be doing. I ask my colleagues to support the new clause in the Lobby.

**Mr. Fallon:** I congratulate my hon. Friend on his ingenuity in finally bringing the Committee round to the subject that should have occupied us from the beginning—the functions of the Chamber that we seek to reform. I compliment him on his further ingenuity in offering the Committee three variations of the new clause. Like him, I much prefer new clause 26, which is slightly less bureaucratic than new clause 24, and avoids some unnecessary form filling.

It is essential that we begin with the assertion of exactly what the upper House is supposed to do. We would want to do that anyway if we sought to reform its composition, but we want to do it all the more because we see in the White Paper the first shadowy outline of the type of second Chamber that the Government would prefer. It is clear from chapter 7 of the White Paper that the Labour party would prefer a weaker House. The Government make that explicit. They talk about powers that might be used more frequently, but should be reduced. They suggest that the delaying power should be reduced, so that the power of the upper House to ask us to think again should not result in a Bill being delayed as long as it can be now. They even suggest that the ping-pong legislative procedure at the end of each Session should be curtailed, so that when the other place asks us to have second thoughts it will not have the leverage that it has at present when a Session of Parliament is expiring.

**The Chairman:** Order. I must help the hon. Member and the Committee. The debate on the new clause cannot be widened into a general debate about the functions of the House of Lords. The issue must be referred to only in the context of the job specification for life peers in the terms of the new clause. The hon. Member has started to go outside that issue, so I ask him respectfully to come back within the narrow definition that I have given.

**Mr. Fallon:** That guidance is extremely helpful to the Committee, Sir Alan. It is important that we ventilate this issue, because the role of the interim House will be significant when we eventually decide the role of the House after stage 2. There is no point inviting people to serve in the interim House unless we are clear about what they are there to do.

You have rightly ruled out, Sir Alan, any further discussion of what Labour Members think those who will serve in the interim House should do, but I am sure that that does not preclude us from stating clearly in the statute what they will do. My hon. Friend the Member for Woodspring (Dr. Fox) has laid out those functions very clearly. The new clause states that there should be

"a willingness to participate in . . . the consideration of Bills".

That will be enormously important in the interim stage, not least because, if the Government want a weaker House on stage 2, those who participate in the interim House will

*[Mr. Fallon]*

do so in the knowledge that only a small number of them will eventually graduate to membership of the House at stage 2. Unless we include in the Bill a clear definition of their role, they may feel cowed and unable to exercise even their present functions properly and without fear. Without such a definition, they may feel constrained: they may feel that they will miss out on the transition to stage 2.

**Mr. Forth:** Is my hon. Friend satisfied that the wording

"shall indicate a willingness to participate"

is strong enough, and is likely to be effective enough? It strikes me that it would be possible to make such a declaration, and do precious little afterwards.

**Mr. Fallon:** Later in my speech, I shall identify a number of respects in which I feel that the new clause is rather modest. As my right hon. Friend says, it is possible that the willingness indicated by the ticking of a box on a form at the beginning of a Session will be no guarantee of the number of sittings that the peer in question will attend. I know that, if there were a league table for attendance, my right hon. Friend would be in the premier division. He is an assiduous attender not just of this Committee, but of our sittings generally.

The drafting of the new clause may need to be examined, but I am sure that, if it is accepted, my hon. Friend the Member for Woodspring will deal with that on Report. Perhaps, when he winds up the debate, he will tell us how "willingness" might be defined.

Let me return to the functions that we are discussing. Unless we reassure Members of the interim House that they have a proper role to play, they will inevitably be overwhelmed and cowed by the need to ensure that they survive to become Members of the stage 2 House. That applies regardless of whether they consider standing for election should all or even part of that House be elected. They will, of course, want to assure those who select them for election that they have been good boys, or good girls, in the interim House—that they have not been too aggressive towards the Executive. It will also apply if they wish to stand for membership of the nominated element of the stage 2 House. I believe that they will feel cowed by the knowledge that the Government want a weaker stage 2 House, and that they must not prejudice their membership of that House.

**Dr. Fox:** There is, perhaps, a more pressing reason for the functions of an interim Chamber to be detailed. The interim Chamber may, in effect, be stage 2. Page 29 of the White Paper states:

"If there is consensus, the Government will make every effort to ensure that the second stage of reform has been approved by Parliament before the next election."

Given the difficulty that has been experienced during this century in securing any form of consensus on reform, there is a good chance that the interim Chamber will become at least a semi-permanent Chamber, and there is, therefore, all the more reason to detail what it will do.

**Mr. Fallon:** That is another powerful argument in favour of the new clauses—so powerful, indeed, that I begin to puzzle why my hon. Friend did not include it in his speech.

I have studied these matters for some time—ever since the publication of the Home report in 1978—and I have never believed that any interim House could become the stage 2 House. I think it was Freud who, when told that the Russian revolution would begin a period of chaos that would eventually lead to a paradise on earth, replied, "I half believe it." I half believe that the Government were originally serious about reforming the House of Lords; but, as the process has been unveiled, along with the peculiarly cack-handed way in which they have approached it, it has become apparent that we are likely to be stuck with an interim House for a long time.

**The Chairman:** Order. Freud is dead, and I think that this part of the hon. Gentleman's speech should die with him, because it is well beyond the scope of the new clause.

5.30 pm

**Mr. Fallon:** I apologise, Sir Alan. I fear that my hon. Friend the Member for Woodspring slightly misled me by drawing the Committee's attention again to paragraph 21 of the White Paper, where it is made clear that there is no binding commitment to legislation in the current Parliament. That is why it is important that the Committee should focus on the functions to be undertaken by the interim Chamber.

**Dr. Starkey:** As I understood it, the argument that the hon. Gentleman was advancing before the previous intervention was that Members of the upper House would be incredibly cowed by their need to be selected for either election or nomination. Does that not apply to all Members of the upper House, at least half of whom will be selected by the Conservative party? They will not all be selected by the Government.

**Mr. Fallon:** Those Members will be selected for the interim House, of course, but Members on both sides of the interim House will have to have an eye on their eventual selection for the stage 2 House. We all in the Committee anticipate that the Government will change at the next election, so exactly the same argument will apply to Members on each side of the interim House.

**Mr. Andrew Stunell** (Hazel Grove): Did I understand the hon. Gentleman's argument? Does he feel that membership of the House of Lords should be permanent and not subject to review under any circumstances, with no elected component at any stage?

**Mr. Fallon:** That is not a proposition that I have advanced either today or at any previous sitting of the Committee. What is important is that those whom we now invite to be Members of the interim House should be clear as to what their functions are. That is why those functions are spelled out in the new clauses.

My hon. Friend the Member for Woodspring has hit the nail on the head. Consideration of Bills is obviously a primary function of the upper House. It is all the more necessary that it is exercised properly because of the number of Bills and the haste with which they are pushed through the House. The scrutiny process in the House of Commons has been curtailed by the use of timetable

motions at the drop of a hat. Therefore, it is all the more important that the interim House takes that legislative function seriously.

**Mr. Graham Brady** (Altrincham and Sale, West): I am grateful to my hon. Friend for giving way, not least because I notice that my parliamentary neighbour, the hon. Member for Tatton (Mr. Bell), has recently entered the Chamber. My hon. Friend's point is particularly relevant following an exchange at Prime Minister's Question Time yesterday, when the Prime Minister said that he did not believe in parliamentary scrutiny, and that he believed only in the mandate that his Government had to implement their business. That is precisely why the new clause is so important.

**Mr. Fallon:** You would rule me out of order, Mr. Martin, if I repeated a section from my Second Reading speech, but it was Baroness Jay who let the cat out of the bag. She said that the Bill was all about "modernising government". It is not. The new clause is about ensuring that a reformed second Chamber—there are many arguments for reforming it—has a clear statement as to the functions that it is supposed to perform. Better consideration of Bills, particularly legislation that is rushed through the House of Commons, must surely be one of those primary functions.

On the function in subsection (2)(b) of new clause 26, the study of European Community obligations, the ability of the House of Commons to consider properly the merits of those European Community obligations and the legislation that flows from them is restricted by the terms under which the original Select Committee was set up in 1973; that is why we had to revise our procedures and to set up the two new Standing Committees. Therefore, it is all the more important that we set out in statute the requirement that life peers should participate in the study of European Community obligations.

The third function, the scrutiny of Ministers of the Crown, will be important work for the upper House. The Government have said that, in the second stage House, Ministers might not even have to be Members. They have said that it would be difficult if they were not, but they have not ruled it out. Perhaps there is some fancy continental proposal floating around that Ministers might not need to be a Member of either House. In fact, we have seen an example of that already—Lord Macdonald seems to have floated around in the Government over the past few months without being a Member of either House. Perhaps Ministers from Whitehall might only have to turn up and stand at the Bar of the other place. It is essential—

**Mr. Letwin:** Does my hon. Friend agree that there is a particular need to scrutinise the Ministers in the other place, given the extremely controversial nature of some of them at present?

**Mr. Fallon:** My hon. Friend may be leading me on to political ground, which may be a little outside the scope of the Committee.

What we can say about the Ministers who serve the Crown in another place is that they have not sought election or endorsement. Indeed, many of them have not stood for any sort of public office or even taken the trouble to be a member of the political party that has appointed them. It is all the more important that those unelected crony Ministers should be properly scrutinised. That is why I am delighted to see that function spelt out in subsection (2)(c).

On subsection (2)(d), I am not the first member of the Committee to draw attention to the excellent work of the Select Committees of the Upper House, whether in scrutinising European legislation or scrutinising science and technology. By the way in which they have carried out their work, the noble Lords who serve on those Committees have built a strong reputation for them, both in Brussels and in Whitehall. Their reports are widely respected. It is part of the tradition of the House and we want to see the transfer of the knowledge and experience that have been built up.

When I spoke on the previous group of amendments, I was told that the reason for keeping the Privileges Committee, even though it would be adjudicating on claims that have nothing to do with the current House, is that it has great tradition and has built up a great body of knowledge. That is to be kept for a function that it is no longer necessary for it to discharge, but the Government are happy to see that retained simply because the expertise built up is so great. If that applies to the handling of the Ampthill baby or the various Moynihan babies, it certainly applies to the handling of European legislation.

I am delighted that my hon. Friends have tabled this new clause and enabled the Committee to focus for the first time on the functions that the reformed House will exercise. It has enabled us to bring out the threat to the second Chamber that lies in almost every paragraph of chapter 7 of the White Paper. If we accept the new clause, it will give some comfort to those whom we are [illegible] at very little cost—as we discovered under an earlier group of amendments—to serve us. I urge my right hon. and hon. Friends to support the new clause.

**Mr. Garnier:** I commend my hon. Friend the Member for Woodspring (Dr. Fox) for introducing the new clause and for reminding the Committee of our party's support for the need for a discussion about the role of the interim Chamber and our commitment to a second Chamber. We all know that there is no certainty about the length of time that the second Chamber will last in its interim form. I believe that I am right in saying that, if there are members of the Committee who want a unicameral legislative system, they are to be found on the Labour Benches, not the Conservative Benches. It may well be that not many Labour Members desire a unicameral system.

**Mrs. Beckett:** The hon. Member for Hertford and Stortford (Mr. Wells).

**Mr. Garnier:** I am corrected by the Leader of the House. I gather that my hon. Friend the Member for Hertford and Stortford is in favour of a unicameral legislative system. Be that as it may, he is very much in the minority. As he is not in the Chamber, he should be able on another occasion to explain the reasons for his preference.

I fully endorse the need for a second Chamber, and for a strongly equipped second Chamber that will perform all the functions stated in new clause 24. I shall deal with those duties in a moment. First, however, I have a couple of queries, with which my hon. Friends the Members for Woodspring and for West Dorset (Mr. Letwin) or the Minister may be able to deal.

*[Mr. Garnier]*

We should examine the functions of the interim second Chamber in the light of the constitutional disposition that is shortly to come into effect. As my hon. Friend the Member for Woodspring pointed out, a new Parliament in Scotland and Assemblies in Wales and in Northern Ireland have been established. The Committee would be far better employed working out the proper relationship of the constituent parts of the Union, their relationship to the United Kingdom Parliament and the governmental systems of the European Union that have some effect on our deliberations before we consider the composition of the membership of the second Chamber—which, as my hon. Friend quite correctly said, seems to be the Government's primary concern.

The Government have yet to tell us what they believe is the proper relationship between the two Houses of Parliament, or the relationship of the Scottish Parliament, the Assembly of Wales, the Northern Ireland Assembly and both Houses of the United Kingdom Parliament. We have yet to hear from the Government what they believe is the proper place of the United Kingdom Parliament in the United Kingdom constitution.

The Government have yet to tell us also what they want the second Chamber to do, in either its interim form or its final form, whenever that may come. I agree with my hon. Friend the Member for Woodspring that we need a strong second Chamber that is able to hold the Executive to account. Under our current constitutional arrangements, the Government may appoint Ministers from both Houses, and both Houses are able to question Ministers. Of course, whether they receive answers is another matter.

The Minister of State, Lord Chancellor's Department and I have had our little disagreements about his ability to answer questions and to allow himself to be held to account. Perhaps, when attempts were made to hold the Government to account, he would be encouraged to answer questions more satisfactorily if he were not only available to be cross-questioned in this Chamber and in the Select Committees of the House but required occasionally to attend the second Chamber to answer questions. Perhaps future constitutional academics, and we politicians, will have to consider that matter.

Equally, perhaps better scrutiny of Government could be achieved if Ministers who are appointed by the Prime Minister to the other place are available for scrutiny also in this place.

**Dr. Starkey:** Will the hon. and learned Gentleman be making those points in a submission to the royal commission—which is considering precisely those issues on the role and functions of the second Chamber? Is he not pre-empting that consideration?

5.45 pm

**Mr. Garnier:** This is the House of Commons. One reason why I was sent to this place by my constituents was to discuss Government legislation. We are here to discuss the Bill, which, sadly—with some honourable exceptions—most Labour Back Benchers have not condescended to come and support with their words.

**Mr. Letwin:** Does my hon. and learned Friend agree that the comment of the hon. Member for Milton Keynes, South-West (Dr. Starkey) betrays the fundamental disposition of Labour Members to assume that they do not need to worry about the functions of the interim Chamber? They want to leave all that to the White Paper, but the long-term plans may never come about.

**Mr. Garnier:** I was thinking in Committee yesterday evening that it seemed to many Labour Back Benchers that the White Paper, not the Bill, was the legislation.

**Mrs. Beckett:** Has it not struck the hon. and learned Gentleman or the hon. Member for West Dorset (Mr. Letwin) that perhaps my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) was smart enough to spot that the Government do not propose any change to the functions or power of the interim House?

**Mr. Garnier:** If that is the case, more's the pity. The current second Chamber is diffident about using its powers to scrutinise and amend Government legislation. That has been the case under this Government and under the previous Conservative Administrations of my right hon. Friend the Member for Huntingdon (Mr. Major) and my noble Friend Baroness Thatcher.

**Mr. Stunell:** The hon. and learned Gentleman has made an interesting point. What is his evaluation of whether the upper House was more inclined to give serious scrutiny to Conservative legislation or to the legislation of the current Government?

**Mr. Garnier:** I do not have the figures at my fingertips, but many Conservative Bills were given serious scrutiny by the House of Lords. The rights and remedies available to the House of Lords under the constitution and the precedents and traditions of our country are not sufficiently used for fear of offending the elected House. There is nothing wrong with that, because we are the elected Members and the Labour party has a majority in this House, by a huge chalk. It is permissible for the House of Lords to restrain itself. However, if we are revisiting the workings of our constitution, are we not entitled to invite the Committee to apply its mind to the proper functions of the second Chamber in its interim form and in its permanent form, if there is to be one? The proposals in the new clauses on the job specification of the Members of the second House are worthy of consideration.

**Mr. George Stevenson** (Stoke-on-Trent, South): I have listened with great interest to many speeches, particularly that of the hon. and learned Gentleman. The new clauses talk about a declaration of a willingness to serve. What criteria would he use to judge whether that willingness had been made a reality? Does he envisage a penalty being imposed on those who did not make such a declaration?

**Mr. Garnier:** I congratulate the hon. Gentleman, who must have very good eyesight. That is the next point in my notes. I said at the start of my speech that I wanted to draw to the attention of my hon. Friend the Member for Woodspring two points of concern about shortcomings in new clause 26, which I am otherwise happy to support.

My first concern was the lack of sanctions for failure. The hon. Member for Stoke-on-Trent, South (Mr. Stevenson) asked what sanctions or penalties would

be available to the second Chamber if a Member of that House, having made a declaration to the effect that he was willing to serve under the terms of the new clause, failed to abide by that declaration. Would it be open to the second Chamber to expel him? Would it be open to the Government—or the Prime Minister who had recommended to Her Majesty that the Member be granted a life peerage to sit in the House—to withdraw the life peerage? Those matters need to be considered. It would have been useful for the Committee to hear more about the matter, but that does not vitiate the good sense of the thrust of the new clause.

**Mr. Stevenson:** Will the hon. and learned Gentleman address the first question in my previous intervention? What criteria does he envisage being established to determine whether the call for a declaration of a willingness to serve has been made into a reality?

**Mr. Garnier:** We are talking about a hypothetical situation.

**Mr. Stevenson:** No, we are not.

**Mr. Garnier:** If the hon. Gentleman will have the patience to listen to the answer to his fair question, he will see that we are talking about a hypothetical position, because the measure is not yet in effect. One would have to look at the new clause criteria and see whether any given Member of the second House had complied with the willingness declaration. Had he or she given sufficient attention to the workings of the second Chamber in relation to the consideration of Bills and draft statutory instruments? Had he or she given sufficient attention and time to the study of the European Community obligations of the UK, the scrutiny of Ministers of the Crown and the work of Select Committees? Many things are easier to recognise than to define and, in the event of a Member of the second Chamber failing to come up to scratch in relation to the declaration of willingness, the other place would find mechanisms for bringing him or her to book.

My complaint is that those mechanisms are not spelled out in the new clause. Although the new clause in itself is not to be undermined on that basis, it would have been a better new clause if the details had been included.

**Mr. Brady:** Does my hon. and learned Friend consider that, even without sanctions, the inclusion of the new clause would have the benefit of dealing with a problem raised by my hon. Friend the Member for Sevenoaks (Mr. Fallon)—that there would be a premium on the silent Member of the interim Chamber who might wish to be appointed to a subsequent Chamber? The new clause would make it difficult for a Government to choose the Members who had done and said nothing to go on and serve in any ultimate Chamber.

**Mr. Garnier:** I take my hon. Friend's point, which he made more eloquently than I might have.

**Mr. Andrew Love** (Edmonton): The hon. and learned Gentleman said that he felt that the new clause had a problem, in that it failed to include any sanctions. Types of sanction have been suggested, but the hon. and learned Gentleman has not stated any view on them. Before you leave the issue, you should give your wisdom to the Chamber in terms of appropriate sanctions.

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Order. I always deliver wisdom to the Chamber.

**Mr. Garnier:** You have done so again, Mr. Martin.

I find new clause 26 generally acceptable, but it has one or two deficiencies. There is an omission regarding the Law Lords—the Lords of Appeal in Ordinary—who at present are life peers and Members of the other place, and are entitled to vote and speak on matters outside their remit as judges of the highest court in the land. I am marginally concerned that the requirement to declare a willingness to be involved in the matters listed in subsection (4)(a), (b), (c) and (d) may in some way affect the independence of the judiciary.

**Mr. Letwin:** My hon. and learned Friend is making a serious point. I hope that he will accept that it was no part of our intention to suggest that there should be any such prejudice to the Law Lords' neutrality. Of course, we assume that the Standing Orders would reflect that, in defining such participation by the Law Lords as neutral.

**Mr. Garnier:** I am pleased to have that assurance. I am not surprised, because, if our party stands for anything, it stands for the independence of the judiciary.

**Mr. Rammell:** I was fascinated to hear the hon. and learned Gentleman lauding the Conservative party's commitment to the independence of the judiciary. Is that his party's view on General's Pinochet's case, which is being adjudicated in the other place?

**Mr. Garnier:** I will not answer that question. That was an unworthy intervention. In expecting me to answer, the hon. Gentleman seems to suggest that the Committee should have some role in influencing the Judicial Committee in reaching its decision in the extradition case. He will have to await the judgment of the other place. I am not prepared to express an opinion about that matter in this forum.

There is an unmet need to define the relationship between the two Houses of Parliament and the new devolved bodies in Northern Ireland, Wales and Scotland. I want to be sure that the Judicial Committee of the other place, or that body in its other guise as the Judicial Committee of the Privy Council, will be entitled to carry out its work in arbitrating differences between, for example, the Scottish Parliament and the United Kingdom Parliament.

We must anticipate that there will be constitutional tensions between the devolved bodies and the United Kingdom Parliament. Equally, there are already tensions between this place and the European Parliament and the constitutional arrangements of the European Union. There may also be tensions between us and London's new mayor and assembly, but I am not so worried about that.

We need an arrangement that protects the ability of the Judicial Committee to arbitrate on such matters. A jurisdiction may grow up that provides a body of law; the independent judiciary and the constitutional court

*[Mr. Garnier]*

which may develop should be uninfluenced and uninhibited by the need for declarations such as those in the new clauses.

**Mr. Letwin:** Given that the Judicial Committee of the Privy Council is specifically given the role of adjudicating devolution issues, we have taken it as axiomatic that, in serving on that Committee, their lordships would be acting not as Members of the House of Lords but as members of that Committee, and hence wholly neutral.

6 pm

**Mr. Garnier:** The only problem with that point is that they will in fact be Members of the House of Lords. We may need to give that aspect of the new clauses further consideration. It may be that we shall be assisted in that by the other place, when it considers this aspect of the Bill.

It is important that we should carefully consider the current constitutional role of the other place and what we hope its future constitutional role will be in dealing with the legal matters to which I adverted. In the past, the House of Lords has performed a vital role as an arbitrator between the justice systems of the Commonwealth and the citizens of its states, and I hope that it will continue to perform that role in the United Kingdom.

**Mr. John M. Taylor** (Solihull): Under the previous Government, I undertook a mission on behalf of the Lord Chancellor's Department to visit several of the jurisdictions in the Caribbean.

**Mr. Forth:** Lucky you.

**Mr. Taylor:** It ill lies in the mouth of my right hon. Friend to begrudge me a trip to the Caribbean, which was non-stop hard work. I never had a moment's relaxation, as I visited all the jurisdictions in the eastern Caribbean—

**The First Deputy Chairman:** Order. I have slackened the reins somewhat, and the hon. and learned Member for Harborough (Mr. Garnier) has talked about the Law Lords, but we must get back to the new clauses, which are more narrow than the subject that the hon. Member for Solihull (Mr. Taylor) is addressing.

**Mr. Taylor:** I apologise to the Committee, Mr. Martin, but I was provoked.

**The First Deputy Chairman:** Order. If the hon. Gentleman is intervening, it is a rather long intervention, and I wish to see the hon. and learned Member for Harborough (Mr. Garnier) back on his feet.

**Mr. Brady** *rose—*

**Mr. Garnier:** You want me back on my feet, Mr. Martin, and I shall obey you. Before very long, I shall get back to my seat, but I wish to express my genuine support for the remarks of my hon. Friend the Member for Woodspring. I do not yet have a firm view about which new clause is better, and whether the declaration should be of a sessional length, a parliamentary length or for life, but I accept the arguments of hon. Friend the Member for Solihull (Mr. Taylor) about the need for declarations to be made. I trust that the Committee will guide me further on the length of time for which they should be made.

I run the risk of crossing you, Mr. Martin, but, contrary to your ruling a moment ago, I think that the role of all Members of the interim House of Lords, in all their guises as legislators and judges, must be considered under new clause 26. On that basis, and having expressed some of my concerns in a gentle, acceptable and interesting way—

**Mr. Forth:** Two out of three.

**Mr. Garnier:** I am always so grateful to my right hon. Friend—I think. I shall resume my seat and invite other members of the Committee to comment on what I have said.

**Mr. Stevenson:** I, too, have suffered provocation. I had not intended to contribute to the debate, but I feel that I must. I have listened to the contributions from Opposition Members and read the new clauses, and one might be tempted to think that they had some superficial attraction. The new clauses seek first to identify what the role of the interim Chamber might be. I repeat that, as I listened to Conservative Members, I felt a certain attraction towards that objective. The second objective is to try to ensure that, whoever might be the Members of the interim second Chamber, there is a written declaration that they are willing to participate in the activities set out in the new clauses.

However, as the debate continued, that superficial attraction turned into a proverbial Irish mist. The activities referred to in the new clauses are important. How do we define them? What are they? Should we not take this opportunity to define them so that there is no risk of the interim second Chamber not knowing what it is about? I listened to the ingenious arguments put forward—indeed, the hon. Member for Woodspring (Dr. Fox) was congratulated by his hon. Friends on the ingenious way in which he had used the new clauses to introduce that important element of definition—but, on at least one occasion, my hon. Friend the Parliamentary Secretary, Privy Council Office intervened to point out that it is not the Government's intention to change the functions currently exercised in the second Chamber. I thought that that was pretty clear.

**Mr. Tyrie:** Is the hon. Gentleman not aware that, by changing the composition of the Chamber, he changes the effectiveness with which the Chamber may exercise those functions? That is the crucial element in the argument that seems to have eluded so many Labour Members, but is so clear to Conservative Members.

**Mr. Stevenson:** I understand the hon. Gentleman's point. Having attended most of the debates, I have listened to the arguments ad nauseam. By the way, I note the disappearance from the Chamber of the hon. Member for Aldershot (Mr. Howarth)—or is he the hon. Member for Cannock and Burntwood? No, he was kicked out of that seat.

I acknowledge the argument about effectiveness, but these new clauses talk not about effectiveness, but about willingness; we are attempting to define the powers

and responsibilities of the interim second Chamber. I acknowledge that there are arguments about how effectively those powers might be exercised in terms of what the interim second Chamber will be, and those arguments have been put forward by many right hon. and hon. Members. On the parts of the new clauses that attempt to identify those responsibilities, I am certain that that matter is important and equally certain that my hon. Friend the Minister directly answered the concerns that were expressed. I have no doubt that my right hon. Friend the Leader of the House will also refer to the matter.

When I referred earlier to the declaration of willingness, I noticed that the hon. Member for West Dorset (Mr. Letwin) nodded, so I assume that he supports that point. However, that aspect of the new clauses is flawed. In an intervention on the hon. and learned Member for Harborough (Mr. Garnier), I asked what criteria would be used to determine whether that willingness was a reality. He was unable to answer, but called in aid the hon. Member for Altrincham and Sale, West (Mr. Brady), who gave a definition that I thought he had plucked out of the air. It is my assertion that, if we were to ask the 30 or 40 hon. Members in the Committee for a definition, we should hear 30 or 40 different definitions.

The new clauses are fundamentally flawed. It is no good talking about hypotheses, as the hon. and learned Member for Harborough did in answer to my intervention. We are talking not about hypotheses, but about new clauses which, if accepted, would appear in the Bill.

What would be a criterion for demonstrating willingness? Would it be a Member's attendance record? Perhaps a Member would be deemed to have shown willingness if he attended a Scrutiny Committee meeting and listened to the discussion. Sometimes one contributes as much by listening as by speaking—I would remind the hon. Member for Aldershot of that if he were present, but he is not. How would one judge those criteria? Would Members have to produce sick notes from their GPs? Would they have to provide explanations such as, "I'm sorry that I could not attend, but I was sick" and "I had a family crisis"? The whole area is a minefield.

I respectfully suggest to the hon. Member for Woodspring that it would be impossible to employ criteria to determine whether a declaration of willingness was real. I challenge the hon. Member for West Dorset—if he intends to contribute again to the discussion—to spell out what those criteria would be. I shall listen with great interest as I contend that that is an impossible task.

If it were possible to arrive at criteria, we would have to consider what penalties might be imposed if no willingness were indicated—as it says in new clause 26. It is not just a matter of willingness, but an indication of willingness. I do not know what that means. I understand what "willingness" and "indicate" mean, but I am not sure what indicative willingness is. I challenge Opposition Members to clarify that point. It is not a hypothetical matter: if the new clauses are passed, they will go into the Bill. We are dealing with reality.

The new clauses seek to do two things to which I referred earlier. First, they seek to define the responsibilities of the other Chamber. My hon. Friend the Minister answered that point and said that there would be no changes. Therefore, that part of the new clauses is not required. Secondly, the new clauses seek to introduce a declaration or indication of willingness. That is simply impractical and impossible and would not stand up to even the slightest scrutiny. That point has not yet been clarified by the Opposition. They have not explained what criteria would be used to determine whether real willingness had been shown or what penalties might be imposed if it was not.

New clauses that appeared to be superficially attractive have proved to be nothing but political posturing. I shall listen carefully to the remarks of my right hon. Friend the Leader of the House, but I hope that the Government will oppose the new clauses. If that is the Government's intention, I shall certainly pass through the Lobby with enthusiasm.

**Mr. Forth:** I rather agree with the hon. Member for Stoke-on-Trent, South (Mr. Stevenson). I think that my hon. Friend the Member for West Dorset (Mr. Letwin) will have quite a job to persuade me and, perhaps, other hon. Members of the viability of the new clauses. I do not question the importance of the subject that has been raised. The hon. Member for Stoke-on-Trent, South is an experienced Committee Chairman and he knows that it is not always sufficient for the Government to criticise Opposition amendments for their technical content. It is possible for the Government, as a matter of good will, to say, "We accept the substance, but would like the amendment to be redrafted." In the ministerial response, I shall look for an indication of how Ministers believe that the substance of the new clauses can properly be addressed. Following the speech of the hon. Member for Stoke-on-Trent, South, I am worried about the ability to translate words such as "participate" into reality.

6.15 pm

By analogy, let us consider this House. Can we imagine setting out to judge Members on participation—to say nothing of penalties? It is a little easier to deal with the point about penalties. This House has a combination of party discipline and the Whips, the Government's power of patronage, the huge attraction of becoming an Opposition Front-Bench spokesman and the ultimate sanction of party selection and the electorate. None of those is available in the other place—at least until my objective of a wholly elected upper Chamber is realised. The point about participation will be rather difficult to get a grip of.

Even if, under the terms of the new clauses, people said, "Yes, I will be a working peer"—I think that that is the general objective—and even if the declaration is made in good faith, how will a judgment be made on whether that declaration will be fulfilled? It does not matter which paragraph of the new clauses we consider. As the hon. Member for Stoke-on-Trent, South said, how are we to account for assiduous attendance in a debate such as this if one has not spoken? Would we have to bob up and down, intervening constantly, just to show that we had been present? Would a record be kept of those who sat on the Benches, as happens in the other place so that Members may qualify for their daily allowance? Let us consider the even more difficult question of participation in

"the study of European Community obligations".

It would be very difficult to get any definitive grip on such matters.

*[Mr. Forth]*

Although I fully support the thrust of the suggestion of my hon. Friend the Member for West Dorset, he has his work cut out if he is to persuade me—and, obviously, the hon. Member for Stoke-on-Trent, South—that the new clauses can work, and that we can find a way in which to measure and monitor such matters, especially participation. We would have to deal with penalties, too. If we found ways of judging, and Members were found wanting, what would happen? What would happen if I signed a declaration and were made a Member of an interim House, but was judged not to have participated adequately?

**Mr. Fallon:** The following might be one test of participation. Would my right hon. Friend say that he had been participating in a debate on these new clauses if he were able to vote for them? Is he participating in this Committee to that extent?

**Mr. Forth:** That raises a series of issues, which my hon. Friend is right to raise. Is the mere act of voting a sufficient indication of participation to satisfy the criteria?

I do not want to labour the point; I wanted to reinforce the remarks of the hon. Member for Stoke-on-Trent, South, which were worth reinforcing, so that my hon. Friend the Member for West Dorset will—I hope—seek to satisfy the Committee on them before we vote. I hope that he can, because I want to support the new clause. However, I shall need further persuading before being able to do so.

**Mrs. Beckett:** The hon. Member for Woodspring (Dr. Fox) opened the debate with an echo of our Second Reading debate in which, having accused the Government of wanting to kick the reform of stage 2 into the long grass, he came up with a long list of things that should have been considered before we did anything at all, which would probably have taken at least 10 years. In tonight's debate, he again said that he thought that this process should have begun with careful consideration, from first principles, of the role of Parliament. He then said that, having given the matter some such consideration, the Opposition strongly believed that there should indeed be a second Chamber.

In that, as in several other matters, there is not much dispute between hon. Members on opposite sides of the Chamber. Much earlier in our debates on the subject, I understood an hon. Member—I shall have to rely on *Hansard* to bring his proper description—to say in an intervention that he was in principle a unicameralist.

**Mr. Garnier:** I believe that it was my hon. Friend the Member for Hertford and Stortford (Mr. Wells).

**Mrs. Beckett:** The hon. and learned Gentleman may well be right, and I am grateful to him. Many Labour Members have said that they are unicameralists, but the Government are not making that case any more than the Opposition are doing so. We therefore begin with common ground in that all or most of us take the view that, to perform its role properly, Parliament needs not only this Chamber, but a second Chamber.

It is slightly sad that we then entered more contentious territory, with the ritual—usually ill-founded—denunciations of the Government, based on dubious statistics or none. However, it would be wise not to detain the Committee on that subject, because it was not germane to the debate; I even wondered whether the denunciations had been put in to flesh out a not very long contribution.

In the course of that ritual denunciation, the hon. Member for Woodspring asserted that the Government should have focused from the outset not on the composition of a second Chamber, but on its role and functions. On Second Reading, my hon. Friend the Member for Liverpool, Garston (Maria Eagle) pointed out that, throughout the decades-long history of discussions on reform of the House of Lords, when proposals were made to reform its role or powers, it was suggested that the composition should be reformed first—and when proposals were made to reform the composition, it was said that we should start with its role and functions, so it seems impossible to satisfy those who are nervous about all reform. We then moved on to the issue of the basic points made—or purported to be made—in the new clauses and the amendment, all of which, as the hon. Member for Woodspring identified, have the same theme, although in slightly different contexts.

Most of us would not disagree with much of what has been said in the debate. The Government are as anxious as Conservative Members to have an effective transitional House and to have a second Chamber of genuine working peers, and I do not believe that anything that has been said from the Labour Benches in these debates or on any other occasion could in any way suggest that the Government do not want an effective second Chamber.

I now make a confession to the Committee that I thought never to make, which may not fall very pleasantly on the ears of the hon. Member for Woodspring. For the first time in my life, I agreed with most of what the right hon. Member for Bromley and Chislehurst (Mr. Forth) said. I hope that I do not hurt the right hon. Gentleman's feelings too much by saying so, but I entirely concur with his argument, which I fear is that, however unexceptionable may be some of the basic points made in the context of these new clauses, they are pointless because they are completely ineffectual.

**Dr. Fox:** I am grateful to the right hon. Lady for giving way. She speaks about an active second Chamber. As guidance to the Committee, can she say whether the Government believe that such a Chamber should be less powerful than the current one, as powerful as the current one, or have more powers than the current second Chamber?

**Mrs. Beckett:** I think that I referred to an effective second Chamber—although the hon. Gentleman may be right, I may have used the word "active" as well. I do not quarrel with it.

The current situation is anomalous in so many ways that it would take a tedious length of time to delineate them. The anomaly rests not only in the composition, but in the fact that the House of Lords, as it is constituted, has a panoply of powers, which it feels impelled to obey a self-denying ordinance not to exercise. All that seems potentially worthy of reform.

The precise nature of those reforms, as the hon. Gentleman knows, is a matter for another day and for another stage of discussion of these matters. I do not

propose to be diverted into them now, even if you allowed me to do so, Mr. Martin, and I am pretty confident that you would not.

**Mr. Tyrie:** Does the right hon. Lady think that the interim House is more likely to be able to exercise the powers in respect of which she says that peers are exercising a self-denying ordinance, or less likely to exercise those powers than the present Chamber? Specifically, does she think that the introduction of more than 100 new Labour peers at four times the average annual rate of appointment this century is likely to lead that Chamber to be more effective in independent scrutiny of the Government, or less?

**Mrs. Beckett:** Yet again, we have an example of the nonsense talked by Opposition Members about these matters, although the hon. Gentleman strays even further than most of the debate has done. I do not envisage the transitional Chamber behaving in any particularly different way from the way in which the second Chamber behaves now.

The hon. Gentleman's second point is ludicrous. First, I am sure that as he has clearly spent some time studying these matters, he is extremely conscious of the fact that my right hon. Friend the Prime Minister has created a number of new peers, only half of whom were creations of our party. The rest were creations on behalf of other parties. Secondly, the hon. Gentleman must be equally aware that, if there were a proposal to make a large number of creations, it would be only in an attempt to remedy the gross imbalance created by decades of Conservative Prime Ministers creating twice as many peers from their own party as from our party, despite their enormous in-built majority among hereditary peers.

**Mr. Tyrie** *rose—*

**Mrs. Beckett:** I do not intend to stray much longer on this point, and I am not sure that you will let us do this, Mr. Martin, but I shall give way again.

**Mr. Tyrie:** What the right hon. Lady says is factually incorrect. Since the introduction of life peers in 1958, no Prime Minister has ever appointed more than half from his own side. It has always been less than half. The present Prime Minister is the first Prime Minister ever to appoint more than half. The current rate is 53 per cent. Is that not a gross breach of all precedent in the appointment of life peers?

**Mrs. Beckett:** I am sure that the hon. Gentleman is well aware of the facts, and I do not know why he is twisting about to deny them. Of the creations that have been made, 40 to 48 per cent. were creations of his party, and about half that for our party, despite the fact that the Conservatives already have an enormous in-built majority among the hereditary peers.

I am conscious of the demands on the Chamber and of the other brief points that I want to make. The provisions in the new clauses are not unworthy, but it would be pretty pointless to put them into effect as legislation because they are ineffectual and they raise as many questions as they answer.

How is the willingness of a Member to serve to be defined? The hon. Member for Sevenoaks (Mr. Fallon) raised that matter. There is no mechanism to check whether the declaration is genuine or just a passport to membership. How would the required standard of involvement be judged on an objective basis? There is nothing in the new clause about that.

As my hon. Friend the Member for Stoke-on-Trent, South (Mr. Stevenson) said in an intervention and in his remarks, there is in the new clause no sanction for failing to meet that standard, even if one could be devised. Although not unworthy, the clause adds nothing to the Bill.

The key point that we are anxious always to bear in mind is that, with the removal of the hereditary peers, the House of Lords will become a more workmanlike place. That is right and proper. It is an aim that we all share. All the aspects of work singled out in the new clause are perfectly worthy in themselves. We recognised the importance of that work in our White Paper. Nothing in our proposals for the transitional House or for the longer term suggests that the Government envisage that those will not continue to be functions fit for the second Chamber to carry out.

6.30 pm

I remind both the hon. Member for Sevenoaks and the hon. and learned Member for Harborough (Mr. Garnier) that the Government do not propose to change the way in which matters are handled. The right hon. Member for Bromley and Chislehurst asked how we could reflect the substance of the new clause. With respect for the worthy motives that might have lain behind tabling it, we cannot reflect its substance because, to be honest, it does not have any.

I am conscious of the fact that Conservative Members are strongly of the view that unnecessary material should not be put on the statute book. It is a view that I share, and that is why I advise the Committee, should the Opposition press the matter to a Division, to reject the new clause.

**Mr. Letwin** : I assure the Leader of the House that we shall push new clause 26 to a vote in due course.

The background to this debate, one of the best that we have had in Committee, is clear, and has become clearer during the Committee stage. First, the Bill creates a second Chamber that poses as interim. By denying Opposition amendments and new clauses, the Government have made it perfectly clear, and in confirming their refusal to produce a timetable made it clearer yet, that they have no idea how long that Chamber will last, and that, for all they know or care, it could be permanent.

Secondly, it has become clear during our debates that there are no measures in the Bill and nothing in the Government's plans to increase the ability of the second House, which the Bill re-creates, to check the Executive, despite the fact that the Government have been wholly unable and unwilling to deny that the greatest problem of our constitution today is the Executive's overwhelming power.

Thirdly, and most importantly, throughout our debates, we have made it ever more clear that, by removing half the working Members of the other place, the Bill goes a long way towards weakening rather than strengthening the second Chamber. It weakens not its official role, but its ability to fulfil that role in reality. It makes it consciously and intentionally a less effective Chamber.

*[Mr. Letwin]*

New clause 9 on salaries and expenses offered the Government another chance to do something to remedy the deficiency that they have brought about by enabling their lordships, reduced in numbers as they will be, to do something about the matter by attending the Chamber more frequently, but the Government rejected that too.

**Mrs. Beckett:** One reason why none of those points was answered in the debate is that none was germane to the debate. The hon. Gentleman is winding up the previous debates that we have already had.

**Mr. Letwin:** With respect to the right hon. Lady, they are highly germane because they form the background to the debate.

The debate on new clause 24 and its accompanying new clauses was the Government's final test, which Ministers and Labour Members have fundamentally and utterly failed.

**Mr. Stevenson:** Will the hon. Gentleman give way?

**Mr. Letwin:** If the hon. Gentleman will forgive me, I shall not, because I am conscious of the time. I shall give way later if I can.

My hon. Friends, who have made many excellent contributions to the debate, have properly castigated their Front-Bench spokesmen for the weakness of the new clauses. They have pointed out that they are less than perfect. My hon. Friend the Member for Sevenoaks (Mr. Fallon), perhaps most notably my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and my hon. and learned Friend the Member for Harborough (Mr. Garnier) have all asked why the new clauses did not have more teeth. I think that the hon. Member for Stoke-on-Trent, South (Mr. Stevenson) made the same point.

We accept that the new clauses are by no means as strong as they might have been, but it is extraordinary that the Leader of the House should argue that it is not proper to have this modest, slight addition to the Bill on the grounds that it is incomplete and imperfect. If incompleteness and imperfection were guarantees of not entering law, and a guarantee that the Government would not wish something to enter the law, the Bill would never have come anywhere near the House. The Government, pre-eminently in Britain's history, are engaged in constitutional reform which, on their own admission, is incomplete and imperfect.

It is extraordinary that the right hon. Lady can summon up the gall to come to the Dispatch Box and argue that, with all the resources at her disposal, she is unable to improve on new clauses which she herself says—I fear that I must doubt the sincerity of her utterance—are unobjectionable in their aims. If they are unobjectionable in their aims, but imperfect in their results and effects, she could, perfectly easily, have introduced better versions. In the spirit of consensus, which the White Paper so magnificently offers, we would of course have accepted such additions to our proposals, but this afternoon and this evening—in particular, during the past hour and a half or two hours of this debate—the Government have not shown the slightest intention of establishing an interim Chamber that will work better than the current Chamber.

We said on Second Reading that the Government's intention was to create a twin poodle. They have poodlised this House; they intend to have a second poodle across the way. If they did not so intend, the last thing that they would have done is reject out of hand modest new clauses that sought purely to create a token—a token that would ensure at least that people were not introduced to their lordships' House merely as a matter of honour.

We sought solely an undertaking from the Government—and an undertaking from the people who will sit in the House of Lords—that the people whom they appoint will seek to fulfil a serious role in a serious Chamber, notwithstanding the fact that the number of working peers will have been halved without the slightest amendment to their conditions, which would have enabled them to go on fulfilling the role. That is a modest requirement. By rejecting it, the Government have amply demonstrated their bad faith in introducing a Bill that does nothing to increase the effective check on the Executive and much to belittle it.

I hope that Conservative Members will come willingly into the Lobby to support those points, notwithstanding the fact that, if we or the Government had been so minded, the new clauses could have been greatly strengthened. In this instance, the best is very much the enemy of the good. We shall vote to support the good, because that is much better than what the Government have been able to produce.

**Dr. Fox:** I beg to ask leave to withdraw the motion.

*Motion and clause, by leave, withdrawn.*

## New Clause 26

CRITERIA FOR CONFERMENT OF LIFE PEERAGE (NO. 3)

'(1) A person shall not be a member of the House of Lords by virtue of a peerage conferred under the Life Peerages Act 1958 unless he has first declared a willingness to serve as a member of the House of Lords.

(2) Any such declaration shall be ineffective at the end of the Parliament in which it is made.

(3) Subsection (2) shall not prevent a further declaration being made at any time.

(4) The declaration shall indicate a willingness to participate in—

(a) the consideration of Bills and draft statutory instruments,

(b) the study of European Community obligations of the United Kingdom,

(c) the scrutiny of Ministers of the Crown, and

(d) the work of select committees.'.—*[Dr. Fox.]*

*Brought up, and read the First time.*

*Motion made, and Question put,* That the clause be read a Second time:—

*The Committee divided:* Ayes 104, Noes 288.

**Division No. 90]** **[6.38 pm**

AYES

| | |
|---|---|
| Ainsworth, Peter *(E Surrey)* | Brady, Graham |
| Amess, David | Brooke, Rt Hon Peter |
| Arbuthnot, Rt Hon James | Browning, Mrs Angela |
| Atkinson, Peter *(Hexham)* | Bruce, Ian *(S Dorset)* |
| Baldry, Tony | Burns, Simon |
| Beresford, Sir Paul | Butterfill, John |
| Body, Sir Richard | Chapman, Sir Sydney *(Chipping Barnet)* |
| Boswell, Tim | Chope, Christopher |
| Bottomley, Peter *(Worthing W)* | |

Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Major, Rt Hon John
Malins, Humfrey
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whittingdale, John
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Woodward, Shaun

**Tellers for the Ayes:**
**Mr. Oliver Heald and**
**Sir David Madel.**

**NOES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Buck, Ms Karen
Burden, Richard
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moore, Michael
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom

Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Willis, Phil
Wills, Michael
Winnick, David
Wise, Audrey
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Noes:**
**Mr. Mike Hall and**
**Mr. David Hanson.**

*Question accordingly negatived.*

*Schedule agreed to.*

*Bill reported, without amendment.*

*Third Reading tomorrow.*

## Points of Order

6.53 pm

**Mr. Michael Howard** (Folkestone and Hythe): On a point of order, Mr. Deputy Speaker. Have you seen the reply of the Foreign Secretary to my hon. Friend the Member for Spelthorne (Mr. Wilshire), in which the Foreign Secretary admits that he was sent and saw the report on human rights of the Foreign Affairs Committee before it was published, and that a draft of the Committee's report on enlargement, which has still not been published, was sent to his office in January and seen by the Minister of State, Foreign and Commonwealth Office, the right hon. Member for Gateshead, East and Washington, West (Ms Quin), but not by him because—I quote from his answer—it "was not controversial"?

Should not the Foreign Secretary be summoned to the House to make a statement about that further astonishing example of his and the Government's contempt for Parliament? Will Madam Speaker widen the scope of her letter of 1 March to the Chairman of the Select Committee on Standards and Privileges to include those latest examples of the Foreign Secretary's ethical foreign policy?

**Mr. Deputy Speaker (Mr. Michael J. Martin):** Order. Those are matters for the Select Committee on Foreign Affairs. *[Interruption.]*

**Mr. Howard** *rose—*

**Mr. Deputy Speaker:** Order. The last thing that I need is for hon. Members to shout. I hope that the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) will not pursue this matter. I have ruled that the question of these leaks is a matter for the Foreign Affairs Committee. It is within that Committee's domain.

**Mr. Tom King** (Bridgwater): Further to that point of order, Mr. Deputy Speaker. When this matter arose on a previous occasion, I asked Madam Speaker to ensure that it would be looked into so that we could have a ruling about whether it is thought to be proper conduct for a Minister to receive, hold and not return, without apology, a Select Committee report. Madam Speaker gave a prompt answer, for which I am grateful, to say that this was—

**Mr. Deputy Speaker:** Order.

**Mr. King:** May I complete this point?

**Mr. Deputy Speaker:** Order. Madam Speaker has already made clear her feelings on the matter. It is now before the Committee on Standards and Privileges. In answer to the right hon. and learned Member for Folkestone and Hythe, I have said that this is a matter for the Foreign Affairs Committee.

**Mr. Donald Anderson** (Swansea, East): Further to that point of order, Mr. Deputy Speaker. It might be for the convenience of the House if I explain the decision that has just been taken in the Foreign Affairs Committee. As the House will know, there was a special report of that Committee which will, as I understand it, pass automatically to the Standards and Privileges Committee.

It is that Committee's report which will ultimately be debatable in the Chamber. On the latest developments, the Foreign Affairs Committee has today started the procedure which is set out clearly on page 670 of "Erskine May". That procedure will now be under way and, as you have already ruled, the matter is still with the Foreign Affairs Committee.

**Several hon. Members** *rose—*

**Mr. Deputy Speaker:** Order. I thank the hon. Gentleman. There is nothing more to add.

**Mr. Quentin Davies** (Grantham and Stamford): Further to that point of order, Mr. Deputy Speaker. Surely a matter of the honourable or dishonourable conduct of Members of the House and the question of the integrity or otherwise of our Select Committee system must be matters of concern to the House.

**Mr. Deputy Speaker:** The House has an established procedure for dealing with matters of this sort. I have described that procedure and I can say no more.

I may have interrupted the right hon. Member for Bridgwater (Mr. King). I will allow him to complete his point of order.

**Mr. King:** My point was not specifically about the Foreign Affairs Committee, but deals with the wider issue of Select Committees. I have raised this matter with Madam Speaker and I simply want to reinforce a point. Madam Speaker has made it clear that she takes seriously the issue of Select Committee reports being given to Ministers who then retain and study them and do not return them to the House, and I believe that she intends to make a ruling. I am asking a simple question. The written answer indicates that two more Select Committee reports have been leaked, and I am simply asking that we follow the same procedure. May I ask you politely, Mr. Deputy Speaker, to refer this matter to Madam Speaker in the hope that she will include this in her ruling?

**Mr. Deputy Speaker:** That will be done because the Foreign Affairs Committee and the Standards and Privileges Committee are looking at this matter.

## DELEGATED LEGISLATION

### Local Government Finance

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

That the Local Government Finance (England) Special Grant Report (No. 41) (HC 218), which was laid before this House on 4th February, be approved.—*[Mr. Hill.]*

*The House divided:* Ayes 281, Noes 94.

**Division No. 91]** **[6.59 pm**

**AYES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Buck, Ms Karen
Burden, Richard
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris

McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Michie, Bill *(Sheffld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Rayner, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Willis, Phil
Wills, Michael
Winnick, David
Wise, Audrey
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Ayes:**
**Mr. Mike Hall and**
**Mr. David Hanson.**

**NOES**

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Heald, Oliver
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Major, Rt Hon John
Malins, Humfrey
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Tredinnick, David
Trend, Michael
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whittingdale, John
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Woodward, Shaun

**Tellers for the Noes:**
**Mr. Stephen Day and**
**Sir David Madel.**

*Question accordingly agreed to.*

**Mr. Nick St. Aubyn** (Guildford): On a point of order, Mr. Deputy Speaker. Last week in this Chamber, the Under-Secretary of State for Education and Employment, the hon. Member for Barking (Ms Hodge), promised that I would receive a written response to my questions about whether the National Minimum Wage Act 1998 (Amendment) Regulations are legal under European Union law as far as they apply to au pairs. As the Government have not bothered to reply, should the House be considering the regulations now?

**Mr. Deputy Speaker (Sir Alan Haselhurst):** That is not a point of order for the Chair. The issue is whether the House approves or disapproves the motion.

### Terms and Conditions of Employment

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

That the draft National Minimum Wage Act 1998 (Amendment) Regulations 1999, which were laid before this House on 16th February, be approved.—*[Mr. Jamieson.]*

*The House divided:* Ayes 277, Noes 73.

**Division No. 92]** **[7.12 pm**

**AYES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Buck, Ms Karen
Burden, Richard
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Meacher, Rt Hon Michael
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Willis, Phil
Wills, Michael
Winnick, David
Wise, Audrey
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Ayes:**
**Mr. David Hanson and**
**Mr. Mike Hall.**

**NOES**

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Beresford, Sir Paul
Boswell, Tim
Brady, Graham
Browning, Mrs Angela
Butterfill, John
Chope, Christopher

Clappison, James
Clark, Dr Michael *(Rayleigh)*
Cran, James
Davies, Quentin *(Grantham)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Key, Robert
Lait, Mrs Jacqui
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Nicholls, Patrick
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Robertson, Laurence *(Tewk'b'ry)*
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Spring, Richard
Stanley, Rt Hon Sir John
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Tredinnick, David
Trend, Michael
Walter, Robert
Wardle, Charles
Whittingdale, John
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Woodward, Shaun

**Tellers for the Noes:**
**Mr. Oliver Heald and**
**Sir David Madel.**

*Question accordingly agreed to.*

TERMS AND CONDITIONS OF EMPLOYMENT

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation,*

That the draft National Minimum Wage Regulations 1999, which were laid before this House on 16th February, be approved.—*[Mr. Jamieson.]*

*The House divided:* Ayes 267, Noes 55.

**Division No. 93]** **[7.23 pm**

**AYES**

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Buck, Ms Karen
Burden, Richard
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Meacher, Rt Hon Michael
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd

Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Rocne, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverhton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Wills, Michael
Winnick, David
Wise, Audrey
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

**Tellers for the Ayes:**
**Mr. David Hanson and**
**Mr. Mike Hall.**

**NOES**

Ainsworth, Peter *(E Surrey)*
Amess, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Browning, Mrs Angela
Butterfill, John
Chope, Christopher
Clappison, James
Cran, James
Davies, Quentin *(Grantham)*
Day, Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gill, Christopher
Gorman, Mrs Teresa
Green, Damian
Hammond, Philip
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Key, Robert
Lait, Mrs Jacqui
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Malins, Humfrey
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Nicholls, Patrick
Paterson, Owen
Pickles, Eric
Randall, John
Ruffley, David
St Aubyn, Nick
Spring, Richard
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Trend, Michael
Wardle, Charles
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*

**Tellers for the Noes:**
**Mr. Oliver Heald and**
**Sir David Madel.**

*Question accordingly agreed to.*

NORTHERN IRELAND

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

That the draft Strategic Planning (Northern Ireland) Order 1999, which was laid before this House on 22nd February, be approved.—*[Mr. Jamieson.]*

*Question agreed to.*

NORTHERN IRELAND

*Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),*

That the draft Energy Efficiency (Northern Ireland) Order 1999, which was laid before this House on 22nd February, be approved.—*[Mr. Jamieson.]*

*Question agreed to.*

## PETITION

## South Downs

7.34 pm

**Mr. David Lepper** (Brighton, Pavilion): I am pleased to have the opportunity to present a petition initiated by Friends of the Earth, south-east office, which is based in my constituency. The petition has 21,000 signatures.

The petition states:

To the House of Commons.

The Petition of Friends of the Earth (South East Office) and others

Declares that they are concerned about the sustainable long-term future of the South Downs.

The Petitioners therefore request that the House of Commons establish a democratically elected National Park style body to succeed the South Downs Conservation Board, with strong planning powers to protect the Downs from damaging new development and to control and manage the huge recreational pressures on the Downs.

And the Petitioners remain, etc.

*To lie upon the Table.*

# Mr. Nicholas Duff

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Jamieson.]*

7.36 pm

**Mr. Stephen Hesford** (Wirral, West): May I first say how pleased I am that my application for this debate was successful in the ballot? It is about my constituent, Mr. Nicholas Duff, who is aged 40. He is a registered disabled person who suffers from the disability of light-sensitive atopic eczema. This year, he has already spent three and a half weeks in hospital due to the condition, which is so severe that he takes nine different types of medication—either creams or internal medication—daily or weekly.

Typically, Nicholas Duff has to stay indoors during daylight hours due to his light-sensitive condition. If he comes into contact with any ultraviolet light that is commonly in daylight, his skin burns. The result appears to be severe sunburn, although such a description underplays the disability from which he suffers. For example, if he walked to his local shop—a matter of a few hundred yards—he would have to stay indoors for days to recover.

A local charity was kind enough to pay for a car that has specially tinted windows, which block out the damaging ultraviolet light. That enables Mr. Nicholas Duff to have a normal life and to get out and about in the daytime. Indeed, if he had to be admitted to hospital in an emergency, or needed to see his doctor at a moment's notice, he could make the journey in his car, since he is disabled, not from getting out and about, but from getting out in the daylight.

My constituent was granted disability living allowance at the higher mobility component rate in about 1990. He was re-examined for that benefit in 1993. In September 1993, the then adjudication officer gave this decision:

"I considered the evidence contained in Mr. Duff's claim form and letter. I also considered the letter from Professor Friedmann.

The evidence shows that Mr. Duff was able to walk but due to his condition was unable to walk outside in daylight without considerable discomfort and skin reaction. Having regard to the evidence before me I found that Mr. Duff therefore satisfied the higher rate mobility component".

In March 1997, Mr. Duff's case was reviewed by the Benefits Agency. At that review, the adjudication officer's decision was to withdraw his benefit. My constituent tells me that, in effect, that withdraws from him the money that enables him to use his car.

In reaching that decision, the adjudication officer said:

"This is because he is not suffering from physical disablement such that he is unable to walk or virtually unable to do so".

That refusal by the adjudication officer was not believed by the local social services or by Professor Friedmann, a leading authority on this disease who is now professor of dermatology at Southampton.

In April 1997, on hearing of the refusal, Professor Friedmann immediately wrote the following letter:

"I must protest in the strongest possible terms . . . this"

disablement is

"sufficiently severe that he has spent many weeks in hospitals and"

requires

"toxic and even dangerous drugs to attempt to get"

his

"condition under control . . . This requires . . . the correct form of protective film applied to the windows to shut out the harmful wavelengths of the daylight. Mr. Duff is completely dependent upon the continued use of his car which is correctly equipped . . . There is, therefore, a . . . strong medical need for this man to have assistance that enables him to maintain his means of mobility. I therefore ask you to reverse this decision".

Mr. Duff applied to have the decision reviewed. I ask my hon. Friend the Minister to examine the process that Mr. Duff then underwent between then and the present day, in early 1999. He had to go through a series of hoops which he should not have gone through, and which only exacerbated his situation.

Mr. Duff applied for a review; it took four months to come about, in September 1997. The refusal was confirmed by an adjudication officer. I became involved at or about that time, and it has taken an average of a month for the Benefits Agency to reply to any of my letters.

One of the delays in the case resulted from the fact that the Duff family were so desperate on refusal of their mobility component that they wrote to the Prime Minister. The Prime Minister's Office wrote to the Department of Social Security, and the Department lost the correspondence. I have on file a letter from the then junior Minister, my hon. Friend the Member for Wallasey (Angela Eagle), profusely apologising for that event.

Mr. Duff went for review towards the end of September 1997. The refusal read as follows:

"Medical opinion states there is no physical cause of any mobility difficulties. I can see no reason why Mr. Duff could not walk a reasonable distance outdoors using appropriate clothing and creams for protection . . . I do not accept that Mr. Duff's disability is physical."

Mr. Duff's family cannot understand how anyone could reach that conclusion having seen Mr. Duff in the unfortunate state in which he often is during the day.

I do not want to overplay the disappointment and distress that that refusal causes, but I draw to the attention of the House the fact that the official note of the adjudication officer's decision shows that he placed reliance on the Benefits Agency medical officer's note of his examination at that time. It was wholly inadequate; I shall explain why in a moment.

Not only did the adjudication officer rely on a wholly inadequate medical opinion, but there was no mention of Professor Friedmann's letter, to which I referred a few moments ago. I know that that letter was on file and was before the tribunal. I am at a loss to understand why the adjudication officer failed to refer to Professor Friedmann's letter of that time. It was one of the reasons why the original adjudicating officer granted the disability allowance in the first place.

On hearing that Mr. Duff had again been refused his disability allowance, Professor Friedmann wrote yet another letter, dated 14 October 1997. He stated:

"This letter is to express my concern at the utterly flippant tone and response in the letter declining to grant the mobility component of Disability Living Allowance to this man—my patient. . . . We do not normally ask for Disability Living Allowance for people with

normal types of light sensitivity. In Mr. Duff's case the condition is much more severe than usual and in fact, little or no protective benefit is obtained from using sunblock creams"—

which were suggested by the medical examiner. The letter goes on to state that

"the use of powerful cytotoxic and immunosuppressive drugs"

is necessary in this case, together with frequent in-patient admissions. Professor Friedmann continues:

"This has probably only been successful because he"—

Mr. Duff—

"has managed to avoid exposure to sunlight. . . Rather short exposures to daylight can cause severe exacerbation of the skin disease which may take weeks to subside. . . For the adjudicating officer to make the comment 'why Mr. Duff could not walk a reasonable distance outdoors using the appropriate clothing and creams for protection' shows a complete misunderstanding of the nature of the condition."

Mr. Duff appealed that decision to the social security disability appeals tribunal. That brings me to another part of my complaint about the system. He lodged his appeal in December 1997, but it was not heard until November 1998—he had to wait almost a year. That is not satisfactory. I bring the matter to the attention of my hon. Friend.

The appeal tribunal confirmed the decisions refusing the benefit. On hearing of the new refusal, Professor Friedmann wrote a third letter, dated 30 November 1998. He wrote:

"I understand that his most recent appeal before the Tribunal was rejected on the grounds that 'he is able to walk'! I feel somehow that an almost wilful refusal to acknowledge the nature of the disability on behalf of people assessing this case has been demonstrated."

I ask my hon. Friend to reflect on that. I understand from speaking to other hon. Members that it is not uncommon for people with disabilities, on being examined, to be wholly dissatisfied with the way in which they are treated at tribunals. They cannot believe that the doctors are unable to understand their condition.

In Mr. Duff's case, the formula of words found by the doctor and repeated by the adjudication officer is inadequate in medical terms, but it is no surprise to Mr. Duff and his family that it refuses disability on the ground that the claimant "is able to walk".

Professor Friedmann's letter goes on:

"The whole point about Nick's case is that he can move about only if he is encased in a capsule that filters the sunlight to prevent the harmful ultra-violet rays reaching his skin. The genuineness of his case is exemplified by the fact that, even as I write, he is now in hospital with a severe relapse of his condition."

He concludes:

"I feel that Nick is one of the genuinely deserving cases."

My hon. Friend the Minister will understand that I do not speak only of Nick Duff's case. Not only did Mr. Duff's father write in desperation to the Prime Minister—my hon. Friend will understand that not just Mr. Duff junior is affected; the whole family is placed under tremendous strain when dealing with such cases—but he wrote to every hon. Member about the case. I am pleased that hon. Members have stayed tonight to show support. I know from seeing their replies that they gave that support to Mr. Duff, and knowing that the House is willing to listen to their complaint and the wider issues has been of tremendous value to the family. Nearly 50 hon. Members replied in a supportive way, and some took the trouble to mention like cases among their own constituents.

Mr. Duff senior wrote to me about an incident which occurred at the end of November, which encapsulates how the strain impinges on the family. Mr. Duff junior was again housebound and Mr. and Mrs. Duff, having been called round, found the carpet around his chair literally covered in skin. He could not stand the complaint and could not stop scratching. When the doctor saw the skin that had been cleaned up, he was amazed at how much had exfoliated. That shows the severity of the condition, if that needed underlining.

I ask my hon. Friend the Minister to reflect on whether the refusal was proper. Looking at some of the cases involved, there seems to be a potential confusion between section 73 of the Social Security Contributions and Benefits Act 1992, setting out the conditions for eligibility for the disability living allowance, and the regulation made thereunder—regulation 12 of the Social Security (Disability and Living Allowance) Regulations 1991. That sets out a slightly different approach for deciding whether a claimant is entitled to the mobility component of the disability living allowance. I do not ask for a definitive answer tonight, but I have told my hon. Friend where I see a potential difference. I do not intend to detain the House tonight by going through those regulations, but I do ask my hon. Friend to reflect on that and look again at the potential difference, particularly as it affects Mr. Duff's case, if not more generally.

7.53 pm

**The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley):** I congratulate my hon. Friend the Member for Wirral, West (Mr. Hesford) on securing this Adjournment debate on an important matter concerning his constituent. My hon. Friend has made a solid reputation for himself as a powerful advocate here for his constituency and his constituents, and his speech this evening will enhance his reputation. I am glad to have the opportunity to respond to his points.

I have read the files on Mr. Duff's applications for disability living allowance, including the letters submitted by his consultant dermatologist, Professor Friedmann. I recognise that he suffers from a severe condition and, naturally, I sympathise with the difficulties that that causes him and his family.

Before speaking about Mr. Duff's case, it would be helpful to the House if I explained the reasons why disability living allowance is awarded. It is not, and has never been, awarded as compensation for disability. Nor is it awarded because an individual has a particular disabling condition. The level of the award is determined by the effect of a person's condition on his daily life—the level of care that the person needs and the effect of the condition on his mobility.

DLA has two components. One is paid in relation to the need for help with personal care. The other, which concerns us in this case, is paid in relation to mobility needs. The mobility component is paid at two rates. The higher rate, which we are discussing, is paid when an individual is unable, or virtually unable, to walk; or has had both legs amputated at, or above, the ankle; or was born without legs or feet; or is deaf and blind; or is severely mentally impaired and has severe behavioural problems. The lower rate is paid when an individual can walk, but needs someone with him to do so.

*[Mr. Hugh Bayley]*

Decisions on awards are made by adjudication officers, who are statutory office holders and are required to make impartial decisions by applying the law to the facts of the individual case, based on the evidence before them. The primary source of evidence, in all cases, will always be the evidence provided by the claimant. However, evidence is collected from other sources such as the claimant's personal carer, a school, a physiotherapist or specialists and consultants involved in the claimant's care, as well as the claimant's general practitioner.

When adjudication officers consider an application for DLA, help and guidance are available from a variety of sources—for example, the "Disability Handbook", which is produced by doctors from my Department's medical policy group in close consultation with the Disability Living Allowance Advisory Board. It explains the effects of a wide range of medical conditions on a person's everyday life and often suggests where the best corroborative evidence could be sought.

All entitlement decisions carry the right of independent review—my hon. Friend the Member for Wirral, West raised that point—and, under review, a claim can be looked at afresh by a second adjudication officer, who can request additional evidence if necessary. If, following a review decision, the claimant remains unhappy, he has the right of appeal to an independent appeal tribunal. As the name suggests, that tribunal is entirely independent of the Department of Social Security. It provides a means of redress for people who feel that their case has been decided incorrectly by the Department. The tribunals are independent of the Government, so it is not open to Ministers to interfere with their decisions.

To summarise the benefit generally, DLA is paid not as compensation, but in accordance with the law, which sets out detailed conditions for entitlement. Claimants are provided with every opportunity to support their claim and to challenge decisions that they believe to be incorrect.

**Mr. Harry Barnes** (North-East Derbyshire): On the general point, and before my hon. Friend the Minister moves on to Mr. Duff's case, he said that one category to which severe disability allowance automatically applies is double amputees; but it did not apply to double amputees a few years ago. I brought to the House the case of one of my constituents, which had many similarities to that of Mr. Duff. My constituent was in severe trouble and was a double amputee. A number of other cases were pressed by hon. Members and an adjustment was made to the law so that it applied to those cases. Mr. Duff may be in a category concerning an unusual area which has not been considered previously. There may need to be an adjustment in the law.

**Mr. Bayley:** My hon. Friend makes a useful intervention and, if I have time, I will refer to it later in my speech. The law states that the higher rate mobility component of DLA is paid to people who cannot or virtually cannot walk. Double amputees are covered for that reason.

I now turn to Mr. Duff's case. Mr. Duff had an award of disability living allowance higher rate mobility component, which was due to expire on 15 August 1997, and he asked for his claim to be renewed. Once the evidence had been studied, the adjudication officer determined that Mr. Duff was no longer entitled to DLA. From the information provided, it looks now as though a mistake was made when Mr. Duff was awarded DLA, and we had to correct that. I recognise that it has caused my hon. Friend's constituent considerable inconvenience and upset, and I apologise for that on behalf of my Department.

I appreciate that the withdrawal of Mr. Duff's DLA has been distressing for him and for his family. I also recognise my hon. Friend's very real concern that the decision in Mr. Duff's case was wrong. I have to say, however, that Mr. Duff's benefit was not withdrawn without proper consideration by the adjudication authorities.

**Mr. Hesford:** Will the Minister consider whether some of these adjudication officers are up to the job? Are they fully qualified to recognise what is in front of them?

**Mr. Bayley:** The adjudication officers are trained to work according to the law. They and the doctors employed by my Department often anger the people whose cases they consider, particularly when they turn down their applications for benefit. Sometimes, that is a natural reaction, but I accept that, on occasions, the way in which adjudication officers conduct their business, although strictly in accordance with the instructions they have been provided, gives rise to offence. My Department is seeking to improve the position. In consultation with bodies that represent disabled people, we are drawing up new programmes for further and additional training, so that those who deal with claims from disabled people are sensitive to the disability on which they are adjudicating.

**Mr. Dennis Skinner** (Bolsover): May I make a quick suggestion?

**Mr. Bayley:** I have only a few minutes left and, in fairness to our hon. Friend the Member for Wirral, West, who raised this case, I should reply to his points. If there is time later, I shall certainly give way to my hon. Friend the Member for Bolsover (Mr. Skinner).

Mr. Duff took full advantage of the system of review and appeal which I have just outlined. Two separate adjudication officers and an independent appeal tribunal have agreed that Mr. Duff is not entitled to the mobility component of DLA because he can walk.

There is case law from the Court of Appeal. In 1996, in the case of Diment and Hewitt—two individuals with serious skin conditions in which the ultraviolet rays in sunlight caused blistering, lesions and irritation—the Court of Appeal agreed that the conditions of entitlement relating to the higher rate of the DLA mobility component were not satisfied because the reaction to sunlight was not related to the act of walking. In addition, it found that entitlement arose only when the severe discomfort was as a result of the physical act of walking.

As to the eligibility criteria for DLA, it has long been accepted that the current tests of the need for help with care and mobility reflect the effect of a disability and the associated extra costs. The criteria are based on the findings of research undertaken by the Office for Population, Censuses and Surveys in the 1980s, which led to the development of DLA.

My hon. Friend referred to a possible discrepancy between the 1992 Act and the regulations. I have looked into that, and I do not think that there is a discrepancy. However, he has asked me to review the matter, and I shall do so. I shall write to him on that point.

My hon. Friend expressed concern about the delay that claimants often face between appealing against a decision on benefit entitlement and getting that appeal heard. He is right to do so. Average waiting times are currently running at around seven months, which is clearly unacceptable. In fact, it is one of the main reasons for the Government's root-and-branch overhaul of the adjudication system, which is well on the way to implementation. The Social Security Act 1998 laid the foundations for a new system, and regulations implementing that will soon be presented to the House.

My hon. Friend mentioned the loss of his constituent's letter to my right hon. Friend the Prime Minister. I accept that that happened, and it should not have happened. I also accept that Mr. Duff's case has not been dealt with well by my Department. Mr. Duff has experienced both delay and mismanagement, and I apologise to him for that. I hope that my hon. Friend will pass on my apologies.

This is not the service that a member of the public is entitled to expect—

*The motion having been made after Seven o'clock, and the debate having continued for half an hour,* MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

*Adjourned at six minutes past Eight o'clock.*

# House of Commons

*Friday 5 March 1999*

*The House met at half-past Nine o'clock*

PRAYERS

[MADAM SPEAKER *in the Chair*]

# Orders of the Day

## Fur Farming (Prohibition) Bill

*Order for Second Reading read.*

9.34 am

**Maria Eagle** (Liverpool, Garston): I beg to move, That the Bill be now read a Second time.

Before making my introductory remarks, I should make a declaration of interest. Since 1 January 1999, I have received staff assistance from the Royal Society for the Prevention of Cruelty to Animals and Respect for Animals in preparing the Bill and dealing with issues arising directly from my choice of subject for my private Member's Bill.

I am grateful for my good fortune—at least, many say that it is good fortune, although over the past few days I have been wondering quite how good it is—in coming so high in the private Members' ballot and so having a chance to present my Bill to the House. Like all those who have had the same opportunity, I spent many difficult hours deciding how to use it. Finally, I decided to deal with a small matter. Fur farming is no longer a massive industry in this country, but it is one that is controversial in many ways: many object to it and believe that it perpetrates cruelty to the animals involved. My Bill would prohibit fur farming in this country.

Fur farming has been going on in Great Britain for 70 years. It began in this country in 1929 and still exists here, albeit in a small way. There are now 11 fur farmers and 13 fur farms remaining, all in England. That represents a precipitate decline in numbers over the past 30 years or so, as, back in the 1960s, there were 700 fur farms. As far as the Ministry of Agriculture, Fisheries and Food and I are aware, the only animal still farmed in this country is mink. Mink are not indigenous to this country, but are natives of north America.

Fur farming is the intensive breeding of essentially wild animals, mink in this country and other animals elsewhere, although until recently fox, too, was farmed in this country. Because the animals have to be kept and bred intensively, they are kept in relatively small cages and are unable to exhibit their natural behaviour. They live relatively short lives in some distress prior to being slaughtered for their fur.

**Mr. James Gray** (North Wiltshire): I am sure that the House will be keen to learn when the hon. Lady last visited a mink farm, how many times she has visited mink farms and how much time she has spent studying mink.

**Maria Eagle:** I have arranged to visit two farms. Since I decided to take up the Bill, I have had some difficulty in arranging to visit a farm.

**Mr. Gray:** None?

**Maria Eagle:** If the hon. Gentleman will allow me, I shall complete my answer. Then, if he wants to intervene again, he can.

**Mr. John Austin** (Erith and Thamesmead): Will my hon. Friend give way?

**Maria Eagle:** I shall finish answering the hon. Member for North Wiltshire (Mr. Gray) and then give way to my hon. Friend the Member for Erith and Thamesmead (Mr. Austin).

I had an arrangement to visit one farm, although it took me some time to get through the obstruction of the British Fur Trade Association, which controls access to mink farms. Since taking up the Bill, I have attempted to visit mink farms and I asked the BFTA to allow me to visit two. It offered a visit to only one farm—a farm in the west country, to which visitors are always taken—and I made it clear that I should be happy to visit that farm. However, the association would not allow me to visit any other farm. I said that I would visit the farm that the trade association wanted me to visit, but only if I was allowed to visit another.

I am happy to say that an arrangement has, at last, been made. I was due to visit one of the farms on Tuesday, but, because of the sudden onset of what I assure the hon. Gentleman was a rather painful medical condition, I had to cancel the trip. However, I hope to rearrange it as soon as possible, and I have every intention of visiting at least two of the remaining farms. That is not a bad percentage, given that there are only 13 fur farms left. Now, I give way to my hon. Friend the Member for Erith and Thamesmead.

**Mr. Austin:** I was merely going to make the point that, although I had never been to South Africa, that did not make it impossible for me to conclude that apartheid was an obscene evil. Has my hon. Friend, like me, never seen bear baiting, but would agree that it is an obscene spectacle?

**Maria Eagle:** My hon. Friend makes a valid point. I want to be reasonable: I recognise that my Bill would make unlawful something that until now has been lawful in this country, and I realise that that, in itself, is draconian. I recognise that I have an obligation to visit fur farms, so I have done my utmost to do so. However, I agree with my hon. Friend that it is perfectly possible to conclude, without having seen it, that that sort of rearing

*[Maria Eagle]*

of wild animals is not acceptable. I believe that, but I assure the hon. Member for North Wiltshire that I shall visit fur farms.

**Mrs. Alice Mahon** (Halifax): I do not believe that my hon. Friend will be invited to the Swalesmoor fur farm in my constituency, which prosecuted Lynx in 1989. The farm was described as a hell-hole, and from what I saw of the conditions there for mink, that description was absolutely correct. The mink were living in their own filth and were self-mutilating. Unfortunately, Lynx lost the court case because, I understand, the judge had a fondness for hunting. The fur farm is a hell-hole, and it still exists. Because of the violent methods that are used at the fur farm, I am sure that my hon. Friend would not be welcome if she tried to visit.

**Maria Eagle:** In view of what my hon. Friend says, I may attempt to visit that fur farm, and I should be happy if she could facilitate a visit. Certainly, the British Fur Trade Association, which represents the farmers, has been unable to facilitate that visit, although I have been attempting for some time to go there.

**Mr. Desmond Swayne** (New Forest, West): May I warn the hon. Lady to strengthen her stomach—indeed, to go with an empty stomach—when she visits a mink farm? I have visited such places.

In respect of what was said by the hon. Member for Halifax (Mrs. Mahon), it is worth noting that many convictions have been secured against the keepers of mink. However, no matter how far access to fur farms for the hon. Member for Liverpool, Garston (Maria Eagle) has been restricted by the British Fur Trade Association, access to the mink farm in my constituency has not been restricted far enough, and disastrous consequences have followed for the natural fauna surrounding it.

**Maria Eagle:** The hon. Gentleman is referring to the fur farm in his constituency that was one of those that suffered from the release of mink, however it was perpetrated. I appreciate his concern, and I shall refer further to the effect of the release of mink.

First, however, I come to the long title of the Bill, which explains as fully as possible precisely what is to be prohibited if the Bill becomes law. The Bill's purpose is:

"To prohibit the keeping of animals with a view to their slaughter solely or primarily for the commercial value of their fur, and for related purposes."

The question of whether the animals are being kept solely or primarily for the commercial value of their fur would be a matter for the courts, and it could be dealt with on the basis of evidence before the courts. I do not seek to define what is kept primarily for that purpose; it is a matter for the courts to decide.

Clause 1 establishes the offence. Clauses 2 to 4 bestow necessary powers on the courts so that they may make the legislation effective. The main purpose of my Bill is to allow the Minister, should he so wish, to establish a scheme under which compensation could be paid to existing fur farm businesses that would have to close if the Bill were enacted.

We are speaking of small numbers of fur farms. As I have said, only 13 remain, and there are only 11 farmers. However, my Bill provides for compensation, as I hope its opponents will note. I do not believe that it is legally necessary to compensate, but it would be preferable to do so. That is why the provision is in the Bill, and I am grateful that the Government have been persuadable on compensation.

**Mr. Douglas Hogg** (Sleaford and North Hykeham): The hon. Lady touches on compensation, saying that it is preferable that it should be paid. Would she answer two points? First, if that is her view, why is the obligation to pay compensation not mandatory? Secondly, losses are defined so as to exclude loss of income. In other words, businesses may receive some compensation, but the main loss that they will suffer—revenue—is put outside the compensation regime.

**Maria Eagle:** I understand those points. There are arguments on both sides of them. They are suitable points for the Committee stage, should the Bill succeed in obtaining a Second Reading. I am sure that those points will be raised in Committee by the Bill's opponents.

As a more newish Back Bencher, I found that obtaining the Government's agreement to having a money order for a private Member's Bill was a sufficiently difficult task without my laying down the law about figures. As the Member promoting the Bill, it is not for me to decide on the precise compensation. The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) can see that the clause sets out a methodology by which to work it out. The Bill also allows for negotiation between the parties over what should be compensated for, and allows for an independent appeals process so that farmers who are dissatisfied about the final determination may appeal to an independent body—the Lands Tribunal. An independent decision can therefore be made on what compensation they should be paid.

I thank the Government for their support in introducing the Bill. It is unusual to allow private Members' Bills to spend Government money, and it was not easy to get the Government to agree to that. I am glad to have their agreement, as compensation is a vital part of the Bill. In due course, when orders are laid, if the Bill becomes law, I trust that the matter will be dealt with amicably and that farmers who lose their businesses will be satisfied. I have every expectation that that will be the case.

In order to define what the Bill is about, I should say something of what it is not about. There has been hysteria among some opponents of the Bill who have sought to suggest that it is the thin end of a wedge that will affect a much wider range of farming. That is not my intention. The Bill is not about banning fur as a by-product. It is not intended to bring about, and nor will it, the banning of the use of fur where fur is a by-product of, for example, food production. Where rabbits, for example, are produced for food, the Bill will not prohibit that.

The Bill is not about banning the production of skins as a by-product of food production. It has been suggested that cattle hide and leather might be banned as a result of the Bill, but that is simply nonsensical. Where animals are produced primarily for food, nothing in the Bill will prevent the use of their skins or fur as a by-product. The Bill is not about prohibiting the wearing, purchase, sale or trade of fur. It will not prohibit other elements of the fur trade.

What the Bill does seek to prohibit is the cruel exploitation of what are essentially wild animals for an unessential luxury item—their fur. Opponents of the Bill will doubtless tell me that others would go further than I do, and that is true. Many supporters of the Bill would like other elements of animal husbandry to be changed. They may wish to see fur banned. Those are matters for them—the Bill is not intended to go along that path.

The Bill is not the thin end of a dangerous wedge. It is narrow in its scope and application. It is a simple, straightforward Bill with simple and obvious objectives. That makes it suitable for the private Member's Bill procedure. I should be foolish indeed to seek to ban the entire fur trade by way of a private Member's Bill. It would require far too many clauses, and opponents would be able to stop me in my tracks.

I aim simply to end a barbaric practice that is already in severe decline. Public opinion is with me, and it has been so for some time. In the latest opinion poll commissioned by the RSPCA, 74 per cent. of those questioned thought that fur farming should be banned. Opposition Members who are disinclined to support my Bill may think that I am pursuing a populist measure, but they should note that 86 per cent. of those questioned thought that the wearing of fur was unacceptable, and I do not seek to ban that.

**Mr. Eric Forth** (Bromley and Chislehurst): Is the hon. Lady saying that legislation can, or should, be justified by opinion poll ratings? Is she prepared to allow that principle to be extrapolated to other issues? If she is, we may explore the idea further later this morning.

**Maria Eagle:** I am grateful to the right hon. Gentleman for his intervention, even if no one else is, and I understand his point. I do not seek to justify the Bill on the basis of opinion polling; I am merely calling to my aid, as one point in my speech, the latest opinion polling.

My overwhelming concerns in introducing the Bill, which I am about to discuss in more detail if hon. Members will forgive me, are animal welfare considerations. Mink, which are farmed in this country, are still essentially wild, not domesticated. They prefer to live alone in the wild and are territorial, ranging over territories between 1 to 3 km wide. They are known to keep a number of dens on their territories and to move between them. They are semi-aquatic animals with semi-webbed feet and therefore like to spend much of their time playing and hunting in water.

It is impossible, in farm conditions in this country or any other, for mink to display their natural behaviour while being kept in small, barren cages. I remind the House that the cages in which mink are typically kept measure merely 90 cm by 30 cm by 30 to 40 cm. Those cages often hold more than one mink. Being kept in that way makes it impossible for mink display their natural behaviour. They react by being stressed.

**Mr. Hogg:** Will the hon. Lady accept that to call mink a wild creature is to overlook the time that they have been held in those conditions? Many generations have been held in captivity and the genetic pool has changed between the existing generation and the wild creature.

Will the hon. Lady further accept that her point about creatures exercising their natural tendencies also applies to chickens, which are kept in battery cages, and many of us find that as objectionable as anything that she has described?

**Maria Eagle:** The right hon. and learned Gentleman makes a point that I had anticipated. Those who do not object to the fur trade argue that mink in captivity are no longer wild. However, there is evidence on both sides of the argument. Mink have been farmed in this country for only 70 years. While there may have been 70 generations of mink in that time, the right hon. and learned Gentleman should consider how long other animals in this country have been domesticated. It has taken thousands of years to breed the typical domesticated animals that we see on farms.

**Mr. Hogg:** The domesticated pig is very different from the wild hog.

**Maria Eagle:** I am interested in the fact that the right hon. and learned Gentleman is able to joke about himself—that is a very endearing feature.

It is not possible to be certain that animals that have been farmed for only 70 years are domesticated. One need only consider what occurs when they escape or are released. They become feral extremely quickly and are perfectly able to survive in the wild. They immediately revert to their natural behaviour. Some of the mink that have been released in the past couple of years have been found, within a day or two, three or four miles away from the farms. They have attacked and killed, as is their nature, local wildlife. There is a great deal of evidence that mink kept in captivity are still wild.

There is clear evidence also that mink in captivity display a far higher level of stereotypical distressed behaviour than other animals—including chickens, which the right hon. and learned Member for Sleaford and North Hykeham mentioned—that are kept in confined conditions. That is why I say that mink are still effectively wild.

Until recently in this country, we farmed fox. Most people would not argue that the fox is domesticated, and when foxes were kept in captivity they displayed an even greater incidence of stereotypical behaviour associated with stress and distress.

**Dr. Nick Palmer** (Broxtowe): Does my hon. Friend agree that most geneticists believe that it is not possible to change an animal's genetic make-up and instinctive behaviour by imposing on particular generations a certain behaviour pattern or even physical changes? Under Stalin, Lysenko tried to propagate the belief that it was possible, and it was very widely discredited after that.

**Maria Eagle:** My hon. Friend's point is interesting, but if he will forgive me I will stick to the subject of breeding animals.

The animals are bred for their fur and its different colours rather than to try to make them more docile. In any event, if it is possible to domesticate an animal, I do not believe that it can be done in only 70 generations.

*[Maria Eagle]*

I am not alone in suggesting that mink kept on farms suffer worse welfare problems than other, domesticated animals. The Farm Animal Welfare Council, which advises the Government on technical and welfare issues, said in 1989:

"Mink (and fox) have been bred in captivity for only about 50-60 generations"—

as I said, it is now about 70 generations—

"and the Council is particularly concerned about the keeping of what are essentially wild animals in small barren cages. The Council believes that the systems employed in the farming of mink and fox do not satisfy some of the most basic criteria which it has identified for protecting the welfare of farm animals. The current cages used for fur farming do not appear to provide appropriate comfort or shelter, and do not allow the animals freedom to display most normal patterns of behaviour."

In my view, it would not be possible to provide sufficiently improved conditions on farms to justify retaining fur farming in this country.

The industry has been declining precipitately, perhaps even more so since the Farm Animal Welfare Council made that statement in 1989. Since then, the number of farms has fallen from 61 to 13. Since 1980, the UK market for fur has declined by 99 per cent. Many owners of fur farms have already gone out of business. Now is the time to deal with the remaining 13 farms, pay proper compensation to those farmers and end the practice.

**Mr. Gray:** The hon. Lady is right to say that fur farming in the United Kingdom has declined hugely in recent years, but is she not aware that the use of fur and its farming around the world has significantly increased in that time? As recently as this morning, *The Daily Telegraph* reports that fur, particularly mink, is the latest fashion accessory. Is not the hon. Lady concerned that her Bill might drive fur farming offshore and thereby reduce the standards in which mink are kept in overseas fur farms?

**Maria Eagle:** I do not know how my measure would reduce existing standards anywhere else. I recognise the hon. Gentleman's implication that I cannot legislate across the world or even across Europe, but only in this country, as I seek to do.

In addition to the statement by the Farm Animal Welfare Council, I have a letter dated 8 February from Professor Broom, referring to his study called, "The welfare of farmed mink and foxes in relation to housing and management." He said:

"Based on all the research to date I conclude that the welfare of mink and foxes is always poor in the cages at present in use on fur farms in the UK. Many of the needs of the animals are not met. I have presented such scientific information on several occasions at the Council of Europe Standing Committee on the Convention for the Protection of Animals Kept for Farming Purposes. The fur farmers show no signs of making significant changes to their cages."

They could not afford to do so in the current economic climate. That is why my Bill will end the practice and compensate farmers. It would be most unfair to require much higher standards of welfare when it is evident that farmers are unable to invest in the industry because of its precipitate decline.

**Mrs. Ann Winterton** (Congleton) *rose—*

**Maria Eagle:** I must get on, but I will give way.

**Mrs. Winterton:** I am most grateful. Before the hon. Lady leaves the issue of animal welfare, will she say whether she has consulted, in any way, shape or form, the veterinary profession which is the profession most interested in and responsible for animal welfare? For example, has she consulted the British Veterinary Association or the Royal College of Veterinary Surgeons?

**Maria Eagle:** I have had letters from veterinary organisations, but I am afraid that I do not have them with me. I shall have to drop the hon. Lady a line to give her details of what those letters said. I have also had discussions with vets who regularly visit fur farms, especially vets attached to the RSPCA. I know that they have concerns similar to the ones that I have expressed, but I accept that some vets might not. I have no problem with that; I realise that there are arguments on both sides. I accept that some vets may believe that the current situation is acceptable; I do not, and there are many vets who do not. I must now get on with my speech so that others have a chance to speak in this debate.

Several minor arguments have been put to me to as to why the Bill should not proceed. One is that it would have a severe effect on employment. I have been trying, through the British Fur Trade Association, to find out how many people are employed on the remaining fur farms, but I have not had a satisfactory answer. I have been sent some figures which suggest that, across Europe, there is an average of four employees per farm. I do not believe that there are that many per farm in this country. However, even if there were four per farm, we would be talking about 44 jobs. It is always regrettable when people lose their livelihood, but, in this case, I believe that it is acceptable to lose a small number of jobs in order to put an end to this cruel practice.

I have also been told that the Bill would have a major economic impact on the areas around the farms. A figure of £1 million has been quoted to me by the British Fur Trade Association in respect of a particular farm in the west country. I was told in a letter that that figure is based on the cost of a blue iris pelt being £47. My information is that at the latest auction at the Copenhagen fur centre in February this year, the price of a female blue iris pelt was not £47 but US$24.5, or £15.30; and male pelts sold for US$33, or £21. I therefore take the figures that I have been given in respect of the Bill's general economic impact as unproven. I shall not be ungenerous. I accept that there will be an economic impact on the farmers, which is why the Bill contains provisions for compensation.

Farms have other impacts on their local areas. My hon. Friend the Member for Halifax (Mrs. Mahon) referred to the experience in her local area. I shall read to the House a letter from Brigadier Tynan in support of the Bill. He is the

chairman of the Crow Hill and district residents association and has a fur farm very close to his own property. He states:

"Apart from the main thrust relating to cruelty there is a secondary aspect which may be helpful in discussion. My house is about 400 yards from a mink farm and there are several other properties in this residential area which are very much nearer. May I tell you that an abominable fetid stench emanates from the farm, especially when the mink population is at its peak as the slaughtering time approaches. Believe me, this disgusting smell is unique and quite different from the 'honest farmyard smell' which we all know."

Brigadier Tynan goes on to say that the discarded food and other by-products—I am being polite—on the site are

"breeding grounds generating myriads of flies which infest the area in the late Spring and Summer. To my certain knowledge, this considerable nuisance and potential health hazard has been the subject of complaint for many years. It has been pursued regularly and energetically by the District Council with limited and unenduring success. This official activity, resulting in the imposition of fines in the Magistrates Court on no fewer than three occasions, has not had any significant lasting effect."

One assumes that the local council prosecuted under the nuisance provisions of the Environmental Protection Act 1990—a different kind of prosecution. In other words, these farms are not universally liked by people who have the dubious pleasure of living nearby.

I shall read from a letter sent by Professor Harris, chairman of the Mammal Society. He also supports the Bill. He writes:

"The Mammal Society works to protect British mammals, halt the decline of threatened species, and advises on all issues affecting British mammals. We promote conservation and other policies based on sound science.

The Mammal Society is very concerned about mink farming in Britain. Mink are wild animals, not domesticated, and the welfare argument against the continued farming of this species are clear. We are further concerned about the potential impact of this species on British wildlife. Mink have played a major contributory role in the dramatic decline of the water vole (the population has declined by approximately 95 per cent. this century), and their impact on breeding populations of birds, especially sea-birds on off-shore islands which previously had no terrestrial predator."

He concludes:

"Without an end to mink farming, further escapes . . . are inevitable, and this will compound the problems already posed by free-living mink."

There are environmental impacts when mink are released deliberately or when they escape. They establish feral populations and threaten our indigenous wildlife, something which should concern the House.

Because I have taken several interventions, I have detained the House for long enough. I do not wish to use up all the time allocated for this debate, but want to leave enough time for other to speak.

As we approach the new millennium, it is up to the House to set the standards that we want for the next one, and to set the parameters within which society should operate—that applies equally to ourselves and to animals. I hope that the House will take this opportunity to say, as the Farm Animal Welfare Council did some 10 years ago, that keeping wild animals in small barren cages simply to obtain an unessential luxury product is unacceptable. It is not necessary to believe that animals have rights in order to believe that human beings have obligations towards them. Let us put an end to the cruel barbaric practice of fur farming and take this opportunity to do it. I commend the Bill to the House.

10.7 am

**Mr. Patrick Nicholls** (Teignbridge): Given the interest that the Bill clearly generates and the desire of many hon. Members to speak, it may be helpful if at this stage I make a few remarks on behalf of the official Opposition. First—this will unite hon. Members on both sides of the House—I pay tribute to the hon. Member for Liverpool, Garston (Maria Eagle) for the way in which she introduced the Bill. Anyone who has steered a Bill through the House knows that, even for Ministers, who benefit from help from the civil service, it is a daunting experience. For the hon. Lady to put everything together as she has is a remarkable achievement.

It seems to me that the main consideration today has to be the welfare of the mink—that is the beginning and end of the argument. If mink could not be farmed humanely, mink farming would have to go—despite the devastating effect that that would have on the livelihood of those engaged in it. It is as simple as that.

At one end of the spectrum are the people who say that all farming is ultimately immoral. That notion will probably appeal even to some hon. Members, but I do not think it will appeal to the majority. I certainly reject it.

The Bill is predicated on two assumptions. First, it assumes that, under the present law, even if properly enforced and observed, mink cannot be farmed humanely. Secondly, it assumes that it would be impossible to devise any system whereby mink could be farmed humanely.

I claim no special expertise in this matter. I come to the subject with a long-standing interest in animal welfare. I have read widely; I have received many letters; and I have made a point of visiting one of the country's leading fur farms to test at first hand what I have been told about the industry. I express my thanks to Michael Cobbledick for allowing me to visit him at his fur farm in Cornwall, for answering straightforwardly and unequivocally the questions that I put to him, and for allowing me free access to his farm. I understand the problems that the hon. Member for Garston may have had, given the demands on her time in putting the Bill together, but I wish that she had been able to visit as many fur farms as she wanted.

While I commend the hon. Member for Garston for the fact that she is still prepared to visit fur farms, that is a bit like saying that one is prepared to consider the possibility of a reprieve after the execution. That approach has a certain theoretical charm, but the hon. Lady will have missed an opportunity—whether or not fur farming should be abolished—of seeing for herself that to describe all fur farming and fur farmers as indulging in a barbaric practice may not be the way forward.

**Mr. Gray:** Is my hon. Friend aware that the Minister was invited to visit a fur farm this time last year? He declined because he felt that it would not make much difference, as he knew what conditions on a fur farm were like already. Does that not stand in stark contrast to the approach of my hon. Friend, who has visited fur farms to find out what happens?

**Mr. Nicholls:** Yes, it does. I had assumed that the Minister had visited fur farms, and we will find in due course whether that is the position. It will be surprising if he has not. I always enjoy debating with the Minister,

*[Mr. Nicholls]*

and he will say in due course how he has been able to reach a conclusion—if he has reached one—without seeing one particular part of the evidence.

**The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley):** I have looked at the issue for many years and have visited fur farms privately. I was invited by Mr. Cobbledick and the Fur Breeders Association, who wanted to offer me an all expenses paid trip to Denmark. I thought that it would be inappropriate to accept that invitation.

**Mr. Nicholls:** Not only would it have been inappropriate: the Minister would have been unable to accept under the rules of the House. I am sure that he would be able to see fur farms in this country, and that it would not take all expenses paid trips to do so. However, we may find ourselves being diverted into discussing who takes expenses-paid trips in helicopters. I am not quite sure that the Minister would want to do that.

On the evidence that I have seen, I have not been able to conclude that it would be impossible to conduct fur farming humanely. I was helped in considering the evidence by a Library paper produced by Stephen McGinness and Patsy Hughes, which many hon. Members will have seen. The paper says:

"The scientific evidence for animal welfare and fur farms remains in its infancy. There is, however, little support for the claim that it would be impossible to provide good welfare for captive mink."

I telephoned Mr. McGinness, and he was content that I should relay his response to the House. He told me that, in its first draft, the paper said that there was no support for the claim that it would be impossible to provide good welfare for captive mink. On reflection, however, he took the view that, as he could not logically prove that no evidence existed at all, it would be more accurate to say that there was little evidence.

**Mr. Andrew Dismore** (Hendon): Will the hon. Gentleman read another quote from the Library briefing, which says:

"There is solid evidence of shortcomings in the current standards of welfare and that some methods of killing fur-bearing animals are inhumane"?

**Mr. Nicholls:** Of course there is some evidence of people falling short of the present law, and I shall deal with that in a moment. If the hon. Gentleman—who is, as I recall from previous exchanges, a distinguished lawyer—is going to turn round and say that because some people may fall short of the standards of a profession, that profession should be abolished, he will not have a profession to return to after the next election, when he will need one. That was not quite as good a point as the hon. Gentleman may have thought.

That conclusion from two impartial House of Commons researchers will surprise many people in the country. By the looks of it, it has surprised many Labour Members. Facts are sometimes surprising and, in this House, we should be guided by the facts.

**Angela Smith** (Basildon): If the hon. Gentleman is so convinced that there are far more humane ways to rear mink for their fur, why have they not been adopted already?

**Mr. Nicholls:** If the Bill is to succeed, it will be necessary to show not only that it is impossible to farm mink humanely under present conditions, but that mink cannot be farmed humanely in any circumstances.

I want the Minister to address the *fundamental* proposition that mink cannot be farmed humanely. I do not know whether this is a hand-out Bill from the Government or not. *[Interruption.]* There would be nothing wrong if it were. The Government have made perfectly clear in opposition and in government that it is their intention to outlaw fur farming. I do not know whether they intend to back the Bill today. I see the Minister nodding his assent. This is a reasonable opportunity for the Government to address the fundamental proposition—can mink be farmed humanely or not?

There are those who will justify on an almost theological basis their desire for abolition: the sort of people who believe that their genuine and sincere conviction is sufficient justification to use this Parliament to impose that conviction on others, and who believe that any reference to science—unless, of course, that science supports their predetermined conviction—is heartless equivocation. I reject that approach—as, I hope, does the Minister.

We have an existing framework of law. Again, that surprises many of those who have written to me, who believe that, in some curious way, fur farming is outside the ambit of present law. There is a substantial body of European and domestic law dealing with fur farming. There is the European Union directive on farm animal welfare, adopted in 1998; the Mink Keeping Order 1997; the Welfare of Animals (Slaughter or Killing) Regulations 1999; the European convention on the protection of animals kept for farming purposes of 1991; the Mink Keeping Regulations 1975; the Mink Keeping (Amendment) Regulations 1998; and the Agriculture (Miscellaneous Provisions) Regulations 1968.

Fur farmers already have a substantial body of law with which to comply. Clearly, that does not mean that the law cannot be reformed. However, it does mean that fur farming cannot legally be carried out in the cruel and capricious way that many of those who have written to me clearly believe it is.

**Mr. Gareth R. Thomas** (Harrow, West): Will the hon. Gentleman respond to the comments of the Farm Animal Welfare Council in 1989, as referred to by my hon. Friend the Member for Liverpool, Garston (Maria Eagle)? The council said that fur farming does not meet all the basic welfare needs of what are essentially wild animals. Will he say why there has been no reform to drive up welfare standards?

**Mr. Nicholls:** There has indeed, and I will come to that perfectly fair point in my speech.

**Mr. Peter Atkinson** (Hexham): We hear allegations that mink farms are hell-holes. Does my hon. Friend agree that if that were the case, the Ministry of Agriculture, Fisheries and Food—which inspects such farms regularly—would have been failing in its duties?

**Mr. Nicholls:** Yes, and it would mean that the system was breaking down. This picks up on the point made by the hon. Member for Hendon (Mr. Dismore), who suggested that, because the law had been broken, abolition

should automatically take place. There is no doubt—it is evident to anyone who has visited a fur farm—that if the law were properly observed and enforced, as it should be, it would be quite impossible in law for hell-holes to exist. If the present law were observed, I see no reason why barbaric practices should be able to take place. The Minister may wish to address that matter. If it is the Government's contention that the present law is not adequate to deal with some of the outrages about which we have heard, one wonders why it has taken so long for action to take place.

What are the arguments for the proposition that mink cannot be farmed humanely? There are two, and the hon. Member for Garston, to her credit, addressed both. First, it is said that mink are essentially wild. Secondly, it is said that mink are aquatic animals, condemned to live out their existence in a water-free environment. I will address both, briefly. Clearly, mink were once wild—indeed, all farm animals were at one time wild. However, the proposition is whether they can be considered wild now.

There is some authority for that view, albeit from the continent—although I see nothing particularly wrong with that. The hon. Member for Bolsover (Mr. Skinner) is twitching a bit, but this is not a day for him and me to share our European prejudices.

In his paper, "Re the zoological status of farmed fur animals", written in June 1993, Professor Knud Erik Heller of the Institute of Population Biology in Denmark said:

"From a scientific point of view, fur animals that have been domesticated for more than ten generations must be considered as so far genetically removed from their ancestors that they have to be treated as fully domesticated species."

In a paper entitled "Production conditions, behaviour and welfare of farmed mink", Dr. Steffen Hanson of the National Institute of Animal Science in Denmark says:

"Significant behaviour and physiological changes achieved through domestication therefore make it unreasonable to make direct comparisons between farmed mink and their relations in the wild, when considering their welfare."

I note in passing the reference to 10 generations. I understand that, in this country, we are into the 80th generation.

Perhaps most interesting of all was the report by Professor P.R. Wiepkema who, in a submission to the Dutch Government at their request on the implications of fur farming, said:

"Mink have unmistakably gone down the path of domestication. They display the majority of characteristics of domestic animals: they are not shy. They are inquisitive, sometimes even hand tame, and they grow and reproduce without any great problems."

In summary, he says:

"Mink kept on the farm can be considered as domestic animals."

I have handled mink and ferrets, and I must tell the hon. Member for Garston that she would be safer handling mink than ferrets.

**Mr. Hogg:** My hon. Friend has quoted studies undertaken in Denmark and Holland. Does he accept that, for many years, the Governments and Parliaments of Denmark and Holland have shown themselves to be as sensitive to animal welfare issues as has this House?

**Mr. Nicholls:** That is my understanding.

It is interesting and informative to refer to academic studies. There is nothing wrong with being a campaigning organisation, be it the Farm Animal Welfare Council or any other, but when we are trying to reach a conclusion it is more relevant to consider academic evidence on both sides of the argument than simply to say that a campaigning organisation, with great sincerity, happens to believe that something is wrong.

**Maria Eagle:** The hon. Gentleman is making an interesting speech, which inclines me to think that the official Opposition may oppose the Bill. Do they intend to do so?

**Mr. Nicholls:** The official Opposition will not oppose the Bill, but we believe that fundamental questions must be answered before the Bill is passed. I am presenting the arguments in this way because, given the rational way in which the hon. Lady has introduced the measure—in contrast to some of those who purportedly support her—I believe that the assertion that there is a case to be made will appeal to her. Ultimately, whether the Bill is successful will depend on Ministers' attitude, so I believe that Ministers must answer some questions.

**Mr. Swayne:** My hon. Friend will appreciate that some of us are sceptical of academic studies, as we were of a certain Bateson report. Does he accept that it is incredible to expect a chicken or cow to escape and live in the wild as mink populations do? We now have feral mink populations in the countryside.

**Mr. Nicholls:** My hon. Friend may have more experience than I do about what happens to cows and chickens when they escape into the wild; I do not know. Certainly if their wings and beaks—

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. I thank the hon. Member for returning to address the Chair.

**Mr. Nicholls:** I apologise, Mr. Deputy Speaker.

Obviously, some animals are better equipped for returning to the wild than others, but today we are discussing mink, not whether we should release or prevent the husbandry of chickens and cows.

Academic evidence exists that casts doubt on whether mink are wild. My hon. Friend the Member for New Forest, West (Mr. Swayne) approaches academic evidence with scepticism, as he should, but academic evidence cannot simply be dismissed if it does not fit one's predetermined views.

**Mr. Dismore:** The hon. Gentleman quoted some of the academic ideas that support the keeping of mink. Perhaps he would comment on whether there has been academic research on killing methods. The Library research paper suggests that there is no humane method of killing mink. It deals with gassing and the possible stresses and traumas that that causes mink. It deals with the possibility of drugging the animals before they are killed and refers to the significant stresses, difficulties and cruelty that that may cause. Have any of the academic studies addressed the final solution for mink—the way that they are killed and the cruelty involved?

**Mr. Nicholls:** The hon. Gentleman has obviously reached a conclusion. He is entitled to do so, and

*[Mr. Nicholls]*

doubtless he will argue in his speech that it is impossible to kill mink humanely. I have not read the evidence that supports that proposition. If there is evidence that supports that proposition conclusively, that will be an end of the matter. The hon. Gentleman's remarks would be better made to the Minister because if, uniquely among farm animals, it is impossible to kill mink humanely, one wonders how they can be killed at all under the present law.

I believe that the hon. Gentleman comes from an urban background. If he thinks that the killing of animals, for food or fur, is an attractive process whereby animals can be laid to sleep in a way that is completely undistressing for them or for those who must take part in that process, he should visit a slaughterhouse.

**Mr. Dismore:** I grew up in east Yorkshire, which is not known for its great urban sprawl; it is the heart of farming country. However, may I quote to the hon. Gentleman the Library research paper on the need to kill the animals without spoiling their pelts?

"This means that killing methods have be employed other than those accepted as humane for food animals such as cattle and sheep."

**Mr. Nicholls:** If the hon. Gentleman takes the view that it is impossible to kill mink humanely, he will support the Bill. However, he should ask the Minister why, if it is impossible to kill mink humanely, the process is taking place at the moment.

**Several hon. Members** *rose—*

**Mr. Nicholls:** I give way to the hon. Member for Portsmouth, South (Mr. Hancock).

**Mr. Mike Hancock** (Portsmouth, South): On the hon. Gentleman's many visits to mink farms, did he witness the mink being killed? If so, I should be grateful if he would describe to the House what he saw.

**Mr. Nicholls:** I have visited only one mink farm and I was not there when the mink were harvested, so I cannot give any information about that. However, the fact that I made that one visit probably distinguishes me from many of the hon. Members who are now seeking to intervene.

**Mr. Ian Cawsey** (Brigg and Goole): It does the hon. Gentleman credit that he visited a farm. Many of his arguments are about whether mink are domesticated, and he seems to have concluded, "mink—not as bad as you think." He says that academic research might back up that claim, but does he accept that when mink escaped—and there were mink escapes last year—there was not much evidence that they had become domesticated? I believe that the hon. Member for New Forest, West (Mr. Swayne) would agree that when mink returned to the wild, they showed all their natural wild tendencies.

**Mr. Nicholls:** They certainly showed some of their vicious tendencies, because that is in their nature. I do not know whether the hon. Gentleman goes ferreting very often, but it is commonly accepted that ferrets are domesticated animals, and they are difficult and can be vicious.

I said that the two arguments that are advanced for the proposition that mink cannot be farmed humanely are first, that they are wild—I have pointed out such evidence as is available to support that proposition—and secondly, that they are aquatic and that therefore they cannot be suitable to be held in captivity.

In his report, Professor Wiepkema said, on the question whether mink should be provided with swimming water:

"In close connection with their supposed wild nature it is often postulated that farmed mink need swimming water. It should be apparent from point 2.2 that feral mink intensively use the waterside (and the water) as a foraging area, but also may leave it at their own initiative. This opportunistic foraging behaviour leads me to the conclusion that swimming and fishing water is agreeable to the mink, but presumably not crucial. There are also no indications from the limited research done so far that mink, outside of their foraging behaviour, need water."

He summarises:

"On the farm swimming or fishing water is not an absolute necessity for mink."

**Angela Smith:** Given the hon. Gentleman's remarks about mink swimming, will he comment on the point made by Robert Morgan of the British Fur Trade Association, who said:

"If mink"—

presumably in captivity—

"had access to swimming water, then they would get wet and probably get cold and die."

**Mr. Nicholls:** I am not here for the British Fur Trade Association. I am here to put the proposition to the House—I think that it is a fair one—that the Bill deserves to succeed if it can be shown that mink cannot be farmed humanely under present conditions and that it is impossible to devise humane conditions in which they could be. I have set out the evidence for those two propositions.

Having said that, could the position of mink be improved? Of course, the answer to that is yes. The conditions of any farm animals can certainly be improved. Professor Wiepkema's report to the Dutch Government now forms the basis of new progressive standards being introduced in Holland in line with the revised Council of Europe recommendation on fur farming.

**Mr. Thomas:** Will the hon. Gentleman give way?

**Mr. Nicholls:** I have given way at least once to the hon. Gentleman and I must make some progress before I do so again.

I want to hear how the Minister answers this aspect of the debate. It seems that a number of points are emerging. First, such scientific evidence as there is specifically rejects the proposition that mink cannot be farmed humanely. Secondly, there are already pan-European measures in place to secure the welfare of mink. Thirdly, the British fur trade has apparently committed itself to raising standards. Fourthly, following the Dutch initiative, those improvements are in hand.

In November 1997, when talking in the House about fur farming and mink farming in Europe, the Minister said that the Government would be working with the Council

of Europe to ensure the adoption of the highest possible standards consistent with scientific evidence and expert opinion. I think the Minister was right to say that. We will need to know whether he believes that Holland and virtually the whole of the European Union are wrong and are conniving at an inherently cruel practice that cannot take place except in certain circumstances of cruelty.

**Mr. Gareth R. Thomas:** Will the hon. Gentleman give way on that specific point?

**Mr. Nicholls:** I give way for a third time to the hon. Gentleman, but that is it.

**Mr. Thomas:** To help the hon. Gentleman, this is the second time that he has given way to me.

The hon. Gentleman has made much of Professor Wiepkema's advice to the Dutch Government. Will he acknowledge that that advice has been criticised by many international scientists already on the basis of the conclusions at which Professor Wiepkema arrived?

**Mr. Nicholls:** That may or may not be. I am saying that we need to examine the scientific evidence and to take it into account. If we in this place are to do our job properly, we should consider the available evidence and not legislate by assertion. If the hon. Gentleman has examined the evidence both for and against and has come to a certain conclusion, that is a matter for him.

I do not think that the Minister could convincingly say that the evidence does not matter because the public are against mink farming. Politicians have a duty to inform debate as well as to follow it. The proposition, "I am their leader, I must follow them," is no more attractive now as a basis for legislation than it was when that remark was first made.

Given the Minister's commitment in November 1997 to examine the evidence, we would like to know what he has made of the farms that he has visited. He has said that he has visited them in his private capacity, and I commend him for so doing. Perhaps he can draw on that experience and tell us what he found when he visited the farms. If the Minister can establish that only abolition and not reform can secure the welfare of mink, clearly the Bill should succeed. If he has come to that conclusion, that has certain implications.

If the Minister has concluded that mink farming is inherently and inevitably cruel, what representations has he made to the rest of the European Union? Given that Andrew Turnbull, the outgoing chairman of the Standing Veterinary Committee, which effectively oversees fur farming in the European Union, is himself a senior vet in the Ministry of Agriculture, Fisheries and Food, what does Mr. Turnbull feel about these matters? If the Minister simply ignores the weight of the evidence because it is popular to do so, the interests of animal welfare will not be served. If we abolished fur farming in this country against the evidence, what credibility would the Minister have in the European Union when he wanted to argue for an increase in standards for mink in the EU? The Minister will lose his ability to make that case from a position of principle.

**Mr. Alan Clark** (Kensington and Chelsea): As my hon. Friend knows, I hold him in high esteem, particularly on account of his often pungent comments on conformity with the European Union. I am a little surprised to find him taking the position that we must be extremely cautious in case we in any way deviate from what is European practice, and inviting the Minister to try to conform with what is being established in Brussels.

**Mr. Nicholls:** The Minister will be in a far harder position than I am when he has to talk about speaking to his friends in Europe. That is not something that would cause me any hardship. However, Europe does have some uses. I have put a perfectly fair proposition to the Minister. The cause of animal welfare goes wider than national boundaries and there is a case to be made in Europe.

To re-establish my credibility with my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark), let me make it clear that I believe that the House should settle this issue for better or for worse. I believe that we will hear from the Minister in due course that he cannot go as far as many of his hon. Friends would like, because the House has lost the ability to deal with these matters—but I shall return to that.

How will the Minister explain to the public that although fur farming could become illegal in the United Kingdom, fur trading and the manufacture of items out of fur will not—I shall cheer my right hon. Friend the Member for Kensington and Chelsea up—because our present relationship with Europe will make that impossible? How will the Minister justify the argument that there is a moral difference between farming for food and farming for fur and leather, when neither is essential for human life? Does the Minister not realise that, queueing up behind this measure, will be those who, in relation to animal husbandry in general, have an altogether darker and more sinister agenda?

I have asked questions and I hope that I have dealt with these matters in some detail. I have taken interventions because it is clearly a serious issue and because I commend the hon. Member for Garston on the way in which she has introduced the Bill. Again, let me make it absolutely clear that the official Opposition have no intention of impeding the Bill's passage. However, whether the Bill is entitled to become law—not on a wave of assertion or on a wave of sincere emotion—depends on the answering of a central proposition, which is whether mink can be farmed humanely. It is my responsibility to ask that question from the Opposition Dispatch Box and it is the Minister's responsibility, in due course, to satisfy the House as to the reply.

10.28 am

**Angela Smith** (Basildon): First, on behalf of many hon. Members on both sides of the House, I pay tribute to my hon. Friend the Member for Liverpool, Garston (Maria Eagle) for bringing the Bill forward. I am grateful to have the opportunity to debate the matter in the House.

Society changes, and attitudes to animal welfare have changed substantially over the years. We have far more information on, and knowledge about, wildlife and animals than we had 50 or 100 years ago. Attitudes to fashion also change. Most of us would regard it as considerable progress that we have moved on from when, within the Palace of Westminster, Henry IV boasted of wearing a fur robe made from the skins of 12,000

*[Angela Smith]*

squirrels and 80 ermine. Perhaps the mink would regard it as progress that, today, it takes about 60 mink to make a fur coat.

Mink may also regard it as progress that, as my hon. Friend said, because demand for pelts is falling, the price paid for them is falling drastically. At last month's Copenhagen fur centre, the price of most mink skins had fallen to $21 from $30 last year. The industry is dependent on the whim of fashion and the fluctuations of the marketplace.

The lives and conditions that mink live in are dependent on the whims of the fashion market. The Bill is not about the wearing of fur. Instead, it is a challenge to the cruelty of the farming of wild animals for their fur. It is those wild animals that are ultimately fashion victims. Public and political awareness has been heightened by the tireless work of campaigners, who have exposed the conditions in mink farming through video footage and photographs, and we should pay tribute to them. Many of us do not have the strong stomach of my hon. Friend the Member for Garston and other hon. Members who have visited fur farms to see the conditions at first hand. I make no apology, and no excuses, for not wanting to visit a fur farm. That video footage and those photographs clearly illustrated how awful fur farming is. They brought into sharp focus the secret side of a business that many of us had not seen, and that is a discredit to Britain.

I recently saw film of mink being caught in their cages, having their heads bashed, and then being stuffed into a box to be gassed. I am well aware that emotional and ethical questions arise. I am sure that any hon. Member would feel emotional, having witnessed such scenes. Few people could fail to be moved by the sight of mink panicking in tiny wire cages.

However, as the hon. Member for Teignbridge (Mr. Nicholls) argued, my views and those of other hon. Members are not enough to justify the banning of fur farming. Therefore, perhaps on this issue only, I endorse the advice of the British Fur Trade Association, which stated:

"science, not emotions, should take the lead in setting animal welfare standards".

We should examine the scientific reasons why mink should not be farmed for their fur.

**Mrs. Mahon:** Does my hon. Friend agree that some farms operate in a state of secrecy? Last year, at one such farm in my constituency, a Channel 4 team was prevented from filming from outside—two of the crew members were beaten up, the video was taken away and the camera was wrecked. It is sometimes difficult to get into the real hell-holes.

**Angela Smith:** I agree entirely with my hon. Friend. One wonders why mink farmers are so averse to such publicity and to having their farms filmed.

If we compare conditions in the wild and those in captivity, we can see why fur farming is so inappropriate. In the wild, mink swim for about 60 per cent. of their waking hours, hunt live quarry, climb and dive, and travel between two to five dens, which are sometimes as much as 2 km apart. Male territories never overlap, and they will fight to the death to defend their territories.

Compare that with conditions in a fur farm, where, in rows of small wire cages—often just 38 cm wide, 30.5 cm high and 61 cm long—the mink are entirely deprived of opportunities to engage in their natural behaviour. In fur farms, mink may spend a quarter of their waking hours performing endless repetitive motions, going round and round in their tiny cages. They mutilate themselves through pelt and tail biting, they cannibalise other mink, and the mortality rate among young mink—kits—is extremely high. They are confined, in the words of a leading mink expert, Dr. Nigel Dunstone, to a life of "sedentary torture".

Is all that an exaggeration? Are the facts hyped up by those who oppose mink farming? Not according to a Cambridge university report, which stated that stereotypical behaviour is

"an ever present feature of farm mink behaviour."

As we have heard from several hon. Members, the Government's Farm Animal Welfare Council announced under the previous Government:

"mink (and fox) have been bred in captivity for only about 50-60 generations and the Council is particularly concerned about the keeping of what are essentially wild animals in small barren cages."

The council's chairman made clear his views and those of the committee. He stated:

"We have decided against drawing up a Welfare Code for mink and fox farming to avoid giving it the stamp of approval which a Government-backed Welfare Code would imply."

We should take those comments seriously.

The conditions in which mink are kept would be illegal if they were in a zoo, but at least if they were in a zoo, that would expose the animals' conditions to intense public scrutiny. The Zoo Licensing Act 1981 specifies that mink be

"provided with space and furniture sufficient to allow such exercise as is needed for the welfare of the particular species."

Where in a fur farm do we see nesting boxes, pools and branch-work to aid natural behaviour? Where is the recommended 40 sq m pool? Where are the natural soil, sand and gravel, and the hollow logs and rocks that would at least represent an attempt to create a natural environment? Nowhere in a mink farm do we see such facilities.

The opponents of the Bill have failed to mention the inhumane conditions in which mink are transported within the United Kingdom. We hear little about that, so I shall give the House an example. On 21 December last year, mink were transferred from Coneyheugh farm in Northumberland to Woodview farm in Devon—a journey of more than 10 hours. The 800 mink were left on the lorry overnight before being unloaded. Another batch of mink was delivered just last Sunday, 29 February. Overseeing the arrival of the mink was a MAFF vet. He stayed for just seven minutes. We should remember that the mink is a wild animal and is not used to captivity.

**Mr. Gray:** All animal lovers would be concerned if the conditions that the hon. Lady describes occurred normally. Does she agree that one of the good things about mink farming, in this country and elsewhere, is that the mink are bred and farmed in the same place as they are slaughtered—in other words, there is no transportation of mink to slaughterhouses, as is the case for all other farm animals?

**Angela Smith:** I am sure the hon. Gentleman will not be surprised to hear that I do not agree that it is better for

mink to be kept in small cages and slaughtered on site. I have not dreamed up the events that I described. That transportation of mink happened. Does it matter whether it happens every day of the week or not? It happened, it is wrong and it should not be allowed to happen, but the law allows it to happen.

**Mr. Peter Atkinson:** The owner of Coneyheugh farm is a constituent of mine. When he moved those mink, they were moved with the full approval of MAFF. As the hon. Lady rightly said, a MAFF vet was present. My constituent cannot be blamed if the vet left after seven minutes. He did everything exactly by the rule book.

**Angela Smith:** The hon. Gentleman makes my point. The rules allowed that to happen. Many Labour Members and some of the hon. Gentleman's colleagues find that wrong. Humane conditions should be provided.

Some people treat mink simply as a product. They are farmed for maximum profit for a frivolous reason—for fashion. The term "fur farm" is totally misleading. Livestock farms give the impression of animals roaming over open spaces and fields and the production of food. A better term for mink farms would be "fur factories". That is the one group of factories that I want to see closed down for ever.

10.46 am

**Mr. Douglas Hogg** (Sleaford and North Hykeham): May I congratulate the hon. Member for Liverpool, Garston (Maria Eagle) on the way in which she introduced the Bill. I have come to a conclusion that is quite different from hers, but I recognise that she has produced arguments that are rational and moderate in their tone, and I congratulate the hon. Lady on the approach that she adopted.

I oppose the Bill, both in general terms and for particular reasons. I shall start from two general propositions, which the House would do well to acknowledge. The first is that one should be very slow to use the criminal law to impose one's own moral views on the community as a whole. In many other contexts, hon. Members would largely agree with that proposition. It is certainly a view that permeates the debate on abortion, and it was manifest in the debate on homosexuality on Monday. One should be slow to use the criminal law to impose one's own moral standards.

The second point is a related one, but is also important. The House needs to be cautious about trampling on the rights of minorities. In a constitution such as ours, the rights of minorities are not firmly entrenched. It may well be that the European convention incorporated into the United Kingdom's domestic law will have a beneficial effect in that respect, but the defence of minority rights depends on the restraint of right hon. and hon. Members in this place.

Therefore we have an obligation, when we are considering the criminal law, to look strictly at the consequences of what we are about. We must ask ourselves whether we are unduly constraining the rights of minorities. I accept that neither of those propositions is absolute, but they are a guide as to how right hon. and hon. Members should legislate.

The first question that I have asked myself—I hope that other right hon. and hon. Members will also do so—is whether fur farming is in principle wrong. I stress "in principle". Let us not for the moment discuss whether it is humane. That is a different but extremely important issue. Is it in principle wrong? The hon. Member for Garston raised a number of arguments that depended on the inhumane method of husbandry. One of her principal contentions, which is also to be seen in the early-day motion, is that fur farming is, in principle, wrong. She argued, for example, that fur is not an essential requirement, implying that if it is not essential, it is right to prohibit fur farming. That is the question which we must consider.

It is important to remind ourselves that, although many people in this country may believe that wearing fur is wrong, that is not the conventional view in many countries whose standards in this regard are no different from our own. If one goes to the countries of central Europe—or, indeed, many of the countries of western Europe in winter—one finds that many people, and often the majority in richer areas, wear fur coats. One has only to go to Scandinavia, Switzerland, Germany or Austria to find that wearing fur is a common practice.

That is relevant to the debate because if it be true that in many civilised countries many, if not most, people think that wearing fur is a perfectly acceptable practice, one should be cautious about concluding that it is so unacceptable in principle that we should make it criminal.

**Mr. Forth** *rose—*

**Mr. Hogg:** Not the wearing of fur, but the breeding.

**Angela Smith:** I offer assistance to the right hon. and learned Gentleman; he seems to be under a misapprehension. The Bill would not stop the wearing of fur, but it would stop mink fur farming in this country.

**Mr. Hogg:** The hon. Lady does not do justice to my case. It flows from the assertion being made that fur farming is an unessential luxury business.

**Mr. Forth:** I hope that my right hon. and learned Friend does not rest his argument entirely on the proposition that, if people on the continental mainland wear and approve of fur, that is okay. I hope that he does not accept that, even if most people in this country disapprove of fur farming, that would justify prohibiting it. He is not saying that, is he?

**Mr. Hogg:** No. My right hon. Friend is entirely right about this. I pointed to the different views which one finds abroad to reinforce my real caution about seeking to impose one's moral standards by the criminal law. Millions of people in countries no different from our own take a profoundly different view on this issue. That should make one cautious about having a sense of confidence in one's own moral standards.

My right hon. Friend made another important point, which relates to the second issue that I mentioned—minority rights. It also relates to fox hunting. I do not mind if 95 per cent. of the population are against fox hunting; I am in favour of preserving people's right to hunt foxes, because that is the nature of democracy.

**Mr. David Drew** (Stroud): Will the right hon. and learned Gentleman give way?

**Mr. Hogg:** No. I will make a little progress, but I will give way if the hon. Gentleman wants to intervene later.

*[Mr. Hogg]*

That is the proposition from which I started. I then asked myself, as all hon. Members need to do, "What is the difference in principle between farming creatures for fur and farming animals for leather?" Looking around the Chamber, I see that hon. Members, in large numbers, are wearing leather shoes, have leather handbags or are wearing leather braces. I also see a briefcase or two and leather watch straps.

**Mr. Gray:** Leather seats.

**Mr. Hogg:** We are all sitting on leather seats; you look particularly elegant on yours, Mr. Deputy Speaker. We could pop you on nylon and you would look just as nice. We could sit on velvet and we would be just as comfortable. We do not need leather, so we need to ask ourselves at this juncture, what is the difference in principle between rearing animals when the primary purpose is to enable us to wear belts and rearing animals to enable us to put fur scarves around our necks?

**Maria Eagle:** I am grateful to the right hon. and learned Gentleman for giving way. As ever, he is making a well argued contribution. I attempted to address his point in my remarks; my Bill is aimed at the keeping of animals where the primary purpose is farming for fur. Most hon. Members have no objection to fur or skins as by-products of food production, and nor do I. That is the difference.

**Mr. Hogg:** There is a difference, but it is not conclusive. Many animals are reared where the primary purpose is the use of what the hon. Lady refers to as by-products. Skins are a by-product of many animals reared for food, and that involves the tanning process and so on. However, the primary purpose in respect of a range of other animals is provision of leather of a specialist kind for a variety of luxury, or even non-luxury, goods. Man-made fibre could be substituted for all those goods.

Standing back from all this, my conclusion is that there is no difference in principle between farming animals for fur and farming animals for the provision of leather, for example. That takes me to a much more difficult question: what is the proper approach to adopt? The proper approach is that which is advocated by my hon. Friend the Member for Teignbridge (Mr. Nicholls). We should be asking ourselves whether it is possible to breed those animals in humane conditions. If it were impossible to do so, and the evidence was conclusive on that point, I would favour prohibition, but we must ask whether the systems of husbandry are acceptably humane. That approach has been taken to veal calves, to sows and, increasingly, to chickens.

We concluded that the use of veal crates was an unacceptable practice. We do not need to eat veal—there are plenty of alternatives to it—but we did not conclude that we should ban the keeping of veal calves. We decided that the loose pen system was the proper way to rear veal calves. The same is true of sows. The House decided many years ago that the proper approach was not to prohibit pig keeping—that would be monstrous—but to prohibit the use of close tethering and close stalls.

I am deeply concerned about battery cages for chickens. I have visited many battery cage farms and found those visits deeply distasteful. I say, en passant, to the hon. Member for Garston that much of what she said about the frustration of natural instincts could be said, with equal force, in respect of chickens in battery cages. Chickens go in for all the practices that she referred to in respect of mink. My conclusion is, not that we stop rearing chickens, but that we set about asking the question whether they ought to be reared in a wholly different way. That is the proper approach.

**Maria Eagle:** I am grateful to the right hon. and learned Gentleman for giving way a second time. Is he aware that improved animal welfare, such as he suggests, has been introduced in Hessen in Germany? The result is that there are no fur farms. Such improvements are not economically viable. He would put people out of business by stealth whereas my Bill accepts that improving standards is not economic and that compensation should be paid to those who would lose their business.

**Mr. Hogg:** The hon. Lady makes a fair and an unfair point, and I believe that what she describes has happened in one of the lander. She is right that such standards can be required of fur farmers so that the process is made uneconomic.

**Mr. Nicholls:** Tough.

**Mr. Hogg:** My hon. Friend says tough; I was going to say, "Hard cheese," but it is the same thing. If we conclude that the requirements are necessary, but the consequence of those requirements is that the farmer goes out of business, I say, "Hard cheese," and my hon. Friend says, "Tough." We agree with those consequences, but we approach the matter in a different way. We have not decided that such farming is wrong in principle, but that, in order to make it tolerable, the farmer has to comply with a range of standards. If that cannot be done, he goes out of business.

**Mr. Gray:** My right hon. and learned Friend mentioned pig farmers. Is he aware that a number of pig farmers in my constituency have gone out of business because of the abolition of tethers and stalls, and that they received no compensation of any kind because they were unable to live up to the welfare standards that the Government demanded? Precisely the same would apply to mink farmers: if they were unable to live up to those standards, they would go out of business. Hard cheese, as he says.

**Mr. Hogg:** I shall come to the matter of compensation, because it is one of the specific points that I want to address. To round up what I have been saying on this point, I believe that this practice should not be prohibited because of principle. We should ask ourselves whether it is intolerably inhumane or whether we can impose requirements that would make it acceptable. If we could make it acceptable, that would be the way forward.

There is much evidence to suggest that it may be possible to impose acceptable standards. It is interesting that the Farm Animal Welfare Council in its 1988–89 report, although it identified shortcomings, did not say that the practice was inherently so inhumane that it should be prohibited. In Holland, the report of Professor Wiepkema—I apologise if I have mispronounced his name—made a number of recommendations that have been implemented, especially regarding the size and

nature of cages. It is important to remind ourselves—as I did in an intervention on my hon. Friend the Member for Teignbridge—that Holland and the Scandinavian countries have high animal welfare standards and are sensitive to these issues. We must not disregard what they think is proper, because they are alert to these matters.

**Mr. Swayne:** My fear is that my right hon. and learned Friend, in his pursuit of a more humane way of fur farming, will create another, quite different, danger. I contend that a more humane form of fur farming would be less secure, and would give rise to a larger feral population that would be a greater danger to our ecology.

**Mr. Hogg:** That is a perfectly proper concern. My hon. Friend is a good advocate for the New Forest, and he is right to raise that issue. If the requirements of animal husbandry and ensuring a sufficiently humane regime were such that the animals could not be securely kept, the licence would not be issued. As my hon. Friend knows, the licensing regime takes account of security. If the consequences of improving animal welfare were such that the creatures could not be kept securely, the practice would have to stop. I would live with that, as I would regard it as a proper conclusion.

**Mr. Phil Sawford** (Kettering): The right hon. and learned Gentleman is trying to make serious points about whether fur farming is correct in principle. I am not sure whether the issue of minority rights—very few people run fur farms—or the fact that many people wear fur necessarily establishes the principle. One of his key points is that there is no difference between leather by-products used for clothing and seats and the fur-farming industry. For me a significant difference is the cosmetic nature of what is essentially a fashion accessory. Is there not a key difference between leather and fur products?

**Mr. Hogg:** I disagree in principle. The hon. Gentleman is making a value judgment. He is entitled to live up to his moral judgment: I am not asking him to wear crocodile skin. It is his moral judgment, and it may be perfectly proper. I am not criticising it. However, he should not use the criminal law to impose his value judgment on others. The Bill does not prohibit the wearing of fur, but in a sense it is the same principle, because it prohibits the breeding of fur creatures based on a moral judgment such as the hon. Gentleman is making. That is why I think it is wrong.

**Mr. Drew:** Will the right hon. and learned Gentleman give way?

**Mr. Hogg:** I shall give way to the hon. Gentleman, and then I shall make progress.

**Mr. Drew:** If we took the right hon. and learned Gentleman's logic on minority rights to its natural conclusion, we would allow people to arrange dog fights or bull fights. Why do we not have an opinion on that?

**Mr. Hogg:** The hon. Gentleman has forgotten what I said when I began my speech. I said that there were two important propositions: that we should not impose our own moral standards by the criminal law, and that we should have regard for minorities. However, I said that they were not absolutes: they were an important guide to legislation. If I were a Spaniard, I would not prohibit bull fighting. I would, however, prohibit dog fighting. Although this point is slightly at a tangent, there is a difference, because the bull fighter—by which I mean the human—stands a considerable risk.

**Mr. Alan Clark:** No he does not.

**Mr. Hogg:** I should like to see my right hon. Friend in the ring. I know what the bull would do to him.

**Mr. Deputy Speaker:** Order. Tempting though some of those images may be, we should return to mink farming.

**Mr. Hogg:** All I can say is that if my right hon. Friend were too close to the bull's horns, he might have cause to regret it.

The central issue is that the proper approach is not to prohibit on grounds of principle, but to ask ourselves whether the methods are inhumane, and if they are to make them more humane. If that cannot be done, it is proper to accept the consequences.

**Mr. Hancock:** When the right hon. and learned Gentleman was the head of the service that is responsible for this matter, did he visit fur farms, and if so, what was his opinion of them? Were they run properly and were the animals looked after humanely? If they were not, his comments today beg the question why was not more done by fur farmers to achieve the improvements that the right hon. and learned Gentleman now suggests should be made?

**Mr. Hogg:** That is a perfectly fair criticism of my regime. I focused on that question when I was thinking about the Bill. I asked myself whether, when I was Minister, I directed my attention to the matter of welfare in fur farming. The honest answer is that I do not think that I did. I accept that criticism, but it does not go against the principle. It merely means that I did not do that which I now think I ought to have done, and that is a different point.

**Mr. Hancock:** Why have the fur farmers not done it?

**Mr. Hogg:** They may now make improvements as a consequence of the hon. Lady's Bill, but that does not go to the main issue. The hon. Gentleman is merely arguing that the people who should have addressed the problem previously did not do so, and not that the problem cannot be addressed, which is a difference issue.

**Mr. Peter Atkinson:** Perhaps I can help my right hon. and learned Friend. The fur farmer in my constituency would have been delighted to make such improvements, but the difficulty was that the Labour Opposition had a commitment to abolish fur farms. As my constituents could read the political runes fairly well, they did not think it wise to spend many hundreds of thousands of pounds on modernising their farm, but they are prepared to do so.

**Mr. Hogg:** I am glad to hear that the runes were disproved to the extent that my hon. Friend was returned.

*[Mr. Hogg]*

I want to move away from that point, although I accept that criticism can be directed at me as the then Minister. I did not address this issue, and I rather regret that I did not.

Compensation is an important issue, and it is raised in the hon. Lady's Bill. The extent to which compensation should be paid when a person's business is totally destroyed or prohibited as a consequence of legislation is an important principle. It arises much more frequently than we think, because many bits of legislation either impose intolerable costs—my hon. Friend the Member for North Wiltshire (Mr. Gray) referred to pig farming—or prohibit an activity. Governments and the House have been ambivalent towards compensation because of the substantial cost implications. For example, the trading profits of gun dealers were excluded, and my hon. Friend was wholly right when he said that the substantial costs of improving standards imposed on pig farmers have not been allowed for in any direct payment. On balance, I believe that compensation should be paid, but that we should not be discussing a governing principle of this kind in the context of a Back-Bench Bill.

**Mr. Forth:** My right hon. and learned Friend may recall that the same issue arose in a recent debate about the possible replacement of the long-standing quarantine arrangements. If my memory serves me correctly, the Government resisted any suggestion that owners of quarantine kennels should be compensated if they lost their livelihoods as a result of a Government decision. In that context, does my right hon. and learned Friend agree that if the Government support today's Bill, that will mark a distinct shift of direction and may establish an interesting precedent?

**Mr. Hogg:** My right hon. Friend raises an important issue. I should like to have taken action on quarantine when I was Minister and I broadly agree with the Government's present position. However, I remain of the view that compensation should not be paid in those circumstances, or at least it is not self-evident that it should be paid as the kennel farmers had been on notice for a long time that there might be a change in the regime. I find compensation an extremely difficult issue. It is so important that it is undesirable that it should be addressed in the context of today's Bill or any other Back-Bench measure.

**Mr. Nicholls:** Does my right hon. and learned Friend agree that there is a distinction between compensation in respect of the owners of quarantine kennels and firearms dealers—and this point will endear me to neither—in that at least there is a possibility of further, albeit restricted activity, whereas if the Bill becomes law fur farming will be illegal and it will be impossible to diversify and use the facilities for anything else?

**Mr. Hogg:** Yes. There will be a limited use for the kennels even if we substantially change the quarantine laws. The same does not apply to gun dealers, however—at least not to the same extent—as they were primarily hand gun dealers. Some were also supplying other guns, but broadly speaking they were hand gun dealers so their businesses went out of the window. Today's Bill would impose total prohibition. If it is right in principle that compensation should be paid, it is far from evident that it should not extend to loss of income, which is after all the major loss. However, the Bill excludes loss of income from any compensation that is payable. That worries me a great deal, albeit from a different side of the argument.

We should also bear in mind some important parliamentary points. The ability to pay compensation is not an obligation; it is within the discretion of the Minister. Therefore, the Minister would be able to pay out public money without any authority from the House. He or she would be able to make payments under a scheme that had not been positively ratified by the House. The hon. Member for Garston is shaking her head, but she is wrong. She will be aware that statutory instruments that are subject to negative procedure are seldom debated in the House. So we are talking about compensation in a context about which I have real doubts, which excludes as a subject for compensation the main head of loss, namely loss of income, which would be paid entirely at the discretion of the Minister and which in all probability would never be considered by the House. That strikes me as a pretty offensive procedure and I am against it.

In conclusion, having spoken for longer than I had intended, I congratulate the hon. Lady on the way in which she presented her Bill. She has done it well; she deserves applause from the House and I hope that she will get it. However, I hope that she will not get our votes as I do not believe that the principle that underlies her argument is a sound one. We should be asking whether or not the standards under which the animals are kept are sufficiently high. If they are not, we should seek to improve them and if the consequence of that proper process is that fur farmers go out of business, so be it. However, that is a different approach and I commend it to the House.

11.14 am

**Mr. Gareth R. Thomas** (Harrow, West): I join the House in congratulating my hon. Friend the Member for Liverpool, Garston (Maria Eagle) on her good fortune in the ballot and on her excellent presentation of the Bill. In the spirit of today's debate, I also pay tribute to the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). Although I disagreed entirely with his views, I found his speech interesting and thoughtful.

For many years, fur was a popular accessory for those who sought to portray themselves as sophisticated and fashionable. Indeed, the fur of dead mink was a regular raw material for the fashion collections paraded on the catwalk. Harrods, Selfridges and the Hudson Bay Company would all religiously advertise, promote and joyously count the sales of expensive fur clothes. We owe a considerable debt to the work of the RSPCA, the World Society for the Protection of Animals and other animal welfare organisations, together with some of the more enlightened members of the fashion industry, for the fact that fur has become a much less economically rewarding product. Only 4 per cent. of the population in Britain wear fur and the number of mink factory farms has substantially reduced. Specialist fur retailers are in decline—the Hudson Bay Company has left Britain and Harrods, Selfridges and many other retailers no longer stock fur.

The Bill is extremely welcome as it will finally kill off the remnants of a sick and discredited domestic industry in Britain. It will also send important signals to the

international fur trade that there is simply no place in decent, modern society for fur farming—an unnecessary industry that is completely indifferent to the animals that it exploits.

Mink farming is cruel and vicious at many levels. As we have heard many times already in this debate, mink are essentially wild animals. They defend semi-aquatic territories of up to 22 acres in the wild. They hunt, swim, explore and patrol their territories using aggression and scent marking. According to recent research, they sometimes make journeys of up to 4.3 km, yet on fur farms a typical cage is no longer than a person's arm. It does not allow access to water and is designed purely for the benefit and ease of the fur farmer.

Recent studies of mink have highlighted their natural and instinctive response to water and to a stimulating, extensive and diverse environment. One cannot help wondering what quality of life such lively and intelligent animals can possibly enjoy by being forced to spend their short lives in small wire cages. The conditions in which mink are kept lead to stereotypical behaviour which includes tail biting, self-mutilation, running to and fro along the floor of the cage, sometimes on two legs, rising up and down on their hind legs, moving their heads and forelegs, circling, sham feeding, rising up and head circling. Scientists at Cambridge university recently concluded that such stereotypical behaviour by mink is an indication of stress. Indeed, certain forms of stereotypical behaviour are likely to derive from attempts by the mink to escape their cages—evidence that their physical conditions are completely inadequate. While the levels of such behaviour vary—one study shows 70 per cent. of animals demonstrating such behaviour and 10 to 20 per cent. showing signs of self-mutilation—all scientific evidence has concluded that it is an ever-present feature among farm mink.

In 1979, the Farm Animal Welfare Council—the Government's scientific and technical advisers—stated that

"fur farming does not meet all the basic welfare needs of"

what are "essentially wild animals".

My hon. Friend the Member for Basildon (Angela Smith), in an extremely helpful intervention, pointed out that, as a Government body, the Farm Animal Welfare Council has refused to draw up a new code of conduct for fur farming precisely to avoid it being seen to be given any form of Government approval. Fortunately for the fur trade, its appalling treatment of those animals has not impacted on the individual value of a mink pelt. Mink are killed after the winter moult when the fur is in prime condition and does not reflect the animals physical condition.

The hon. Member for Teignbridge (Mr. Nicholls) travelled fairly widely in looking for research to suggest the contrary of what I have outlined. He made much reference to Professor Wiepkema's advice on mink to the Dutch Government. I re-emphasise the point that his advice on mink has been heavily criticised, not least by a number of international scientists in a report that was compiled by Frank Wassenberg, a member of a leading Dutch animal protection organisation. In that report, Dr. Georgia Mason criticised Professor Wiepkema's statement that there were no indications that swimming water was necessary for mink, because there was no data on how hard mink would work for access to water. Recently, she has published further research demonstrating the importance of water to mink.

What clinched my support for a ban on fur farming was the way in which the animals were killed. The main method for killing mink in Britain is by gassing. However, gassing with carbon dioxide or carbon monoxide does not prevent considerable distress and discomfort. Death requires the mink handler to place the mink individually in a killing box, which, as they are not tame and may struggle, requires the handler to grip each mink extremely firmly. That in turn leads to most of the animals demonstrating the behavioural signs that come with fear and terror: screeching, defecation and urination. One account of the death of mink by gassing described the mink running so fast up and down its death cage that it was impossible to keep track of where in the cage it was—proof of the terrible distress that it was suffering in death.

**Mr. Alan Clark:** I am following the hon. Gentleman's speech with great attention and I agree with practically everything that he has said. In describing the killing process, will he also express his contempt, which is widely shared, for the euphemism that was deployed by my hon. Friend the Member for Teignbridge (Mr. Nicholls) when the mask slipped for one minute and he referred to "harvesting," which is an ad man's euphemism for the process that the hon. Gentleman has described? What is interesting is that that term conceals the innate guilt and distaste that is felt by everyone who is associated with the process.

**Mr. Thomas:** The right hon. Gentleman makes a powerful point. I join him in his condemnation of that term.

Because mink are semi-aquatic, they are capable of holding their breath for lengthy periods, extending the distress that they experience during the death period. Other forms of killing mink that have been used include neck breaking and electrocution. Perhaps I should describe that process. Electrodes are clamped to the animal's mouth and inserted into its rectum. An alternative method is by lethal injection.

**Mr. Peter Atkinson:** Which mink farm in the United Kingdom uses the method of execution that the hon. Gentleman has just described?

**Mr. Thomas:** When the Bill is passed, no mink farm will be able to use such methods because there will be no mink farms about.

**Mr. Gray:** Will the hon. Member give way?

**Mr. Thomas:** I am coming to the end of my remarks, so I will not.

On the method of death, we do not require anyone in this country to have any training for that grisly task. The fur farming industry in Britain cannot say that it has not been warned that a ban on fur farming is coming. The 1989 view by the Farm Animal Welfare Council gave a strong hint that action would be forthcoming. Ministers have been clear on the issue, too. In opposition, our intention to ban fur farming could not have been clearer.

*[Mr. Thomas]*

Written questions since the general election from hon. Members have produced ministerial responses that have reconfirmed the Government's intent to support a ban on fur farming. Indeed, when the new Mink Keeping Order was approved in November 1997, the Government confirmed again in writing the intention to ban fur farms.

The Bill allows time for fur farms to wind down their activity. It gives time for employees to find new work and allows compensation to be paid. Ample notice has been given of our intent to ban fur farming. The overwhelming majority of public opinion expects and wants a ban on fur farming. Now is the time for the House to deliver exactly that.

11.25 am

**Mr. Mike Hancock** (Portsmouth, South): I join other hon. Members in congratulating the hon. Member for Liverpool, Garston (Maria Eagle) on the successful way in which she has presented the Bill and her success in coming so high in the ballot. She now has a good chance of getting the Bill through the House. She is undoubtedly doing a great service for a number of people in this country—me included—who have long held the view that legislation was long overdue and in the public interest.

I hope that the House will get behind the hon. Lady. I hope that the official Opposition will join in supporting the Bill. A number of their obvious concerns over the matter have been allayed by hon. Members, not least the hon. Member for Harrow, West (Mr. Thomas), who eloquently and positively explained the reasons why the overwhelming majority of the British public are against those farming practices and the way in which the animals are killed.

I share with other Members the distaste for the suggestion that "harvesting" mink in that way was something of a corn-keeping exercise. That was completely distasteful. I am sure that the hon. Member for Teignbridge (Mr. Nicholls) will live to regret the use of that word, as I am sure many people in the fur-farming industry will.

**Mr. Gray:** In giving way, the hon. Gentleman is braver than the hon. Member for Harrow, West (Mr. Thomas), who refused to give way on that point. The hon. Member for Harrow, West, whom the hon. Gentleman is now praising, used emotive language in talking about electrocution of mink. He made some highly charged remarks, but he should know that, of the 15 mink farms that were surveyed by the Ministry of Agriculture, Fisheries and Food some years ago, 14 used gassing and one used barbiturates. There is no evidence that electrocution of the type described, or breaking of necks, is used in the UK.

**Mr. Hancock:** The hon. Gentleman is wrong. I have seen film taken in mink farms in this country and documentary evidence that proves that the practice has been carried out. He has made a number of interventions on that and other issues affecting mink. He made the point when he attacked the hon. Member for Garston just minutes into her speech, criticising the fact that she appeared not to have been to a mink farm. He has not been to another planet, but on animal-related issues he talks as though he has. Hon. Members should bear that in mind when considering his interventions. *[Interruption.]* You are laughing. The hon. Member needs—

**Mr. Deputy Speaker:** Order. First, the hon. Gentleman should remember that he is addressing the Chair; secondly, it might be helpful if the debate did not descend into personal criticisms. We should concentrate on the subject matter.

**Mr. Hancock:** When someone puts himself above the parapet like the hon. Member for North Wiltshire (Mr. Gray) has and says some outlandish things to other hon. Members, he should be able to take it a bit.

**Mr. Deputy Speaker:** Order. My strictures were not directed simply to the hon. Gentleman; I was speaking to the House as a whole. It is best that we deal with the subject matter rather than personalities.

**Mr. Gray** *rose—*

**Mr. Hancock:** I will allow the hon. Gentleman to get the point off his chest.

**Mr. Gray:** Perhaps I can clarify my position as the hon. Gentleman has made some strange remarks about it. I strongly support the Bill, will not seek to divide the House and will vote in favour of it if the House divides, but I will do so because, in Committee, we will be able to examine some of the welfare issues about which I am still concerned. For the hon. Gentleman to suggest that I am against the Bill is incorrect.

**Mr. Hancock:** The hon. Gentleman could have given a clearer indication of that by not pursuing some of the points that he has, but I welcome the suggestion that he is wholeheartedly behind the Bill and will do all he can—

**Mr. Gray:** Not wholeheartedly.

**Mr. Hancock:** Not wholeheartedly, but the hon. Gentleman supports the Bill.

The information that we have been sent shows that the lobby advocating fur farming has come up with four key issues. Those of us who have followed the issue with great interest over the past 20 years have heard them before. The first argument is that the measure is an infringement of the individual's right to conduct business and that fur farmers are law-abiding. The response to that is that people do not have the right to do lots of things that are considered inhumane. For that reason alone, there is reason—it is time—for the decision to be taken.

We have progressed as a society and become more intolerant of many inhumane practices, which are legion. Over the past 100 years or so, we have successfully passed laws to end many of those practices. Our attempt to ban fur farming, once and for all, is the latest example of the progress that we are trying to make.

The second argument—which was made by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg)—is that fur farming is no different from normal legal farming. The rebuttal to that argument is that, in most cases, other animals are farmed for food to be used for the common good, not for something that

is regarded as a luxury item. When that fact was pointed out earlier in the debate, the hon. Member for Billericay (Mrs. Gorman) said, "Here we have the class battle." It is no such thing, and it was nonsense for her to have said that. I am sorry that she is not in the Chamber to hear my reply.

Farm animals are domesticated, not wild. I cannot believe that anyone could reasonably suggest that a mink is anything other than a wild animal. Generally, all parts of farm animals are used. Very little of animals that are reasonably described as farm animals and that are used for food is not used in one way or another. Perhaps, in time, our society will evolve out of meat farming, although that is probably a long way off. Undoubtedly, however, that evolution will eventually come.

The third argument is on the rights of fur breeders. The hon. Member for Garston has more than justified her position by providing in her Bill for fur farmers to be compensated for the loss of their business. In all conscience, surely we must admit that loss of those businesses is a small price for the United Kingdom, as a community, to pay in ending a practice that undoubtedly unnecessarily tortures and kills animals.

The fourth argument against the Bill pursued by those who advocate continuing the trade is that the Government should regulate the industry, to prevent animal abuse, rather than ban it. We have already had that opportunity, have we not? The right hon. and learned Member for Sleaford and North Hykeham himself told us that he felt that, when he led on the issue for the previous Government, he had neglected addressing the issue. He chose not to do so. The farmers have had the opportunity to deal with the issue, but they have neglected to do so. Therefore, there cannot be any reasonable excuse for us not now to take on the issue.

The four key arguments levelled against the Bill are easily and remarkably quickly despatched. Sadly, it is a lot quicker to dispose of them than it is to dispose of the animals that those people continue to torture.

The dimensions of the cages in which the animals are held are not much larger than the Dispatch Box. Do advocates of fur farming honestly believe that those are proper conditions in which to keep any animal—especially an animal that should develop and flourish—for any longer than a few minutes? It cannot be right to keep animals in such conditions.

I cannot believe that even the most hardhearted hon. Member would want to go home and tell his or her children that he or she is in favour of animals—100,000 of them every year in the United Kingdom—being caged in such conditions for long periods, simply so that they can be put to death and more than 1,000 fur coats made, so that people can prance around feeling that they look a little more attractive than they might in a man-made alternative. It is not reasonable for the House to allow the trade to continue.

The consequences of our vanity is around for us all to see. For centuries, we have used and abused animals to satisfy our own vanity. But there is no excuse for us to continue exercising that right, if it is a right. I am disappointed that the Council of Europe did not take a much harder line on the issue. I represent the United Kingdom Parliament in the Council of Europe, and I am disappointed that the United Kingdom did not fight harder to ensure that the community of Europe took a more forceful line on the issue.

Many of the arguments that hon. Members made today on the scientific evidence can easily be rebutted. For every argument in favour of continuing fur farming, there are many more arguments against it. We have to consider carefully payments supporting some of the research programmes, especially the exercise in Scandinavia and in Denmark. The scientific evidence in that exercise was produced not without solicitation, but often at the specific request of those whose only interest was to ensure continuation and justification of the trade.

It cannot be right, and must not be thought to be right, to allow animals to be so mistreated and abused. I am disappointed that 13 fur farms are still operating in the United Kingdom. I only wish that we had been able, long ago, to force those farmers to reconsider their futures. Like many people, I was hoping that the campaigns against wearing and farming fur that have been fought in the past 20 or 30 years would have been sufficient for farmers to realise that they should change to alternative ways of making a living.

I share the view expressed by the hon. Member for Garston that fur farming creates nowhere near the number of jobs that the industry claims. I agree with her appraisal that the industry provides about 50 jobs. Hon. Members who have, like me, visited fur farms will know that that employment figure is realistic. I am glad to say that both the farms that I visited closed long ago. I have also stood outside other farms, which are still operating, and never saw anywhere near the number of employees that has been suggested coming out of them.

We have to be extremely careful, of course, about how we use legislation. Nevertheless, the hon. Member for Garston was right to promote the Bill and to use the public opinion statistics on the matter. On issues such as fur farming and fox hunting, the public have made their feelings known, and they expect the House, for a change, to respect and respond to those demands.

I am disappointed that the right hon. Member for Bromley and Chislehurst (Mr. Forth) has left the Chamber. At least I do not think that he is here. Today, he has moved his seat three times already—I had better ensure that he is not here, as I should not comment on him in his absence—*[Interruption.]* He is a man who many hon. Members have found it very difficult to avoid, although those who have done so have found their effort well rewarded. It is very disappointing for some of us that he has chosen to exercise his rights in the House to frustrate many good pieces of private legislation.

**Mr. Deputy Speaker:** Order. I do not think that the hon. Gentleman has remembered what I said in my previous ruling.

**Mr. Hancock:** I had a slight lapse there, Mr. Deputy Speaker, and apologise to you and to the House for it. I feel that those points should occasionally be made, but I shall vigilantly remember your ruling.

I should hope that the House will today give the Bill a fair wind and wish it well. I hope that there will not be a vote, and that the Bill will move uncontroversially to its next stage. In Committee, I hope that hon. Members who are concerned about the Bill will vent their concerns. I am sure that, in his reply, the Minister will give a very steady steer in telling us how the Government might respond to some of the points. I am sure also that the Government

*[Mr. Hancock]*

will take on board all the very interesting and well-made arguments on the issue. Nevertheless, I believe that the Bill very precisely identifies, clarifies and answers many of the concerns.

For those reasons alone, I believe that the Bill is worthy of support. I believe that it is worth supporting also because it is about time that the United Kingdom rid itself of a trade that does so much harm to the nation's character and causes so much distress and inhumane treatment to the animals concerned.

11.39 am

**Jane Griffiths** (Reading, East): I congratulate my hon. Friend the Member for Liverpool, Garston (Maria Eagle) on her success today in introducing the Bill. Like many other hon. Members on both sides of the House, I find it incredible that, this year—the final year of a century in which we have seen unparalled acceleration in development of science, technology, civil rights and animal welfare, which are all vital ingredients of a civilised society—the House should have to draw its attention to a practice that is more congruent with an uncivilised society lacking development in those spheres.

Nevertheless, the House is no stranger to debating the merits of practices—or traditions, as their apologists weakly claim them to be—that belong to the dustbin of history. One has only to look at the fine Bill promoted by my hon. Friend the Member for Worcester (Mr. Foster) in the previous Session. Like that Bill, today's Bill commands the support of the majority of our fellow citizens: the people whom we are here to represent and in whose name we legislate.

The Bills are similar, in that they recognise that our attitudes towards animal welfare reflect on the integrity of our society, but I hope that is where the similarity ends, because, in the previous Session, the Wild Mammals (Hunting with Dogs) Bill fell, at the hands of a small number of hon. Members who employed some of the more outdated procedures of the House in their hell bent pursuit of thwarting the wishes of the majority.

Now is not the time to discuss the merits of some of our parliamentary procedures, but perhaps it is the time, as we stand on the eve of a new millennium, to suggest to last year's culprits a new millennium experience: the experience of accepting the overwhelming arguments against fur farming and recognising the overwhelming support that those arguments enjoy. Perhaps I may be called democratically naive for accepting the will of the people.

**Mr. Swayne:** The hon. Lady does not help her cause by drawing a parallel between the Bill and the Wild Mammals (Hunting with Dogs) Bill, for they are entirely different.

**Jane Griffiths:** I thank the hon. Gentleman for his remarks.

The millennium has generated many problems in computing and information technology—problems that may touch all our lives—but I believe that it also presents us with another set of challenges, some symbolic and some more tangible. The Government are making great progress in meeting the tangible challenge of modernising Britain, transforming it into a country equipped for the 21st century, with improvements in the economy, the health service, education and other aspects of our national life. The symbolic challenge is for Britain to enter the 21st century as a country with moral integrity, and that integrity is at least partly based on the humane treatment of animals.

The Bill would take us one step closer to achieving that integrity. At present, thousands of mink are kept in unacceptable conditions for the sake of a luxury product. Those conditions severely limit the extent to which the animals can behave naturally, and that is cruelty.

The Bill is supported by the RSPCA, the country's defenders of animal welfare, yet the British Fur Council is foolish enough to have published in the national press disingenuous photographs purporting to show the hands of an RSPCA inspector holding a healthy mink from a fur farm. People will not be conned by that. Even if the pictures told a true story, it is worth noting that the RSPCA has no powers of entry to fur farms; inspectors can visit them only with permission and view only what they are shown.

The majority of people in this country want an end to fur farming. Last Saturday in Woodley, a part of my constituency that I cherish greatly, as it is always a reliable barometer of public opinion, more than 600 people in three hours approached me to express support for such a ban. I believe that the Government are minded to support the Bill. I give it my unreserved support and call on last year's democratic bandits to vote with the people.

11.43 am

**Mr. Tim Loughton** (East Worthing and Shoreham): I congratulate the hon. Member for Liverpool, Garston (Maria Eagle) on promoting the Bill and I pay tribute to the animal welfare organisations, and the RSPCA in particular, that have given freely of their services to back it. I am delighted to be one of its sponsors. It has wide cross-party support, as it should.

I am not naturally one to advocate banning things, be it as an emotional kneejerk reaction to furry animals or as a pandering to populist opinion polls. I am certainly not in favour of banning foods or supplements that individuals choose to consume, or of the nanny-state attitude that is so much a hallmark of the Government, trying to tell us how to run every aspect of our lives every hour of the day—

**Mr. Forth:** But—

**Mr. Loughton:**—but—I am pre-empted—in the case of fur farming in the United Kingdom, we have the last vestiges of an industry that has virtually banned itself. There are 13 farms run by only 11 licensed farmers, producing 100,000 pelts a year from 130,000 mink, accounting for less than 1 per cent. of world production. As the hon. Member for Garston said, the number is down from 600 farms early in the century, and 68 in 1982, to almost nothing.

**Mr. Edward Leigh** (Gainsborough): My hon. Friend and I are fellow Conservatives and share many values. Does he agree that one of the finest attributes of Conservative thinking is that we always protect minorities

from oppression, however small they may be, because they have a right to state their view and carry out what up to now has been a perfectly legitimate activity?

**Mr. Loughton:** That is a perfectly legitimate point, but there is a minority of child killers, and we do not necessarily support them. There must be a cut-off point for common sense to come into the argument.

**Mr. Leigh:** Child killers break the criminal law, the civilised common law that has been established for centuries to protect other human beings. Fur farmers do not kill or oppress human beings and, as Conservatives, we should surely protect their minority interest.

**Mr. Loughton:** There must be a cut-off point. There is a wide choice of perfectly legitimate pursuits for people to follow. The majority of people engaged in the industry favour the Bill, because they want to get out of the business, and the Bill is rather a good way of affording them an opportunity to do so. My hon. Friend is advocating protecting a minority who do not want protection.

We often hear that the Labour party is the party of the many, not the few. I agree with my hon. Friend that it has been up to Conservative Members to stand up for the minorities whom the Government are unduly attacking, but this is a different matter.

I am not pandering to a populist issue, but neither am I taking a primarily moral stance, although there may be a valid moral case. I believe that the current practice is just plain unacceptable, and that making it remotely acceptable in the United Kingdom would prove wholly unviable economically, for practical and sensible reasons.

I am hard pressed to see how rearing mink or other animals in cages can possibly conform to the terms of the European convention on protection of animals, although I concur with my hon. Friend the Member for Teignbridge (Mr. Nicholls), in that is not the sanctuary that I would normally seek in matters European.

The convention says:

"Freedom to display most normal patterns of behaviour"

is a requirement in animal welfare.

[illegible] hon. Friend agree that it is up to [illegible] European Commission and the [illegible] to ensure that something [illegible] convention? How does he make [illegible] compliance with a convention or directive to an outright ban?

**Mr. Loughton:** I am not recognising a European recommendation or directive as an overriding source, but merely using it as an example of how the practice does not fit with what is considered appropriate. As my hon. Friend the Member for Teignbridge said, animal welfare standards, like pollution, do not respect national boundaries. If we can set precedents, as we did on the use of veal crates, we should do so, to encourage better animal husbandry on the continent. We can take a stance and press for better practices among our European neighbours.

The semi-aquatic mink, which is accustomed to roaming and defending areas of river bank up to 2.5 miles long, is not encouraged to exhibit its natural behaviour on a fur farm, where it is not in its natural habitat. On farms, mink are typically kept in long rows of barren cages in open-sided sheds and fed with dollops of paste. A typical cage is 70 cm by 45 cm by 40 cm—I use the metric unit purely because I did not have time to convert into proper imperial measures. It is not surprising that there are so many reports of disturbed behaviour among farmed animals.

The Government's scientific advisers have said that fur farming does not meet all the basic needs of those animals. They say that it is impossible to recreate a mink's natural free-roaming environment in fur farms, where those wild animals have no opportunity to express natural behaviour such as swimming, diving and climbing, and that results in serious welfare problems. The Farm Animal Welfare Council was set up by the Conservative Government in 1979 to advise on welfare of farm animals—another successful animal welfare measure for which, most unfairly, the Conservative Government gained little credit. The council reported on fur farming on several occasions and stated:

"The Council believes that the systems employed in the farming of mink do not satisfy some of the most basic criteria which it has identified for protecting the welfare of farm animals."

As the hon. Member for Garston said, the German state of Hessen prohibited the use of cages in 1996 and required climbing facilities, access to water and other measures. Now, there are no fur farms in Hessen, because it is not economically viable to breed the animals for fur in acceptable conditions—the farmer cannot make a living from it. If it were economically viable, farms in this country would have adjusted years ago—they certainly cannot deny having seen the writing on wall. For many years, it has been clear that animal welfare measures should be taken, but the industry has done nothing. Now—especially given the current slump in auction prices for fur—most fur farmers favour the Bill because it would allow them to get out of the business altogether.

**Maria Eagle:** The hon. Gentleman is probably not aware that, this morning, I did an interview on BBC Radio Stoke with the chairman of the Fur Breeders Association of the United Kingdom, who spoke overtly for all the farmers. He said that neither he nor they opposed the passage of the Bill: although they regretted it, they saw the writing on the wall and wanted to co-operate in implementing the legislation. They were more concerned about proper compensation, which is fair enough.

**Mr. Loughton:** I am not at all surprised by those comments. I fear that I am not a regular listener to Radio Stoke, but I am sure that the many people who are benefit greatly from it.

I support the Bill because it is simple: it has only seven clauses and seeks solely to end the farming of fur in the UK after a realistic winding-down period. It includes mechanisms to pay due compensation, which is a matter that should be closely examined in Committee, because it might prove to be a major bone of contention which will need thrashing out. The Bill does not in any way pass judgment or impose restrictions on the wearing of fur or on the trading of fur. It does not make provision regarding the capture of animals for fur in the wild; nor does it make any attempt to restrict the import of fur. It is not an

*[Mr. Loughton]*

attempt to further some sort of ideological class-war terrorism against fur-wearing fat cats, who will be entitled to continue to wear fur, if they so choose.

**Mrs. Teresa Gorman** (Billericay): I have a fur coat.

**Mr. Loughton:** That may be so, but I would never describe my hon. Friend as a fur-wearing fat cat.

Any of the features or omissions that I have described would be creditable and credible in current or future legislation. The hon. Member for Garston has gone out of her way to make the Bill acceptable, practical and simple, so as to allay the fears and concerns of many hon. Members.

It could be said that one may not object to the Bill because it was a Labour election commitment to ban fur farming. In that case, it is a shame that, yet again, as with so many of the animal welfare pledges that Labour made before the general election, the Government have not produced the goods, but have instead relied on a Back Bencher to bring the measure before the House. I have received a great deal of post on the subject, almost all of it in favour of backing the Bill. I was happy to be able to write back saying, "Not only am I backing the Bill, but I am sponsoring it, hope to speak on it and will vote for it, if I am given the opportunity to do so." However, a number of people have said that they feel that they have been let down by the Government on animal welfare issues, because the Government have not delivered and their promises turned out to be hot air.

There might be a modicum of justification for fur farming if it produced some sort of essential foodstuff that provided sustenance, but it does not. Fur farming exists purely to produce a luxury item for which there are many artificial alternatives, or for which the buyer should be prepared to pay a higher market price, if that enabled animals to be reared in conditions that take proper account of their welfare during their lifetime, rather than in the current conditions, which have been described as a fate worse than death. As the RSPCA has said, its opposition to fur farming is based on the knowledge that it causes considerable suffering to produce an unnecessary luxury product.

Even if, as one of the bullet points being touted by the British fur industry states, there is a law in Russia requiring people to wear fur hats in temperatures below minus 20 deg C, that law should be changed to allow a different sort of hat to be worn by the good burghers of Russia, Siberia or anywhere else. In any case, even the Labour Government have not become nanny enough to introduce the compulsory wearing of headgear in this country—at least, not yet, but there is plenty of time for them to do so.

Last week, I took part in a radio programme with a representative of the British fur industry, who described in detail, with great relish and glee, his recent visit to a fur farm. He said that he had found mink that were

"relaxed, inquisitive, lively, even cheerful".

I think that one of the rather fairyland phrases he used was:

"Mink all lined up in their little cages."

I do not know which mink farm he visited, but it struck me that, when he drove up the M1, he must have taken the turning marked "Fantasy Island", because his is not the sort of description that one readily associates with a mink farm, on which animals live in wire cages.

**Maria Eagle:** Is that gentleman Mr. Robert Morgan, who in the *Daily Mail* the other morning described the Bill as a threat to the bacon butty?

**Mr. Loughton:** I cannot remember the name; it was not Mr. Robert Morgan, but it appears that he has bedfellows who also make seriously fatuous statements.

The man I met went on to challenge the case made by those who support the Bill, that fur is an unnecessary luxury item, by asking what the difference was between farming for a luxury item and buying an expensive luxury steak derived from an animal reared solely for its meat. For a start, I would not expect to buy a steak produced from a steer kept in a wire cage 70 cm by 45 cm by 40 cm; and when I pay up for the best sort of steak, it is because it typically comes from an animal reared in conditions that are as natural as possible, and if the meat bears the RSPCA "freedom foods" badge—which we should all look out for in our supermarkets—I can be certain that the animal had been so reared.

**Mrs. Gorman:** The phrase "luxury item" has come up more than once in the debate. Does my hon. Friend agree that, if people are determined to own fur—we all crave some luxury, whether it is a fur, a Porsche or a Ferrari—they will attain it by shooting animals in the wild? People who want mink will still have it. The humane raising of animals for which there is a demand and a market is a sensible alternative that conservationists advocate for animals threatened by extinction because of hunting. The corollary is that, if we provided humane conditions, the rest of the Bill would be negated.

**Mr. Loughton:** I got a little lost during my hon. Friend's intervention. The point is that the Bill would in no way ban people who legitimately hold licences from shooting mink in the wild. It is purely about mink and other animals that are kept in small cages on fur farms.

While we are on the subject of luxury items, my hon. Friend may be interested to know that a well-known underwear retail store is currently advertising fake-fur-trimmed knickers that she can buy quite cheaply. My point is that there are alternatives to fur, but I shall give my hon. Friend the details of the store, the prices and the available colours after the debate.

**Mr. Forth:** Lend her yours.

**Mr. Loughton:** Indeed, I could lend her my own.

Let me return to food labelling. Following the excellent action taken by the then Conservative Government, who received little credit for it, British veal no longer comes from wholly unacceptable veal crates.

There are many practical reasons to end fur farming in the United Kingdom. My hon. Friend the Member for New Forest, West (Mr. Swayne) is understandably obsessed with the New Forest and the havoc wreaked there by the disgraceful actions of some lunatic so-called animal liberationists who released mink from a farm in

his constituency; those actions have annoyed the brigadier who writes prolifically to my hon. Friend, and we have heard from the brigadier many times this morning.

When mink escape or are released, they wreak havoc in the wild. They are not native to this country, and in Hampshire they have attacked wild and domestic animals and birds. They can spread diseases such as Aleution disease and distemper. An Oxford university study has blamed mink for the virtual disappearance of water voles from most English rivers over the past 15 years. The animals that we seek to support through the Bill are not really very nice.

Serious questions have been raised about killing practices, and I shall not repeat what other hon. Members have said. However, no qualifications or training are required in the United Kingdom for those who carry out the killing, and that may require consideration.

Compensation costs will not be considerable because the remaining industry is minimal, and the Treasury will not pay much attention to the costs. In 1997, legal opinion from a counsel used by the Ministry of Agriculture, Fisheries and Food concluded that no legal bar existed to banning mink farming immediately without compensation. As with many other matters, I should much prefer to use properly scrutinised primary legislation to bring that about rather than relying on the secondary regulations that the Government use all too often, even in matters of taxation. The Bill could end up helping to bail out a dying industry.

Some 60 per cent. of world trade in fur pelts is done through London. Fur traders do not believe that they will be negatively affected by the ban proposed in the Bill. The fur farming industry cannot legitimately be described as a traditional country pursuit, although that case has been put forward by opponents of the Bill. Mink were introduced here only 70 years ago; they are not native to this country. The demise of fur farms, and the affect that it would have on unemployment, would have no serious impact on rural economies; it is unlike the serious case that I could make on the impact that the end of fox hunting would have.

There is a conflict between welfare and profit. Quasi-genetic modification practices currently produce rare colours on the fur of mink that can fetch higher prices and that can be manipulated through careful breeding. Such breeding programmes concentrate on the colour of the pelt regardless of all else, and rare colours may be linked to poor physical conditions experienced by the animals. For example, the white pelt is produced by a line of congenitally blind mink.

"Made in Britain" is not a phrase of which I feel proud when it is applied to fur. It would be hypocritical to legislate merely to tinker with welfare standards when, to all intents and purposes, the fur industry is crying to be put out of its misery from a long, slow, uncomfortable and lingering death. As long as we can get right the compensation packages, the Bill will benefit everyone, not to mention the animals that are forced to exist—they do little more than that—in wholly unacceptable conditions. This is a good little Bill; it is straightforward, realistic, centrally focused and achievable. It deserves our support.

12.5 pm

**Mr. Peter Atkinson** (Hexham): I congratulate my hon. Friend the Member for East Worthing and Shoreham (Mr. Loughton) on the way in which he weaved a course between supporting the Bill and being rude about the Government. Apart from that, I disagree entirely with his remarks, because, like so many other hon. Members who have spoken in favour of the Bill, he confuses a personal moral issue with one of welfare.

It is all very well for people to say that they want to ban this practice because they disapprove of people wearing unessential luxury fur coats—a view reflected by my hon. Friend and Labour Members who are in favour of the Bill—but that is not necessarily my judgment or that of other hon. Members. As my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) said, it is wrong to use criminal law to impose one's views on other people.

It is utterly wrong to call fur farmers a minority in a dying trade and cite that as a reason to use the Bill to kick them and wipe them out. They are indulging in what, up to now, has been a perfectly legal operation and the Conservative party should therefore support their minority interests. That is why I am a Conservative and why I fundamentally disagree with my hon. Friend the Member for East Worthing and Shoreham.

The hon. Member for Reading, East (Jane Griffiths), who has just left the Chamber, spoke of moral integrity in terms that I translate as moral tyranny. The difficulty with opinion polls is that they produce many figures. The fact that they may say that 74 or 84 per cent. of the public are against fur farming is not a reason to impose moral tyranny on people who are practising a trade that is perfectly legal. Those people should look to this House to defend them in their activities.

The hon. Member for Harrow, West (Mr. Thomas) made an inordinate number of utterly wrong and untrue allegations about the conditions in mink farms. He said that mink were executed with electrodes. That is completely illegal. The killing of mink in this country is covered by the Welfare of Animals (Slaughter or Killing) Regulations 1995, which were introduced by a Conservative Government and which specifically forbid the use of any methods other than the legal ones. When mink are killed on fur farms, vets from the Ministry of Agriculture, Fisheries and Food have to be present to ensure that it is done properly.

When the hon. Member for Halifax (Mrs. Mahon) intervened very early in the debate and mentioned hell-holes, she was referring to institutions that are regularly visited by MAFF inspectors. Those inspectors are involved when mink are transported around the country and when they are killed. Mink farms in this country are carrying out their duties according to existing law.

The mink farm at Coneyheugh in my constituency has been run by the Harrison family for nearly 30 years. I have visited their 5-acre site and I have spoken to Mr. Harrison several times. Some of my hon. Friends might find the smell of the farm a little unpleasant but the husbandry satisfies current rules and regulations.

I declare an interest—perhaps I should have done so earlier—in that I am a consultant to the Countryside Alliance and a member of the National Farmers Union and the Country Landowners Association. I believe that some mink farmers are members of the NFU.

The family who run the farm in my constituency have been subjected to a campaign of terrorism for many years. I am surprised that no one has yet mentioned what the

*[Mr. Peter Atkinson]*

farmers have had to put up with from the animal rights activists, who make their lives an absolute misery. As my hon. Friend the Member for East Worthing and Shoreham said, that is one reason why some mink farmers want out. My constituents have had their house burgled and their children spat on. They have had pickets outside their property day and night, on weekends and weekdays. People have broken into their premises and threatened the family's security.

**Maria Eagle:** I take this opportunity utterly to condemn such activity, which is completely unacceptable. However, does the hon. Gentleman accept that there have been prosecutions for violent offences on both sides of the issue and that it is not only animal rights activists—or animal liberation activists, as they are known—who perpetrate unlawful acts, but mink farmers and their employees? There has been wrongdoing on both sides.

**Mr. Atkinson:** I am grateful to the hon. Lady for that intervention. I did not wish to imply that she was in favour of such action, and I am glad that she joins me in condemning it. Some people engaged in mink farming have been involved, but I am talking about those who have been subjected to a campaign of terrorism and harassment for several years. It is no wonder that sometimes their patience snaps and they attempt to protect themselves and their property. That is not an excuse for what they have done but, having seen at first hand the conditions in which they are forced to live, I can begin to understand it.

My right hon. and learned Friend the Member for Sleaford and North Hykeham holed the Bill below the waterline when he rightly identified that this should not be an issue of moral principle—it is a welfare issue. He cited a great deal of evidence, which I shall not repeat, to the effect that if we introduced the standards imposed in Holland, Denmark and other mink-farming countries, we should then have the conditions that would satisfy most experts.

The Farm Animal Welfare Council has been prayed in aid by several hon. Members who support the Bill. The council disapproves of the way in which mink are currently kept, but has also said that, with more research, it would be possible for mink to be kept in confinement. We should be moving in that direction. My constituent, who, as I said, is a serious mink farmer with a 5-acre site, made it perfectly clear that he would have invested the money necessary to bring his farm up to the Dutch standard, but when he heard the Labour party, then in opposition, say that it would ban mink hunting in its entirety—I mean mink farming, but, sadly, mink hunting, too—he was naturally reluctant to invest. At the time at which he would have been prepared to make that investment, the price of mink pelts was extremely high and the trade extremely profitable, so he would have had the necessary money.

**Mr. Leigh:** It is said that mink cannot be farmed humanely because they are naturally wild animals. On the other hand, the National Farmers Union says that they have been farmed for more than 80 generations, and the mink now being farmed are therefore domesticated. Will my hon. Friend explain how it is possible to ensure that mink are farmed humanely, just as we have done with pigs and veal?

**Mr. Atkinson:** It is perfectly possible. As my hon. Friend says, mink have been bred in captivity for more than 80 years. One of the techniques of breeding is always to breed from the most docile animals. During those 80 generations, we have therefore encouraged a docility in the breed, which would not be there in the wild. When mink escaped or were released by animal rights activists, it was noticeable that at feeding time many went back to where they knew they belonged because they were domesticated and, apart from a few lucky ones, incapable of surviving out there in the wild.

**Mr. Swayne:** It is a mistake to believe that mink are bred for docility. They are bred for their pelts, not their docility. Last summer, our experience in the New Forest was that a voracious wild animal had been let loose on our natural fauna. One might as well expect a mink to inherit a wooden leg as to inherit docility.

**Mr. Atkinson:** I see that docility is not something that was bred into my hon. Friend. I do not accept his point. I was talking about a particular strain in mink as well as their pelts. My hon. Friend is being disingenuous.

**Mr. Loughton:** If my hon. Friend is saying that mink can be so Pavlovian in their behaviour that they come back at feeding time, why have fur farmers not seized upon the opportunity for free-range mink to encourage better welfare standards?

**Mr. Atkinson:** This point is in danger of descending into farce. Larger cages that allow greater movement would satisfy the concerns of many of the opponents of mink farming. It would be possible, no doubt, to provide those if farmers invested. If they cannot invest, hard cheese—as my right hon. and learned Friend the Member for Sleaford and North Hykeham said.

A similar Bill, passed in Austria, illustrates the futility of what we are trying to achieve today. There was one fur farm in Austria, which the Austrian Government decided they wanted to close. They compensated the farmer at a rate, which the Minister will recall, of £380 per breeding female; a lot more than he proposes. The farmer in Austria said, "Thank you very much" and closed down his fur farm, then moved 30 miles across the Czech border and opened another.

Effectively, we are proposing to close 13 fur farms in this country—businesses which should be run to strict MAFF standards. We will replace the 100,000 mink pelts a year from English fur farms with pelts from other fur farms. Some will come from Holland and Denmark, where the mink are well brought up, but many will come from countries in eastern Europe such as Lithuania, where conditions are intolerable by comparison. We are giving comfort to those who rear mink in a poor environment at the expense of those who provide a better environment—which, in future, could be improved still further. That is illogical.

The same happened when the previous Conservative Government decided to ban tethers and stalls in the pig industry. I was one of the few Conservative Members—my hon. Friend the Member for Gainsborough (Mr. Leigh) may have been another—who did not agree. That was not because I did not want to see higher welfare standards in the pig industry, but because I wanted those standards on at least a Europe-wide basis. As a result, the cost of our pork has gone up, and all the people who said in the opinion polls that they wanted to abolish tethers and stalls are now choosing to buy cheaper pork from Denmark, which still uses tethers and stalls.

If we are to improve the welfare standards of mink by making sure that the conditions are right, we want our Minister to go to Europe to campaign for better conditions for fur farming. He cannot do that—he would be going there naked—if fur farming were abolished.

The explanatory note states that, overall, the compensation will be £400,000—an average of something under £40,000 per farm. I know that that will not be the figure per farm, as the amount will change according to the size of the farm. However, my constituent, who has a 5-acre site, will have costs of £20,000 or more to remove and clear the site. He will lose all his income, and he will have to pay redundancy costs for the three full-time staff he employs in addition to the members of his family who work on the farm. He will have no money left out of the compensation. He will be lucky to sell his property.

This is a bad Bill, and it does not address the question of welfare. That is why I agree entirely with my hon. Friend the Member for Teignbridge (Mr. Nicholls). In passing, I believe that it is wrong for Ministers and Governments to take over private Members' Bills which attack the liberties of our citizens and involve the expenditure of public money. That has happened before—it happened when the Conservatives were in power, and it is happening now. However, I wish to place on record that I think it is wrong. This is not the right forum in which to propose such legislation.

12.19 pm

**The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley):** I congratulate my hon. Friend the Member for Liverpool, Garston (Maria Eagle) on the way in which she moved the Bill, and on the detailed way in which she has addressed the issue. We have had discussions during the preparation of the Bill, and I and my officials have been most impressed by the way in which she grasped the issues, made proposals and understood the points. Hon. Members will not be aware that my hon. Friend has been unwell this week, and it is a great tribute to her commitment that she was able to speak as she did.

The Government have made a pledge to end fur farming as soon as practicable, and we have been seeking the most appropriate way to do so. We shall support the Bill, and we wish it every success in its passage.

The majority of the points that hon. Members have made are fair and reasonable, and they deserve an answer. I shall try to answer them.

I was disappointed in the hon. Member for East Worthing and Shoreham (Mr. Loughton), who made some good points but could not resist a partisan attack on the Government. We, as a Government, are proud of our commitment to animal welfare and proud of what we have achieved in 18 months. I challenge the hon. Gentleman to name a Government who, in 18 months, have done as much to improve animal welfare.

Some people want us to do more and to work faster. We must work within the restraints of Government. We cannot deliver everything that we want in the first year; we must act within the parliamentary process, and that takes time. We would have delivered more were it not for the activities of some Conservative Members, who have delayed and frustrated a range of animal welfare measures introduced by hon. Members. If the hon. Member for East Worthing and Shoreham wants to make political points, that is my response.

The history of fur farming is not a happy one. Over the years, a variety of animals bred for their fur have escaped. Mink is the well known one and has become established; coypu is another. Other exotic species have escaped from fur farms and become established in the wild, with undesirable results for our country's biodiversity and ecology. It is not just fur animals; the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) mentioned wild boar. We have wild boar living in the wild, and they are causing problems in Kent. The Government are addressing that issue.

The hon. Member for New Forest, West (Mr. Swayne) vividly described the devastation that arises when mink escape or are released from whatever source, and the resulting costs—which fall on the Government, because in all the recent escapes the Ministry of Agriculture, Fisheries and Food has made staff available to try to round up mink, to trap them and to try to minimise the damage to the environment. That cost falls on the taxpayer.

**Mr. Alan Clark:** I do not want the Minister to slide on past and ignore the accusation that he made at the start of his speech—that some of my hon. Friends had frustrated measures that he has brought to this place and has now, presumably, abandoned. It is notorious in the animal welfare world that many of the manifesto pledges that the Labour party made have so far been ignored, and yet, on the basis of those pledges, they derived much support—traditional support—at the general election. Which measures were frustrated, and why did the Minister not use the very substantial majority—

**Mr. Loughton:** Government measures.

**Mr. Clark:** Which Government measures were frustrated, and why did not the Minister use the substantial majority that he commands in the House to push them through?

**Mr. Morley:** One measure that springs to mind is the Bill to regulate puppy farming introduced by one of my hon. Friends, which was frustrated by Opposition Members. The other, of course, was the Wild Mammals (Hunting with Dogs) Bill, which was also frustrated by Opposition Members. It is no use hon. Members saying that they were not Government Bills. There is the process of finding Government time, and we must live within the restraints of time that is made available.

**Mr. Loughton** *rose*—

**Mr. Morley:** I do not want to be diverted. People will judge for themselves in due course.

**Mr. Loughton:** On a point of order, Mr. Deputy Speaker. The Minister specifically mentioned Government animal welfare measures that had been frustrated by my Conservative colleagues. He has so far failed to list a single Government measure.

**Mr. Deputy Speaker:** That is not a point of order but a point of argument, and I hope that it is a point of argument that will be confined, because we are dealing with this particular Bill.

**Mr. Morley:** I understand that, Mr. Deputy Speaker. The measures which were frustrated to which I referred were ones that we supported as a Government. Perhaps I should make that clear if Conservative Members want to be absolutely accurate. The Government will be judged in due course on what we have done and achieved in relation to animal welfare, as will those hon. Members who have opposed what the Government had been trying to do. Other Members on both sides of the House will also be judged accordingly.

Public consultation on mink farming was started in August 1997. The response was overwhelming opposition to fur farming and an overwhelming desire to see it ended. As part of the consultation, it became clear that the way to end fur farming would have to be through primary legislation. It cannot be done through secondary legislation, contrary to what the hon. Member for East Worthing and Shoreham suggested. It is our advice that that is not the position.

We announced as a Government on 30 July 1998 that primary legislation would be required and that that process would be adopted. All fur farms have been informed of that in writing, and particularly when the Mink Keeping Order was renewed.

There are heavy demands on the Government programme. Many Bills are due to go through Parliament. It takes a while before Government time is made available for any Bill. In that respect, we are very grateful to my hon. Friend the Member for Garston for introducing the Bill. It means that we can make some progress, and there are many people who want to see that progress made.

The Bill's provisions have been well outlined by my hon. Friend the Member for Garston. One of the key issues is that of compensation, which has been mentioned by several hon. Members. We take the issue seriously and we understand the arguments. We accept that there is a case for compensation. We have listened to the points that have been made by hon. Members, including the hon. Member for Hexham (Mr. Atkinson), on how that compensation should be paid. When I had a meeting with hon. Members who represent mink farmers in their constituencies, I made it clear that I would reflect on what they had said about such things as buildings and the effect on those who work for mink farms if mink farming comes to an end. I repeat that I will reflect on the points that have been made. They certainly could be addressed in Committee.

**Mr. Hogg:** There are two points about compensation on which I think the House would like the Minister's views. First, why is he excluding compensation for loss of revenue, profit or income? Secondly, are we not as a House facing the problem that the Bill provides only the opportunity for compensation? It does not provide for the certainty of compensation. Consequently, the House is not being asked to approve or disapprove a particular compensation regime. In reality, we never will be, so we are giving the Minister a discretionary power that can be exercised without any subsequent parliamentary procedure because the negative procedure is very uncertain.

**Mr. Morley:** It is fair to say that the details of compensation would be put before the House after the Bill went through its passage successfully. It is true that the present proposal is to use the negative statutory instrument procedure. However, I am prepared to reflect again on the point made by the right hon. and learned Member for Sleaford and North Hykeham on scrutiny of the details of the compensation arrangements. I do not want to be unreasonable and I shall give some thought to the matter.

I say to the right hon. and learned Gentleman—in my notes I have included his point on income—that no Government Bill for any sort of compensation could provide any open-ended commitment on income that could or could not be forgone in future. That is just not possible and it is not done. It is not the way in which any sort of Government compensation scheme would operate.

**Mr. Hogg:** Of course. No hon. Member could ask the Minister to give a blank cheque. However, the Minister will know that, for example, in personal injury cases the courts have a mechanism for formulating or calculating damages to be awarded for loss of income. There are procedures that can readily be adapted to the situation that we are discussing if the principle of future revenue loss is to be accepted as right.

**Mr. Morley:** To a certain extent, we have accepted the principle of income loss. Generally, mink breeding is on a three-year cycle and given the phase-out date that is proposed in the Bill, it may be that one year's cycle in relation to the sale of pelts will be denied to the mink farmers. We are prepared to deal with that. I hope that that goes some way towards meeting the right hon. and learned Gentleman's point. The details will be addressed after the Bill has been passed.

**Mr. Owen Paterson** (North Shropshire): The Minister has obviously worked closely with the hon. Member for Liverpool, Garston (Maria Eagle) on the preparation of the Bill. I note that there is no statement in the Bill to the effect that it is compatible with recent European human rights legislation. Has he calculated the potential cost to the British taxpayer if one of the fur farmers took his case right to the top in the European courts?

**Mr. Morley:** The explanatory notes state that the Bill is compatible with legislation under the European convention on human rights. That point has been taken into account in the drafting of the Bill and in the Government's attitude to it. I can reassure the hon. Gentleman that we are confident that the Bill addresses the matter.

The right hon. and learned Member for Sleaford and North Hykeham knows that as a strict legal principle, the Government are not obliged to give compensation for the effects of any measure that they introduce. This is a

private Member's Bill. In the past, private Member's Bills have contained enabling powers to make compensation. They do not usually specify figures.

To be fair, we have accepted the principle of compensation in this case. That was not the case when the right hon. and learned Gentleman was the Minister for Agriculture, Fisheries and Food. He closed down the head-deboning industry without offering any compensation whatever. Legally, he was well within his rights, which I accept. The Bill addresses the issue in a way that it is not strictly obliged to do.

**Mrs. Gorman:** On compensation, is it not a fact that the Government argue that they could not take back into national ownership industries such as British Rail because of the cost of compensation, which would be too expensive? The Government therefore accept the principle.

**Mr. Morley:** The hon. Lady is confusing the acquisition of assets with the Bill's impact on people's livings. Those are two different issues.

It is proposed in the Bill that the ban will take effect from 1 January 2002. That is to allow a reasonable winding-down period so that the companies concerned can make arrangements. When the Mink Keeping Order was last renewed, it was renewed for three rather than five years, in recognition of the fact that the Government intended to take steps to phase out fur farming. If some farmers choose to go to the end of the phase-out date, the order may have to be extended to that date. That action will be taken to ensure that mink farms are still regulated.

Perhaps I should explain to the House the purpose of the Mink Keeping Order. Some groups are badly informed and think that if the order was not renewed, fur farming in the United Kingdom would end. That is not so. If we had not renewed the order, mink keeping in this country would simply have been deregulated.

The order deals with the security of the mink farms. It does not cover welfare issues. If the order had not been renewed, we would not have the power to stop new mink farms being set up in areas where they may have had enormous environmental consequences, such as offshore islands, which are covered by the order.

I wanted to clarify the position. Some people think that by renewing the Mink Keeping Order, we were going back on our pledges. That misunderstanding was shared by some of those who wrote to the hon. Member for East Worthing and Shoreham. We will keep the order in place as long as mink farms exist in the UK.

The Government wholeheartedly condemn attacks on mink farms, people who release mink into the wild and people who abuse and intimidate those who are going about a legal trade. We may have our concerns and our disagreements about it, but the trade is legal. There is no justification for such irresponsible behaviour as releasing mink into the wild, whoever is behind it. The consequences for the mink and for wildlife are enormous. Such actions abuse the welfare of those animals and are based on anarchy and ignorance. We certainly have no truck whatever with that.

Time and attitudes in respect of all kinds of farming—not only mink farming—have moved on. Although I absolutely accept the point made by some hon. Members that public opinion should not in itself dictate policy or policy making, by the same standard none of us, as elected Members and representatives of the people, can ignore public opinion and the different trends within society.

**Mr. Leigh:** The Minister will remember the great campaign, fuelled by public opinion, to ban stalling and tethering. He has earned some credit with the farming community because he has told it that he has learned the lesson, in respect of battery hens, about acting unilaterally. My hon. Friend the Member for Hexham (Mr. Atkinson) has mentioned the impact on that industry.

There are only 13 mink farms in this country and 8,000 in Europe. If we ban those farms, and if we attack the industry in the same way that we have attacked the pig industry, will not they simply move to Europe? What is the Minister's response to that?

**Mr. Morley:** I shall come to those points in a moment; I intend to address them.

The wearing of fur was mentioned by my hon. Friend the Member for Garston and others. The Bill is not about banning the wearing of fur. That is a moral choice for people to make. People increasingly decide not to wear fur, which is one reason why the fur industry is declining in this country.

It is perfectly reasonable to argue about justification in respect of phasing out fur farming, and the right hon. and learned Member for Sleaford and North Hykeham and the hon. Member for Teignbridge (Mr. Nicholls) raised that matter from the Opposition Benches. I have met and consulted the Fur Breeders Association on a number of occasions, in opposition and as a Minister, and I have visited fur farms in Denmark privately, when on holiday. I did not go in and was not shown around, but I had a look at the farms, which are at the top end of the scale in terms of modernity and being well run. However, I noticed that, even on those farms, many of the animals displayed stereotypical behaviour, which suggested that they were under stress—an issue that has been mentioned by many academic reports on fur farming.

As I said in opposition, the Fur Breeders Association offered to fly me out, at its expense, to look at those farms. I would rather not do that. There are difficulties with taking support from different lobbying organisations; I have never done that, and I will not. I would much rather act privately. I have stood watching hunts in the crowd, with the hunt supporters and with the hare coursing supporters, so that I can see what goes on and can gain knowledge of the arguments. Those matters are not for this debate, but, in many cases, my concerns about and disgust with some of these activities have been reinforced.

I have also looked at different farming systems—officially as a Minister and unofficially as an individual—even to the extent of making sure that the French sheep had ear tags, in compliance with European Union regulations, while I was on holiday in France, although my family think that that is taking it a bit far. I am not convinced that fur farms in this country benefit the animals, but the argument concerns whether fur farming is acceptable or whether it could be made acceptable by changing the law and the regulations. I shall address those points.

The question whether any kind of animal rearing system is acceptable to the Government relates to the advice that we receive from our independent advisers.

*[Mr. Morley]*

Our principal independent adviser is the Farm Animal Welfare Council, which laid down five absolutely basic criteria with which any kind of animal rearing system must comply—the five freedoms, as they are called. For the information of the House, the five freedoms are freedom from hunger and thirst; freedom from discomfort; freedom from pain, injury and disease; freedom to express normal behaviour; and freedom from fear and distress.

Fur farming could comply with some of those basic freedoms. Animals could certainly be kept free from hunger and thirst, and there are regulations in respect of that. Other issues, such as discomfort, pain and injury, and fear and distress, are debatable from both sides of the argument. However, one of the crucial basic freedoms that is not debatable is freedom to express normal behaviour. That key issue should be addressed, and there have been some detailed studies.

Some hon. Members asked about the attitude of other countries. It is true that, although we may take steps to ban fur farming in the United Kingdom, it would not be banned in other countries. Austria has taken measures to ban fur farming there, and I do not doubt that other countries will follow suit. That problem should not deflect us from dealing with this moral and welfare issue.

There is also a practical matter to be considered. This country is an island, and the problems of animals escaping into the wild could have been avoided if such farms had not been established. As long as fur farming goes on, there will be the risk of animals escaping. As an island, it is to this country's advantage to ban such practice. I accept that that should have been done a long time ago, because some of these species are now well-established in the wild. Unlike coypu, which was eradicated, although it was difficult and expensive, it would probably be all but impossible to eradicate mink.

The Council of Europe has discussed the issue of improving cage standards on mink farms. Everyone agrees that current standards, which are applied in this country, are not acceptable. We took part in those discussions, and we made it clear that we believed that fur farming is unacceptable. I can tell the hon. Member for Hexham that Austria took part in those discussions even though it has taken steps to ban fur farming. Banning fur farming in this country would not preclude us from giving our opinion on standards, because we are entitled to do so as part of the democratic process. Even with the Dutch standards, which are an improvement on those applied in this country, despite the use of the new cages there is still a problem of animals expressing stereotypical behaviour.

**Mr. Peter Atkinson:** I thank the hon. Gentleman for meeting my colleagues and I the other day. I was churlish to forget to thank him for the hour that he gave us, and for promising to consider compensation in more detail.

Austria banned fur farming, but with the money that they were given some farmers set up shop 30 miles away in Czechoslovakia, which has far lower standards of supervision than those in Austria, so where is the benefit?

**Mr. Morley:** We are applying new standards in the Council of Europe, which goes beyond the countries of the European Union and covers eastern Europe. What happens in other countries should not deter us from taking decisions about what we and the people whom we represent want.

My hon. Friends the Members for Basildon (Angela Smith) and for Harrow, West (Mr. Thomas), the hon. Member for Portsmouth, South (Mr. Hancock), my hon. Friend the Member for Reading, East (Jane Griffiths) and the hon. Member for East Worthing and Shoreham referred to the impact on mink. They are right and I agree with their analysis. Many detailed studies have been carried out in support of both sides of the argument. The question is whether fur farming can be made acceptable for the future.

Mink are solitary animals, and in the wild they have wide ranges and have access to water. Many scientists believe that they should have access to water, although some hon. Members argued the contrary. It is difficult to provide that access in a system of commercial rearing. No system so far proposed can meet those standards. If we went for higher standards, it would undoubtedly squeeze most, if not all, fur farmers out of business. It is strange that some Conservative Members were arguing that we should follow that path, and that, instead of taking a clear decision with a phase-out period and a compensation package, we should raise standards and bankrupt the people involved without paying any compensation. That does not seem a fair way in which to deal with this problem compared with the proposals in the Bill.

As has been said, the chairman of the Fur Breeders Association and the fur farmers with whom I discussed the Bill want to be clear about the future. If fur farming is to end, they want a phase-out date and compensation arrangements. They want to know what is happening so that they can plan for the future. The Bill meets all their concerns, so it came as no surprise to me that although the Fur Breeders Association would prefer not to have such a Bill, it is prepared to accept it.

Many scientific studies argued against fur farming and cast doubts over the conditions in which the animals are kept. Other vets and scientists put alternative views and suggested that the cages could be redesigned and made acceptable. Some of those arguments were also disputed by the scientific and veterinary profession.

The right hon. and learned Member for Sleaford and North Hykeham was inconsistent in his argument as he said that battery cages were unacceptable and created animal welfare problems. Hens have been bred from jungle fowl for a very long time—no creatures are more domesticated—yet they still exhibit natural behaviour such as scratching and dust bathing. However, the five freedoms do not apply to battery cages. The Government have adopted a consistent approach. That is why we are arguing in Europe for the phasing out of battery cages in the long term.

**Mr. Hogg:** The Minister is quite right. However, in the short term he and many of his hon. Friends are eating eggs produced by the battery system. Therefore, I find his disparaging approach difficult to understand.

**Mr. Morley:** Consumers can choose whether they buy free-range or battery-produced eggs. There is no such choice in respect of fur—people cannot buy free-range mink fur. We are taking a consistent approach to the criteria. Although there are issues to be addressed in

respect of welfare standards and alternative conditions, other European countries support our proposal and the European Parliament has voted for a 10-year phasing-out of battery cages.

Some scientists argued against the abolition of veal crates, sow stalls and tethers. There will always be arguments about the pros and cons of phasing out certain practices, however the right decision was taken. The European scientific and veterinary committee reached similar conclusions in respect of veal crates, sow stalls and tethers and in due course those practices will be phased out in Europe.

**Mr. Paterson:** Following my earlier intervention, my hon. Friend the Member for Reigate (Mr. Blunt) and I have gone through the Bill and the explanatory notes very carefully, but we can find no reference to any European human rights legislation, so the Bill may be committing the British taxpayer to substantial legal expenses in Europe. Is it not a futile gesture? The total sum of mink happiness will not be increased as the same number of mink will be farmed. The industry will simply move abroad to Czechoslovakia or the Slovak Republic where conditions will be worse than they are here.

**Mr. Morley:** I assure the hon. Gentleman that his point about the European Court of Human Rights is certainly being addressed. If it is not mentioned in the explanatory notes to the Bill, I am happy to write to him to confirm that the issue is being addressed. We are not committing the Government to such challenges. Any Bill that the Government support and that ultimately may become Government legislation has to bear that in mind. I have dealt with the point on other countries. What other countries do should not dictate what we do in this country.

The Government have been consistent in applying the same standards to any animal-rearing system. In Committee, we will examine the issues that have been raised in the debate to find out whether they are being dealt with, but the important thing is that there is a clear case against fur farming on welfare and moral grounds. It is a dying industry. The trends are against it. The Bill is a fair package that reflects overwhelming public concerns and the legitimate concerns of fur farmers.

It would not be in the interests of fur farmers to oppose the Bill, which would lead to further uncertainty and fly in the face of the overwhelming concern of the people whom we represent. The Government support the Bill. We are prepared in Committee to address the reasonable and fair points that hon. Members have raised, but, as we approach the next millennium, such rearing systems are no longer acceptable in a modern and compassionate society.

12.51 pm

**Mr. Alan Clark** (Kensington and Chelsea): The House of Commons has a long, remarkable and honourable tradition of debating animal welfare issues, usually at the behest of Back Benchers. Indeed, many years ago, I made my maiden speech in this place in support a private Member's Bill, introduced by the hon. Member for Hull, North (Mr. McNamara), which would have outlawed hare coursing.

I am glad to be a sponsor of the Fur Farming (Prohibition) Bill and to congratulate the hon. Member for Liverpool, Garston (Maria Eagle) on its concise and lucid quality, which is in marked contrast—I see him sitting beside her—to the Bill in the name of the hon. Member for Worcester (Mr. Foster). That was so ludicrously ill-drafted, penal and repressive that I spoke against it, although I had looked forward to it with high expectation.

If Back Benchers draft their measures properly and get the sympathy and support of the House, much good can come of them. I say in parenthesis that I am somewhat apprehensive, although I support the principle, of the Right to Roam Bill because it is in the name of the hon. Member for Pendle (Mr. Prentice), who, whenever I hear him, is usually recommending to the House that one or other Tory Member should go to prison, and whose general attitude to social issues is down-market Leninist, as far as I can make out. He is the worst possible person to promote a Bill that has, in principle, much to be said for it and that should enjoy the support of the whole House. However, it remains to be seen what happens to that Bill.

I will not repeat many of the arguments that we have heard already; I do not want to take the House's time on that. I say simply that I, many hon. Members and many of the people who have written to us on the topic hold the view that man has a duty of care to all living creatures, consistent only with his own survival on the planet.

For example, where it is necessary for man to survive by eating animals, we have a duty to control and to regulate as far as we can, and to make as humane as possible the process by which they are put to death. Where man is advised, or believes, that medical science will be advanced by experimentation—a precept about which I am exceedingly doubtful—it is equally necessary for proper regulation to surround the process. But, here we have a case where animals are being bred simply for adornment. It is purely a commercial and profit-oriented activity.

**Mr. Forth:** What is wrong with that?

**Mr. Clark:** I recognise the voice of my right hon. Friend, who is not in his usual place—I do not know why; he usually sits next to me. I will tell him what is wrong with that. It is gratuitous cruelty, inflicted on other living creatures for a purpose that is totally unconnected with man's survival on the planet. It is thus in breach of a feeling that I hold in conscience—I know that I am not alone in that. We should do our best to eliminate such cruelty.

**Mr. Crispin Blunt** (Reigate): I have not been able to follow the argument being made by my right hon. Friend on the equivalence—or lack of it—of breeding for meat and farming for fur. He is a vegetarian and takes all sorts of funny supplements to make up for the absence of meat in his diet, and he has survived perfectly well to whatever age he is. If he does not have to eat meat, meat must not be required for man to survive. His argument could therefore be used to advocate banning not only fur farming but meat farming.

**Mr. Clark:** It could not. My hon. Friend—whose forensic skills are usually at a high level—makes a ridiculous and inconsistent argument. He knows perfectly well what I am saying. However, he did mystify me by saying that my diet includes all sorts of strange supplements. I am not aware of them. I should like to put

*[Mr. Clark]*

it on record that—unless people are lacing my food and drink—I am not "on" anything at all. [HON. MEMBERS: "Viagra?"] I thought that there might be some reference to that, and have literally lost count of the number of times that I have been asked that question. The answer is no, because I am far too cowardly, not for any other reason.

I do not know what my hon. Friend the Member for Reigate (Mr. Blunt) meant in his assertion, but am very happy to deny it. I have not taken even an aspirin for at least seven years.

**Mr. Paterson:** Will my right hon. Friend give way?

**Mr. Clark:** Is it on diet?

**Mr. Deputy Speaker (Mr. Michael Lord):** Order. Perhaps we can now return to the subject of fur farming.

**Mr. Clark:** I hope that we can. Mr. Deputy Speaker, but my hon. Friend the Member for North Shropshire (Mr. Paterson) seems keen to question me on my argument. I am delighted to give way to him.

**Mr. Paterson:** My right hon. Friend is taking the line that fur is a luxury, perhaps recalling the old jingle:

"Would you prefer to sin with Eleanor Glyn on a tiger skin or would you prefer to err with her on some other fur?"

However, as my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) said, in the northern countries, fur is a vital product. If there were a cheaper and more suitable product for keeping out temperatures of minus 20 or 30 deg, surely people in Scandinavia, northern Russia and northern China-Mongolia would have found it. Fur is the only serious option.

**Mr. Clark:** That may very well be the case in those countries. Nevertheless, fur is farmed in the United Kingdom not to keep out the cold, but for the adornment of various fashionable people.

The belief that fur farming should be stopped is very widely held, and I have heard very little to destabilise that belief. The arguments against it can be grouped broadly under two headings. The first is that the activity will move to another country if we ban it here. My hon. Friend the Member for Hexham (Mr. Atkinson) gave the examples of Austria and Czechoslovakia. He asked what would be the benefit of banning it here if farming moves some miles away. The benefit will be to our own consciences. We legislate for this country, not for other countries. If we believe that a practice is inhumane and repellent, it is our duty to see that it does not occur within our own frontiers. If the practice is moved and practised elsewhere, it is not our business.

The second group of arguments can be grouped under the broad heading of self-regulation. My hon. Friend said, "Farmers are very keen to sort out the matter and to do the right thing. Let's leave it to them and it will all, ultimately, be smoothed out. Be patient."

Self-regulation never works: one cannot self-regulate greed. As we know, the system of self-regulation established by the Press Council is a paper tiger and a laughing stock. Self-regulation in the City of London never operates effectively, and scandal proliferates. I have absolutely no confidence in self-regulation by a body whose profits depend on finding ways round those regulations, whether anyone pays lip service to them or not.

All those objections may have some substance, but they are not central to the Bill; they are matters of detail that should be discussed in Committee. I was very glad to hear the Minister say that the Government want the Bill to go to Committee. I strongly urge that it should receive its Second Reading.

1 pm

**Mrs. Teresa Gorman** (Billericay): One or two of the points that have been made today seem to me to be specious. No one has said that we should not have humane conditions for mink or any other animal in captivity, although captivity, even for cows and sheep, is essentially unnatural. All herbivores roam over large distances, but we keep them confined to a certain extent, and all carnivores go hunting, so they probably travel even further, but we still do not say that we are treating them unnaturally when we keep them confined. If we did, we would close down all zoos and circuses. Some hon. Members may favour that, but that is not what we are debating.

The hon. Member for Liverpool, Garston (Maria Eagle) adduced the argument of popular support. Her case would have been stronger if she had voted against the lowering of the age of consent in the Sexual Offences (Amendment) Bill, because the great majority would have favoured the status quo, so that is hardly an argument that she should pray in aid for the Bill.

**Maria Eagle:** As I said in response to an intervention by the right hon. Member for Bromley and Chislehurst (Mr. Forth), I was merely praying that argument in aid and not making it central to my case. Given that public opinion is so strong, it was worth mentioning it.

**Mrs. Gorman:** Many hon. Members, and my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark), said that fur is a luxury. That is classism, if anything is. Primitive man used furs and many people rely on sheepskins to keep them warm. The fur people wear need not be mink, but to condemn the wearing of fur for classist reasons is nonsense.

One does not have to get fur from animals bred in this country, as it is available worldwide, and if it does not come from bred animals it may well come from animals trapped in the wild, a practice that is a danger to the survival of many species. Many conservationists advocate the keeping of animals in some form of captivity in order to preserve them. Wild animals such as tigers and lions can cause havoc in rural communities and are being hunted to extinction because people see them as a threat. It has been pointed out that mink, in the wild, are a threat.

**Angela Smith:** Will the hon. Lady name the conservationists who advocate keeping wild animals in small wire cages in which they cannot follow their natural behaviour?

**Mrs. Gorman:** That is a perfectly valid point, but it has often been said that, if animals are kept in captivity, there is a strong case for humane treatment, and we would all support that.

The point about compensation has been dealt with rather poorly. I know that it is in the Bill. When I spoke about the Labour party's record of arguing against renationalising certain industries because of the cost of compensation, the Minister pooh-poohed my argument, saying that it was simply a matter of paying for the cost of the assets of the business, and the Government were prepared to do that—but a business is the sum not only of its assets but of the goodwill, know-how, jobs and livelihoods involved.

If the Government close the businesses down, people should be compensated properly. The assets often lack face value because they are old and have been in use for some time—that is the principle when there is a takeover bid in the City—but the value to the individual fur farmer would be much greater. Most of the farms are small businesses and, when their assets are destroyed, the families involved can no longer support themselves.

Internationally, the arguments for compensation are extremely strong. Almost weekly, we read of demands for proper compensation for assets seized as long ago as the second world war. Most hon. Members would support proper compensation at today's values being paid to those whose assets were taken from them. The case for international action against the confiscation of assets is also well established: for example, Castro, who confiscated many American assets, still suffers sanctions. Those principles are well established, and I urge the Government, if they support the Bill and the payment of compensation, not to address only the odds and ends that go to make up the farms themselves.

The Minister advances the concept of basic freedoms, but it is absurd to suggest that those freedoms are natural rights—a natural part of an animal's existence—for, in the wild, animals do not enjoy those basic freedoms. Unlike the Minister, I cannot reel them all off, but let me cite the freedom from disease, pain and distress. Most animals in the wild die as a result of disease; many, having been attacked by other animals, die in pain; and I am sure that both those causes of death cause them some distress. To lay down acceptable standards and call them basic freedoms is nonsense.

The case for the Bill should be argued, and has been well argued today, on the basis of humane conditions and, if the Government are to proceed, of proper and thorough compensation. On those grounds, most people would support the Bill. However, the underlying arguments, which are based on envy of people who can, who want to, or who dare to, wear fur, are discreditable. As for popular support, if that is to be used to support the Bill, let me remind hon. Members that there are many examples of the House voting contrary to popular feeling, and I pray in aid last week's vote on the age of consent.

1.7 pm

**Mr. Eric Forth** (Bromley and Chislehurst): I wonder where the Bill really comes from. When a Bill is a private Member's Bill, a clear understanding of its provenance is important because it enables the House to make its own judgment on how to react. The Minister was characteristically open in acknowledging that the measure is one that the Government had said they wanted to introduce, and he claimed popular support for it. He then said—I think these are his exact words—that the Government are most grateful to the hon. Member for Liverpool, Garston (Maria Eagle), who is the promoter of the Bill. I bet they are.

Anyone with a suspicious mind—I have occasionally been accused of being such a person—might think that the Bill is a Government Bill that is being slipped through the private Members' Bill procedure on the QT. Perhaps there is nothing wrong with that—it is entirely a matter for right hon. and hon. Members to decide for themselves. However, if the private Members' Bill procedure is being used as a sort of conduit for Government Bills for which the Government cannot or will not find the time, we should be informed of that, so that we can judge the Bill in that light.

**Maria Eagle:** May I satisfy the right hon. Gentleman on that point? The Bill is not a Government Bill that is being slipped quietly through under the private Members' Bill procedure. It is a Bill which I decided to promote and which I subsequently discussed with the Government. I can reassure him on that point.

**Mr. Forth:** I would not impute anything but the highest motives to the hon. Lady—that is not the point that I am trying to make. My point is that the Minister said that the Bill is one which the Government wanted which has now popped up, thanks to the hon. Lady and her desire to take such a Bill through the private Members' Bill procedure. That is all I am saying. However, on Fridays, when we discuss private Members' Bills, the House might want to know whether it is helping the Government by giving or not giving fair passage to a particular Bill. That is a relevant consideration for the House to take into account when considering private Members' Bills. That is the background point.

My approach is similar to that of my right hon. and learned friend the Member for Sleaford and North Hykeham (Mr. Hogg). I support the thrust of the argument that he made with typical elegance. The word that caught my eye immediately when I looked at the Fur Farming (Prohibition) Bill was "prohibition". The word reveals the attitude of mind that lies behind measures such as the Bill. It is assumed that it is legitimate and valid for a majority in the free society on which we pride ourselves to say to others, "If I disapprove of something, I believe that it is legitimate for me to legislate to make sure that you do not do it."

There is a profound matter of principle here on which I must take issue with the hon. Member for Garston, who said as she introduced the Bill, that it was a small matter. It is not.

**Mr. Swayne:** Will my right hon. Friend reflect that this is not a matter of principle, but one of degree and judgment? I am sure that he would agree that it would be quite improper for him to eat his grandmother simply because he had bought the carcase on a free and open market.

**Mr. Forth:** My hon. Friend may wish me to make some comparison between my grandmother and a mink, and I may do so if he waits for a while. I thought that someone—although I did not expect it of my hon. Friend—would attempt to draw parallels between laws

*[Mr. Forth]*

designed to protect one human being from the behaviour of another and laws relating to the activities of humans regarding animals. There is an important distinction, and I cannot share the view—although I respect the honesty and integrity of those who hold it—that places animals in the same category as humans. I hold a view about the hierarchical nature of nature itself that precludes my accepting that analysis.

For the moment, however, I am more concerned about prohibition. We must face up to what we, as legislators, feel about the important principle of whether we are entitled to legislate to prevent other people from behaving in ways of which we disapprove. I accept the point made by the hon. Member for Garston and the Minister that we are not talking—not yet—about people's right to wear fur. We are discussing whether people have a right to conduct a business in the production of fur.

I am worried by the Bill's implications. The hon. Member for Garston talked about thin ends of wedges, denying that the little measure that she is promoting for limited reasons should in any way be seen as the start of a process that might lead to further prohibitions. I accept totally that she does not see it that way, but others may. They may say that a start has been made and a bridgehead established. They may say that they have established that the law can be used to prohibit the production of fur in ways of which they disapprove, and that that could provide a basis on which to take further steps.

**Mr. Vernon Coaker** (Gedling): I am trying to follow the right hon. Gentleman's argument. Is he suggesting that because it would infringe individual liberty, it would be wrong to enact any legislation that stopped someone mistreating a dog or any other animal? Is he saying that it is an infringement of individual liberty if the law prevents a human being from acting cruelly towards an animal? If so, I totally disagree with him. The Bill is simply saying that it is wrong to be cruel to animals.

**Mr. Forth:** The hon. Gentleman makes a fair point, and I shall take it head on. I regard myself as a libertarian, and I have always striven to be one. It is a difficult posture to take in modern-day politics, but I strive towards it. I accept none the less that in a civilised society, albeit one that likes to think that it is free, there is of course a legitimate role for the law in seeking to limit behaviour that is harmful to other people and other species. I shall return later to the animal welfare point, which has arisen many times during the debate, because there is a danger of confusing the need to make sure that the welfare of animals is protected and promoted as far as possible, which is a well-established principle, and the need to ban an activity because welfare measures are insufficient or are not sufficiently policed or enforced. I am grateful to the hon. Member for Gedling (Mr. Coaker) for raising that issue.

Opinions polls, which were mentioned by my hon. Friend the Member for Billericay (Mrs. Gorman), have limitations, and we must deal with those. The hon. Member for Garston has been honest about such polls and said that she is not using them as a principal argument, but she said that she was confident that the majority view in this country is that fur farming should be banned, and prayed in aid that view. That is a dangerous argument.

My hon. Friend the Member for Billericay mentioned homosexuality. The House recently acted in defiance of what appeared to be the majority opinion because some hon. Members, principally Labour Members, believed it was right to do so, and said so again and again. The example that I always give in this case is capital punishment. If established majority opinion were the main determinant of what we did in the House, we would have restored capital punishment a long time ago, but I am sure that Labour Members would not find that argument attractive.

**Mr. Swayne:** Will my right hon. Friend agree that it is important, when examining opinion poll evidence, to ask to what extent the person being polled was informed about the subject on which he was polled and how many times in the previous days it had exercised his mind? It is therefore much more important to take account of the opinions of Brigadier Tynan and the people of Crow Hill, which were quoted by the hon. Member for Garston, who have informed themselves about the issue.

**Mr. Forth:** I am sure that the brigadier's views will greatly influence the House and I hope that my hon. Friend will shortly have an opportunity to expand on his own views and those of the brigadier.

My hon. Friend makes an important point about the distinction, of which I am sure all hon. Members are well aware, between the pre-printed postcard and the carefully handwritten letter, which is one of the aspects of modern politics and MPs' postbags. What relative weight do we place on a letter that is carefully composed and handwritten by someone who is worried about an issue and wants us to think about it, and a mass-produced, pre-printed postcard, on which people simply write their name and address before sending it to their MP? Some hon. Members may give them equal weight, but I have always thought that if someone takes the trouble to express a view, we should pay close attention. I confess that the pre-printed postcard does not carry nearly as much weight with me. That is rather analogous to the point made by my hon. Friend the Member for New Forest, West (Mr. Swayne). That is an aspect of opinion polls of which we should be aware.

We all know that it is easy to fashion a question to which the first 100 or 1,000 people whom one meets in the street will almost certainly give a positive response. I suspect that if one asked people, "Do you believe that the cruel techniques of fur farming should be banned in this country?", most people would say yes. I am not sure how one would fashion the question if one wanted them to answer no.

I now move on to the next part of my argument. My right hon. Friend the Member for Kensington and Chelsea (Mr. Clark) touched on this point in a typically impassioned intervention. We all know and respect my right hon. Friend's sincere and long-held views on this matter. One can adopt one of two positions, at either end of the spectrum. One can either say that human beings and all other animals, or species, are broadly equivalent and that we must not use or abuse animals in any way for food, shelter, clothing or anything else. Alternatively, one can say that all other species are subordinate to human

beings and therefore available for our reasonable use. My right hon. Friend probably tends to the first view, whereas I tend to the second.

**Mr. Alan Clark:** Surely there is a third position. Other species, as my right hon. Friend calls them, have less fully developed central nervous systems and, most significant in this context, do not have the power of speech. They may be inferior to the extent that they are subordinate—I use his word—but it is precisely that which imposes a duty of care on the human race, consistent only with their own survival. One does not have to regard other animals as having parity with human beings, but nor should we fall into the trap of regarding them as inferior and to be exploited because they cannot communicate with each other as we do. Surely, they are part of the miracle of creation of which man, as the highest form of life, has a duty of custody.

**Mr. Forth:** I accept that argument. Having identified the two extreme positions, so to speak, I was about to go on to say that most people occupy a position somewhere in between. Very few people—not even, I think, my right hon. Friend—would eschew all products from other species. I am glancing at his feet—unless he is, unusually, wearing plastic shoes today, that would make the point adequately. However, that is not the issue. The issue is what sort of reasonable use or exploitation with care do we find acceptable?

Today's debate is about whether one makes a distinction between the reasonable use of chickens, pigs and so on and the use of animals raised for fur. Whether they regard that as an important distinction is, I suspect, what will motivate most hon. Members to support or disagree with the Bill. Personally, I do not discern a distinction between the proper raising or breeding of animals for eating and for wearing that is sufficient to drive me to support the Bill. Support for the Bill rests on whether one feels able to make that distinction.

**Mr. David Maclean** (Penrith and The Border): In a similar vein, has my right hon. Friend reflected that if the proponents of the Bill argue that it is unethical to keep animals in small cages simply to provide titillation for those people who wear fur, surely the same is true for those who, for purely aesthetic reasons, keep budgerigars, rabbits and various other creatures, not for eating or to keep the human race alive but solely for their own enjoyment?

**Mr. Forth:** My right hon. Friend is correct. Like me, he has probably received many postcards about circus animals. I have taken this matter up with Ministers and received several ministerial replies, which I have of course passed on to my constituents. This is similar territory. One has to ask how comfortable we feel about the use of animals for domestic or public entertainment, and the conditions in which they should be kept. We all have different views. Some hon. Members may easily make the leap to saying that we should ban animals in circuses because such use and abuse of animals is unacceptable. Others may have views on domestic pets—be they goldfish, birds in cages, rabbits in hutches, or whatever. These are all legitimate areas of concern, which serve to illustrate that the absolute argument used by some today about mink is not as absolute as it might seem.

**Mr. Dismore:** There may be concerns about all sorts of aspects of animal welfare, and I personally am concerned about circus animals. However, the fact that there is a series of other issues does not mean that we should not tackle this very important issue, on which many people have sent me handwritten letters. I should say also that I have not had a single letter opposing the Bill.

**Mr. Forth:** One rarely does—that is not as conclusive an argument as the hon. Gentleman suggests. After years and years of receiving such letters, he will find that most people who are content with the status quo tend not to write to their Member of Parliament saying, "Please maintain the status quo." It is almost invariably those who want change who take the trouble to write. I do not know how many letters the hon. Gentleman has received. I imagine that, like me, he has about 72,000 voters. I do not know what proportion of them have taken the trouble to write to him on the matter. I invite him to divide the number of voters by the number of letters he has received to find the level of concern among his constituents.

There has not been too much discussion about the Bill. I have always thought that Second Reading was the appropriate opportunity for hon. Members to give some thought to a Bill, if only to guide themselves and others as to how the Bill could be looked at in Committee and beyond. Unusually—especially for a Bill with Government input—clause 1(4) refers to a person guilty of an offence being

"liable on summary conviction to a fine not exceeding £20,000."

In my experience, it is most unusual for a specific figure to appear in the Bill in this context. The reason is straightforward. I can remember years ago when I used to argue for such penalties to be included in Bills. I was persuaded—I still am—that that was not wise, because if one ever wanted to vary the penalty—if, for example, it was decided that the penalty was insufficient—one would require primary legislation to amend the Act to alter the figure.

That is why nearly all Acts involving a penalty refer to a scale. As scales can be dealt with by regulation and statutory instrument, flexibility is provided. I am trying to be helpful to the supporters of the Bill by saying that putting a figure of £20,000 in the Bill is unwise. Suppose we had a period of rampant inflation.

**Mr. Keith Hill** (Streatham): Not under Labour.

**Mr. Forth:** The hon. Gentleman—the Whip on duty—would say that, wouldn't he? Knowing him, he will probably produce a press release on the back of that comment.

I was asking whether it was wise to have a fixed, explicit penalty figure in the Bill. I was puzzled by its inclusion. On reflection, I realise that the Government may not have played as large a part in the Bill's drafting as I had supposed, because they surely would not have allowed that provision to appear in the Bill if they had drafted it. My initial suspicions may have been unfounded.

*[Mr. Forth]*

The subject of forfeiture orders bothered me because, unless the process of forfeiture is defined much more closely than it is in the Bill, there is a distinct possibility that the welfare of animals may be prejudiced, rather than improved. I say that because, as I read the Bill—I may be wrong—the assumption appears to be that, if it is found that the animals concerned are being abused or are suffering, their forfeiture will end that. The Bill reveals that a forfeited animal may be killed. That strikes me as an odd way to go about things; it is as though one were saying to the animal, "To spare you the problems of being raised in inhumane conditions, we shall take you away and quietly kill you."

Clause 3 concerns the effect of forfeiture orders. Unusually, it says:

"Any person claiming to have an interest in the animals concerned may appeal against a forfeiture order",

and it says how he may do so. I should have thought that that was a matter of rights under common law, but the Bill insists on saying that, and in so doing it raises the usual problems about access to justice and the likelihood that a person who had been involved in such farming and who wanted to appeal against a forfeiture order could take his case to court and pursue it effectively against the powers that be—the bureaucracy. It is a time-honoured but real problem. It is pointless to talk about forfeiture in a Bill when there is no means of ensuring access to justice.

The question that I want to ask—I am really asking these questions so that the Bill's promoter may deal with them when she winds up the debate—is whether such people are likely to have access to legal aid when pursuing the matter of forfeiture through the courts. There is no point in our saying in the Bill that people may appeal such an order in court if, realistically, such people will be unable to do so.

Clause 3(4)(c) says:

"Where the court makes a forfeiture order, it may order the offender to pay such sum as the court may determine".

It then says that the court may order that the offender keep the animals

"pending their destruction or other disposal."

That strikes me as extremely odd. For a start, the offender may be unable to pay the sum involved, in which case I shudder to think what will happen to him under the law—whether he will be in contempt and so on. Secondly, it hardly fits the Bill's aim for it to say that the person against whom a forfeiture order has been made should be ordered to keep the animals pending their destruction or other disposal. We have been told all morning long that the Bill's purpose is to prevent animals from suffering. Here, in the Bill itself, is a measure that could be said to contribute to animals' suffering, unless I have misread it badly.

The hon. Member for Garston dismissed those points as Committee points, and implied that it was inappropriate on Second Reading to consider any of the detail—that we should give the Bill a grand sweep of approval and leave it to the Committee to sort out the details. I have never accepted that approach to our responsibilities in the House. I believe that Second Reading is an opportunity for Members to study the Bill—not just to decide whether they accept it in principle, but to concern themselves with what they regard as important provisions of the Bill, especially where its detailed provisions may work against its stated objective. That cannot be right or sensible.

Under clause 4 we have our old friend—no, it is not a friend; our normal cause for concern—powers of entry and enforcement. Yet again it would appear that the authorities are being given very wide powers of entry to people's premises and powers to enforce the Bill. I want to hear much more about that before I am satisfied of the workability or desirability of the measure.

I move on quickly to clause 5, which deals with compensation. We have had some debate on that, but it is an important matter. I think that it was first raised by my right hon. and learned Friend the Member for Sleaford and North Hykeham. I shall raise it in a similar way because I believe that we should have heard more from the Minister about whether the Government are accepting a new and different principle and establishing a precedent.

A few months ago we had an interesting debate on quarantine, in which the Minister of State, Ministry of Agriculture, Fisheries and Food, who is now on the Government Front Bench, was involved. I have no doubt that the hon. Gentleman will recall it. Against that background, I detect a difference of view between Ministers. The Parliamentary Secretary seemingly accepts the principle of compensation and is prepared to build it into the Bill, whereas only a few months ago the Minister of State was saying that he did not accept the principle. We may be breaking new ground.

As my hon. Friends have asked, whether or not we are setting a precedent and whether or not it is important, should compensation appear under the aegis of a private Member's Bill or should a new principle be established in a Government Bill?

**Mrs. Gorman:** Will my right hon. Friend give way?

**Mr. Forth:** I will, but I want to conclude my remarks.

**Mrs. Gorman:** I wish to intervene only briefly. My right hon. Friend has long and detailed knowledge of Government policies, and will know that in the past a Labour Government, when they were nationalising our great industries in the 1960s, paid more than adequate compensation to businesses that they took over. Some of those businesses with moribund stocks received—

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. Has the hon. Lady finished?

**Mrs. Gorman:** I was about to finish, Mr. Deputy Speaker, before you told me to sit down.

**Mr. Deputy Speaker:** Unfortunately, I could not hear what the hon. Lady was saying because she was not addressing the Chair. Perhaps she could do so now.

**Mrs. Gorman:** I apologise, Mr. Deputy Speaker. I was complimenting my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) on his knowledge of the history of political activity and pointing out to him that in the past the Labour party has accepted the principle of a more than reasonable level of compensation. When a Labour Government were nationalising all our great national industries—shipbuilding, railways, the mines and

the car industry—they paid more than adequate compensation. Some industries with moribund plant received many millions of pounds. The Labour party has accepted the principle of compensation and it should be incorporated into the Bill.

**Mr. Forth:** I am grateful as ever to my hon. Friend. She has led me to my penultimate point, and that is the reference in clause 5(3)(a) to the role of the Lands Tribunal, which puzzles me. Surely the Lands Tribunal is distinctly unqualified to make judgments on appropriate levels of compensation in the area that we are discussing. It would be difficult enough to establish the appropriate level of compensation in the event that fur farms were closed down by law. To provide in the Bill that the Lands Tribunal is the appropriate body to make such judgments strikes me as being somewhat odd. The hon. Member for Garston no doubt had a perfectly good reason for the reference. When she replies, she might tell us why the reference was to the Lands Tribunal as opposed to any other body or institution that could deal with the matter. The reference strikes me as being somewhat odd.

I intended to refer—perhaps one of my hon. Friends will pick up the point—to welfare. If the argument is about the welfare of the animals rather than some other principle, surely the thrust of the argument should be about the enforcement of welfare conditions.

**Mr. Maclean:** Leave it to me.

**Mr. Forth:** I shall leave it to my right hon. Friend.

I round off my speech with the point that if we are talking about the welfare of animals—mainly or almost exclusively mink in this instance—we should look to existing regulations to see whether they are adequate, and then to enforcement. Simply to say that animals are suffering and therefore we should go straight to a prohibition or ban is not acceptable.

I fully accept the arguments about animal welfare. As a society, we have long since accepted them. In fact, we have gone further than most other societies in that direction. I have no problem with that. However, I have a problem when it is said that, because a particular type of animal is suffering in particular circumstances, we cannot deal with the matter by means short of prohibition. I do not accept that. That is my problem with the Bill. I should have preferred it had the hon. Member for Garston used the occasion of the Bill to deal with any welfare problem rather than producing a Bill which includes in its short title the word "prohibition" and so scares off people like me.

1.40 pm

**Mr. Desmond Swayne** (New Forest, West): I shall not detain the House for long, as most of the arguments that I would have made have been made—some by Opposition Members, surprisingly, and some by Labour Members—and I have disposed of some of my points in interventions.

Tendentious nonsense is associated with both sides of the argument. The early-day motion that trailed the Bill referred to inessential commodities and luxury and expensive items. Traces of that argument have been rehearsed today. I regard that as entirely irrelevant. It would appalling if we banned items because they were expensive or luxurious or inessential. I do not wish to go down that road.

**Mr. Maclean:** In case I am not able to speak in the debate, may I ask my hon. Friend whether he is aware that 90 per cent. of the output of British mink farms is not used for the fashion trade and worthless accessories, as some have put it, but is exported to bitterly cold countries where it is made into absolutely essential life-saving articles of clothing?

**Mr. Swayne:** The question of where the output goes is a matter of supreme indifference to me. I am indifferent whether it goes for a luxury item or an essential item. Given the limited output of a limited number of farms, I do not see my right hon. Friend's point as being particularly salient.

We have heard the libertarian argument—the vital principle that we should not legislate to ban activities simply because we disapprove of them. There should be a self-denying ordinance on politicians in any free society. The test of true liberalism is whether we are prepared to tolerate aspects of behaviour with which we are profoundly unhappy. That is an important principle, but it is not inviolable. It must have a test applied to it. The test must be the public good that will be achieved or the public evil that will be avoided by breaching that principle.

I come down in favour of the principle of the Bill. I do not appreciate that there is any difference in principle between farming for food and farming for leather or fur. I would not follow my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark) in the arguments that he advanced, which appeared to be a form of militant vegetarianism. I have not dined with my right hon. Friend, but my reading tells me that he has a sophisticated palate. Given the arguments that he put before the House today, it would seem that in future he would be lucky if he were able to dine on birdseed.

The issue of cruelty as far as it attends fur farming is underlined by the fact that we have been told by those who oppose the Bill that fur has been farmed in the same way for 80 generations. It strikes me that if we were unable, in 80 generations of farming, to come up with a more humane method of doing so, that is a logical argument for moving straight to a ban, rather than filtering that process through some form of regulation.

Given the nature of mink as wild animals, there is no humane way of farming them that would not present an unacceptable level of danger to the natural wildlife and fauna of this country, which is after all a small island. Exactly the same argument applies to genetically modified crops.

The science that has been adduced with respect to the mink gene pool strikes me as fundamentally flawed. It seems to owe a great deal more to the discredited ideas of Dr. Lamarck and the case of the midwife toad in the last century than to any kind of logical examination of the facts as they present themselves.

It is monstrous for hon. Members to suggest that mink are a domestic animal. We have, over generations, bred a number of domesticated species, so much so that chickens are now egg-laying machines and could not possibly survive in the wild. Nor, indeed, could cows, which are

*[Mr. Swayne]*

bred as milking machines—they could not survive in the wild because there would be no one to milk them. That is not the case with mink.

**Mr. Peter Atkinson:** I am fascinated by my hon. Friend's turn of argument. Is he saying that we should not raise pigs in confined circumstances and all should graze the New Forest?

**Mr. Swayne:** The pigs that graze the New Forest for those commoners with such a right provide a great service and the other stock in the forest provide a vital ecological function. The mink do not do so. They destroy our indigenous animal populations, which have never been exposed to such a threat. I urge my hon. Friend to attend the owl sanctuary at Crow Hill and speak to the curator about the damage and destruction done as a consequence of the escape of mink. Such escapes are an inevitable consequence of mink farming and do not always arise from direct action by lunatic animal rights organisations.

**Mr. Atkinson:** I am grateful to my hon. Friend for giving way a second time. I agree entirely that feral mink are a tremendous problem, which is why I enjoy hunting them with a pack of hounds. Will he join me in saying that Labour Members should stop attacking the hunting of mink with hounds and support it?

**Mr. Swayne:** I entirely concur with my hon. Friend. It was regrettable that New Forest district council did not call upon the mink hounds to assist with the remedying of the situation when it dealt with the escape in July last year.

I am in favour of the principle of the Bill, but I have a reservation with respect to compensation. First, I am deeply opposed to secondary legislation. This House, which has a well-oiled machine for examining primary legislation, should not hand over to Ministers the power to make law through secondary legislation. We do not have adequate procedures for the scrutiny of secondary legislation and I am not happy with the Bill in that respect.

Neither am I happy with the level of compensation suggested in the explanatory notes. Last Friday, I had the unenviable task of visiting Mr. Smith, who farms mink at Crow Hill, to explain why I would vote for a Bill that would deprive him of his livelihood. Having told him that, it is incumbent on me to ensure that he is compensated properly for the loss of that livelihood. I will be involved in taking his livelihood away from him and I feel strongly that, because my vote will have such an effect, I and other hon. Members must frame the compensation that he will receive. That issue must not be handed over to Ministers to deal with beyond our control and direct scrutiny.

**Mr. Leigh:** My hon. Friend takes a novel position for a Conservative—he is arguing for more public expenditure. Will he please explain why we should spend even more money to drive those people not out of business, but simply on to the continent, where there are 8,000 mink farms? How does he justify that, as a Conservative?

**Mr. Swayne:** I justify it on the simple principle that I enunciated at the outset: the great public good to be achieved or the public evil to be avoided. I have summed that up in my arguments in respect of the distasteful, unpleasant and cruel nature of mink farming. I have made a value judgment about which is the greater of the evils involved. I heard what my hon. Friend the Member for Billericay (Mrs. Gorman) said about compensation payable during the 1960s, although, given her looks, I am surprised that she has any recollection of those times. I am not sure whether she spent those days in suspended animation, because I have no recollection of generous compensation.

The Minister said that he will examine these issues. I urge him to consider carefully the case that will be made by the small number of fur farmers who will lose their livelihoods as a consequence of this measure.

**Mr. Paterson:** How does my hon. Friend square that view with his earlier statement that he was supporting the Bill because he was being driven by a vexatious constituent, the NIMBY brigadier?

**Mr. Swayne:** That is a monstrous suggestion. Undoubtedly, the attitude of people who live near mink farms is coloured by the proximity of the farm. That is entirely appropriate. It is understandable for someone to dislike a mink farm because of the smell and the nuisance, and as a result to take an interest in what goes on in the farm.

The residents of Crow Hill wrote to me immediately after the election and asked for my view on the banning of fur farming. I palmed them off with a reply saying that I was not in favour of banning anything, and that one should consider better regulation to make it more humane. The residents then sent me a video that they had taken of the fur farm. I was appalled when I watched it, and as a result I examined the matter in much greater detail and visited the farm. That has led me to support the Bill today.

1.52 pm

**Mr. Owen Paterson** (North Shropshire): It is a pleasure to follow my hon. Friend the Member for New Forest, West (Mr. Swayne), who always gives a colourful and punchy display. Unfortunately, I do not agree with his argument on this occasion. I join other hon. Members in heartily congratulating the hon. Member for Liverpool, Garston (Maria Eagle) on her good fortune in coming so high in the ballot. It reflects on the excellent governance of this country in the past 18 years that her priority is to close down 11 mink farms.

I should begin by declaring an interest. There has been some confusion between the leather industry and the fur industry. Before entering the House, I spent my whole career in my family's leather business, and I have declared my interest in the Register of Members' Interests. I am also the United Kingdom's delegate to COTANCE, which is the European confederation of tanners and leather dressers, and I was president of that organisation from 1996 to 1998.

In her excellent and well-explained introduction, on which I congratulate her, the hon. Member for Garston stated that the Bill excluded all skins or furs from animals that have been raised for meat. She is quite right, but my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) was slightly unclear

about the difference between skin products from animals raised for meat or milk production and those from animals whose skins are the end product in themselves.

The leather industry processes by-products of the meat, milk and wool industries. The skin and hide represent about 7 to 15 per cent. of the total carcase value. It is important that the House understands the difference between processing a by-product, which is a valuable service for the whole country, and raising an animal specifically for its skin. If the House will excuse the pun, there is a woolly area. Certain skins are anomalous. The harmonised customs tariff is in the *Official Journal of the European Communities* volume L292, and I should like to refer to two or three areas that should be tidied up if the Bill is to proceed, otherwise some people may unwittingly get caught.

The first point states:

"Throughout the nomenclature references to 'furskins' other than to raw furskins of heading No. 4301 apply to hides or skins of all animals which have been tanned or dressed with the hair or wool on."

There is a very small trade in bovine hides where the hair is left on, generally for use by interior decorators or architects. I admit that it is a long shot, but it is conceivable that someone might breed Belted Galloways that have wonderful skins that look very good for use by some abstruse New York architect and the skin might just be more valuable than the carcase of the beast.

A much more likely case that really does need tidying up is that of sheepskins. According to chapter 43 many sheepskins of rare breeds qualify as fur. Heading 4301 refers to:

"Raw furskins . . . other than raw hides and skins".

Heading 4301 10 00 refers to the skins

"of mink whole, with or without heads or tails or paws".

Virtually in the same category is heading 4301 30 00 which refers to the skins

"of lamb, the following: Astrakhan, Broadtail, Caracul, Persian and similar lamb, Indian, Chinese, Mongolian or Tibetan lamb, whole with or without head, tail or paws".

Under the Bill as drafted, if a farmer in Britain raised those species and the value of the skin was more than that of the carcase—I would be grateful if the hon. Member for Garston would listen as it is a deadly serious point—that person would be in breach of the law.

In respect of the fur trade, I have something in common with the hon. Lady and the Minister in that I have never been to a fur farm. I have absolutely no connection with the fur industry. However, furs have been a trade commodity since the Chinese and the Phoenicians, since the Russians drove west to Siberia and since we fought it out with the French over the Hudson Bay Company in Canada. Fur is not just a luxury product; it is a fundamental commodity. I totally disagree with my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark), who is no longer in his place. Fur is part of a huge international industry that goes way beyond the requirements of luxury trade. If it is minus 20 deg or minus 25 deg in Novosibirsk, northern Norway or Urumchi, no one has yet devised a more suitable material for keeping out the cold than fur.

In the European Union it is estimated that the fur trade employs 175,000 people directly, plus a further 50,000 in supply trades. The total retail trade turnover of the EU in fur is estimated at more than $6 billion. It is a substantial industry that goes well beyond the small world of fashion.

Farmed furs are the mainstay of the fur trade, accounting for some 80 to 85 per cent. of the industry's turnover. In Britain, mink predominate as the main species. I find it extraordinary that we are debating the future of 11 British fur farms producing only 100,000 mink pelts against world production of 26 million. We are talking about 11 fur farms out of 8,000 in Europe.

In Denmark and Holland they will be laughing all the way to the bank. They have more than half of world production, so if British production is closed down they will pick up the slack. Another fundamental point is that the sum of mink happiness will not increase because the same number of mink will be farmed. They will still be kept in the cages that Labour Members find abhorrent, but those cages will be in Holland, Denmark and, as my hon. Friend the Member for Hexham (Mr. Atkinson) pointed out, the Czech Republic, where they will not be subject to regulation and control by British vets and the British Government.

Several Labour Members have argued that mink are wild animals and live miserable lives. I find that hard to understand when the first symptom that an animal is unhappy or unhealthy is that its coat becomes dull. It is fundamental to the success of those enterprises that they produce healthy pelts to get the best value. I have yet to hear any evidence today that farmers are deliberately rearing unhappy or unhealthy animals. It defies all logic.

Mr. Gunnar Krantz, former chairman and chief veterinarian of the Swedish Federation of Animal Protection Societies, said:

"Only a person who is interested in animals and who likes them becomes a fur farmer. The farmer who has no real interest in his animals or feeling for their welfare soon suffers himself, in the form of poor financial return."

Several hon. Members have said that the animals retain their wild characteristics, despite having been reared for 80 generations. If one walks into a fur farm, the wild animal runs away and to the back of the cage. Fur farmers whom I have talked to have told me that the animals come to the front of the cage because they look forward to being fed. Professor Knud Erik Heller of the Institute of Population Biology at the university of Copenhagen has said:

"From a scientific point of view, fur animals that have been domesticated for more than 10 generations must be considered as so far genetically removed from their ancestors that they have to be treated as fully domesticated subspecies. Irrespective of the present taxonomy of the animals it has to be realised that it would be disastrous to the welfare of the animals to go on treating them as wild animals in respect to legislation. The majority of farmed fur animals require the same status as all other commonly held animals in modern husbandry."

I quote another expert from Denmark, where there is a huge fur industry. Steffen Hansen, a doctor at the National Institute of Animal Science, said:

"significant behavioural and physiological changes achieved through domestication therefore make it unreasonable to make direct comparisons between farmed mink and their relations in the wild, when considering their welfare."

The House should pay attention to the opinions of those experts.

**Mr. Forth:** In that context, does my hon. Friend recall that, when the Minister spoke, he said that he had paid a private visit to a fur farm in Denmark and that it was

*[Mr. Forth]*

at the top of the range. He seemed to imply that the practice in Denmark was either acceptable, or certainly much more acceptable. That suggests that we should listen carefully to the Danish experience because it may point the way in which we should go.

**Mr. Paterson:** That is an admirable intervention. I am coming on to that. Our regulation system and our Ministry have failed to enforce a substantial range of powers that already exist.

**Mr. Leigh:** Before time runs out, will my hon. Friend deal with the view that has been expressed by the National Farmers Union, which sums up the debate:

"It would be a major step to move from accepting what has hitherto been a legitimate form of farming, which is the subject of assiduous regulation and inspection by the authorities, to banning it altogether"?

Will he deal with that philosophical point, which is the kernel of the argument?

**Mr. Paterson:** Again, I was coming to that point. We have a raft of regulation that should be properly enforced. The reaction should be to improve the regulation and enforce it better, rather than to go for the sledgehammer approach of banning the whole business.

We have the Mink Keeping Order 1997. There is the European convention on the protection of animals kept for farming purposes, and the European Union directive on farm animal welfare. I take just one. The European convention refers specifically to

"animals bred or kept for the production of food, wool, skin or fur or for other farming purposes".

It is very detailed. Article 3 states:

"Animals shall be housed and provided with food, water and care in a manner which—having regard to their species and to their degree of development, adaptation and domestication—is appropriate to their physiological and ethological needs in accordance with established experience and scientific knowledge."

*[Interruption.]*

**Mr. Forth:** On a point of order, Mr. Deputy Speaker. In the context of the debate, should Labour Members be protected against external stimuli applied by someone who is not here?

**Mr. Deputy Speaker (Mr. Michael Lord):** That is not a sensible point of order.

**Mr. Paterson:** It was still quite amusing and relevant to the control of Labour Members.

Article 6 of the convention states:

"No animal shall be provided with food or liquid in a manner, nor shall such food or liquid contain any substance, which may cause unnecessary suffering or injury."

Article 5 states:

"The lighting, temperature, humidity, air circulation, ventilation, and other environmental conditions such as gas concentration or noise intensity in the place in which an animal is housed, shall"

have regard "to its species".

Time is running on. Although I could quote further from European legislation—

**Mr. Swayne:** No!

**Mr. Paterson:** As a gesture to my hon. Friend, I shall return home, to the United Kingdom, and deal with the Agriculture (Miscellaneous Provisions) Act 1968, which gives the Minister huge powers to intervene.

**Ms Candy Atherton** (Falmouth and Camborne) *rose in her place and claimed to move,* That the Question be now put.

*Question put,* That the Question be now put:—

*The House divided:* Ayes 127, Noes 4.

**Division No. 94]** **[2.5 pm**

**AYES**

Amess, David
Anderson, Donald *(Swansea E)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Bell, Martin *(Tatton)*
Benton, Joe
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brooke, Rt Hon Peter
Buck, Ms Karen
Burden, Richard
Campbell, Alan *(Tynemouth)*
Cann, Jamie
Caplin, Ivor
Cawsey, Ian
Clark, Rt Hon Alan *(Kensington)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cunningham, Jim *(Cov'try S)*
Darvill, Keith
Davies, Geraint *(Croydon C)*
Day, Stephen
Dismore, Andrew
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Etherington, Bill
Field, Rt Hon Frank
Fitzpatrick, Jim
Flint, Caroline
Foster, Michael J *(Worcester)*
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hancock, Mike
Harman, Rt Hon Ms Harriet
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hill, Keith
Hodge, Ms Margaret
Hopkins, Kelvin
Horam, John
Jackson, Ms Glenda *(Hampstead)*
Jones, Dr Lynne *(Selly Oak)*
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Lepper, David
Leslie, Christopher
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Loughton, Tim
Love, Andrew
McCafferty, Ms Chris
McDonnell, John
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall-Andrews, Robert
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Morley, Elliot
Naysmith, Dr Doug
O'Hara, Eddie
Olner, Bill
Palmer, Dr Nick
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Gordon *(Pendle)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan

Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Skinner, Dennis
Smith, Jacqui *(Redditch)*
Soley, Clive
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Turner, Dr Desmond *(Kemptown)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wise, Audrey
Wright, Anthony D *(Gt Yarmouth)*

**Tellers for the Ayes:**
**Angela Smith and**
**Ms Bridget Prentice.**

**NOES**

Forth, Rt Hon Eric
Hunter, Andrew
Maclean, Rt Hon David
Swayne, Desmond

**Tellers for the Noes:**
**Mr. Owen Paterson and**
**Mr. Peter Atkinson.**

*Question accordingly agreed to.*

*Question:* That the Bill be now read a Second time, *put accordingly and agreed to.*

*Bill read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).*

# Road Traffic (Vehicle Testing) Bill

*Order for Second Reading read.*

2.16 pm

**Mr. Andrew Hunter** (Basingstoke): I beg to move, That the Bill be now read a Second time.

I regret that there is so little time for a Second Reading debate. The Bill is not politically contentious, but is a solid, practical measure that is now needed. It has considerable cross-party support, which is not surprising since the evolutionary process that has led to it was started by the previous Administration. The main purpose of the Bill is to provide a statutory framework that maximises the benefits of establishing a central computer database of the MOT test status of vehicles. Computerisation of MOT testing will happen with or without the Bill—the public-private partnership is advancing—but, if it is not enacted, we shall not fully benefit from the advantages that computerisation can bring. That is why the Bill is needed.

First, a computerised central database will aid law enforcement: it will encourage registered keepers to have a valid MOT certificate, because the police will be able to check on the police national computer. Secondly, a computerised database will promote the efficiency and fairness of the MOT test: the Vehicle Inspectorate will be better able to control testing standards, because inspectors will more easily be able to spot abnormal patterns of test results which show possible irregularities. Thirdly, computerisation is motorist friendly: it prepares the way for paperless vehicle relicensing transactions and so makes it possible for us, one day, to renew our car licence by telephone; and motorists who cannot immediately produce an MOT certificate when asked will be spared the inconvenience of producing it later at a police station, because the police will be able to check vehicle test status on the PNC.

One further point is that the measure is cost neutral. The purpose of the provisions is to ensure that, with the introduction of computerisation, the MOT test scheme continues to be fully self-financing. The Bill sets out how the Vehicle Inspectorate receives its funding after computerisation. It also enables the Secretary of State to prescribe fees in several circumstances.

**Mr. Eric Forth** (Bromley and Chislehurst): My hon. Friend says that the Bill is funding neutral, but would it not require an increase in the cost of the MOT certificate, which will inevitably be borne by the motorist?

**Mr. Hunter:** Yes, my right hon. Friend is correct. It is anticipated that computerisation will add £1 to the cost of the certificate, which currently stands at more than £30, so the increase will not be significant.

**Mr. Desmond Swayne** (New Forest, West): Is there not another cost that the garages will be unable to pass on to motorists? I refer to the cost of vexatious regulation, inspection and training that may lead in time to the same awful unforeseen circumstances that have occurred under the Meat Hygiene Service.

**Mr. Hunter:** I do not accept the thrust of that argument. My measure is motorist friendly. There are

*[Mr. Hunter]*

accompanying costs, but they will be absorbed in the running of the various testing stations. I do not believe that my hon. Friend has a point of principle.

The Bill will enable maximum benefit to be derived from the introduction of computerisation to the MOT testing scheme. It is a commonsense and practical measure that will give the Vehicle Inspectorate far more control over what is happening at testing stations. It will consequently improve and enhance the efficiency of the scheme, promote compliance with, and enforcement of, MOT testing, eliminate the market for stolen or forged certificates, make it more difficult to disguise stolen cars for re-sale and deter clocking.

The Bill is necessary. I hope that the House will support it, and that we can compensate in Committee for the shortcomings of the Second Reading debate.

2.21 pm

**Mr. Stephen Day** (Cheadle): The official Opposition welcome and support the Bill introduced by my hon. Friend the Member for Basingstoke (Mr. Hunter). He has listed several of the benefits that the previous Government identified when they established a review of the benefits of computerisation. We wish the Bill well, so the best thing that I can do is sit down to speed it on its way.

2.22 pm

**The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson):** The Government very much welcome the introduction of the Bill by the hon. Member for Basingstoke (Mr. Hunter). We believe that introducing computerisation will bring significant benefits to the way in which MOT testing is carried out. We are proceeding with modernisation of the scheme, but current legislation imposes constraints in one or two areas that prevent the achievement of all our objectives. The provisions of the Bill ensure modernisation in the most cost-effective way and to the maximum effect.

The principal purpose of the Bill is to amend provisions of part II of the Road Traffic Act 1988 relating to the "MOT testing scheme". None of the provisions would relax or remove any existing controls—on the contrary, they would preserve and enhance existing provisions.

The main objective of the MOT computerisation project is for the Secretary of State to establish and maintain a central record of the MOT status of vehicles subject to MOT testing. What the Secretary of State would not be able to do without the benefits of the provisions of this Bill would be to: enable the police to check easily and quickly whether a particular vehicle has a valid MOT certificate; help to facilitate paperless vehicle relicensing transactions; and use information from the proposed MOT database for the benefit of others, including to help pay for the cost of introducing computerisation.

**Mr. Swayne:** Does the hon. Lady possess a vehicle of a sufficient age to require such a certificate? Has she been down to the car park to see how many Members possess vehicles—as I do—that require such certificates?

**Ms Jackson:** My vehicle will require a certificate in October. If the hon. Gentleman has evidence of illegal activity, I trust that he will make it available to the relevant authorities.

The Bill will make it possible for owners to choose to relicense their vehicles over the telephone. The Government also welcome the provisions in the Bill that would make it possible for MOT information to be made available to prescribed persons in certain cases. For example, prospective purchasers of second-hand vehicles might be interested to see evidence of the recorded mileage of vehicles submitted for MOT test. No doubt, people will be interested to know about the track record of particular vehicle makes and models at MOT tests.

The Government would like to make it clear, however, that the identity of registered keepers of vehicles will never be recorded on the database. The Government will conform to data protection legislation. Equally, particulars in the database records, such as where and by whom an MOT test was carried out, would not be disclosed except in cases that may be prescribed by regulations. Disclosure would be permitted only where reasonable cause for requesting that it could be demonstrated. A legitimate connection with the vehicle could be ensured by quoting the 17-character alpha-numeric identification number that is unique to individual vehicles.

In implementing the Bill, the Government will, as I said, conform to the requirements of data protection legislation. The Bill's provisions will enable the Government to obtain the maximum potential benefits from a central computer record of MOT results of the 22 million or so vehicles tested every year at some 19,000 MOT testing stations.

A full regulatory impact assessment has been carried out. The estimated cost of computerisation will be about £22 million per annum. That cost will be borne initially by my Department's Vehicle Inspectorate, then by an increase in the test fee amounting to no more than about £1.

If anonymous information from the database could be used, as we hope, for other benefits, the Vehicle Inspectorate would have a share in the income generated, which it would use to help to reduce the test fee. The Bill would benefit consumers not only by making additional information available to them, but by reducing the cost of an MOT test.

The provision to amend the Department of Transport (Fees) Order 1988 by negative rather than affirmative resolution will be considered during the Bill's passage through Parliament and, for that reason, the Government agree that the provision in clause 6 is entirely appropriate.

Two further safeguards are built into Clause 6: the special procedure would be valid only for 12 months and any order made under the provisions would be subject to annulment by resolution of this House.

The Government very much welcome the Bill, which will greatly assist in obtaining the maximum benefits from introducing computerisation into the MOT scheme, not least, as the hon. Member for Basingstoke has already pointed out, in crime prevention and law enforcement. I therefore commend the Bill to the House.

2.27 pm

**Mr. David Maclean** (Penrith and The Border): I, too, welcome the Bill and congratulate my hon. Friend the Member for Basingstoke (Mr. Hunter) on introducing it.

Time is pressing, and we all want to speed the Bill on its way, so I shall not pursue all the points that commend the Bill to the House. I shall merely flag up to my hon.

Friend one or two concerns that I may have a chance to address if I am fortunate enough to serve on the Standing Committee. I shall want to press the Government on the level of fees that they propose to stipulate in future for attendance at MOT testing centres, retesting vehicles and so on. My hon. Friend has already referred to those, and we will need to know what fees are proposed before the Bill returns to the House, as I hope it will.

I should also like clarification—if not in Committee, on Report—about the regulations that the Secretary of State may make. There are powers in the Bill to make wide regulations and we should like to know what he has in mind.

With those minor reservations, to which we shall no doubt have time to return, I welcome the Bill and commend it to the House.

2.28 pm

**Mr. Hunter:** Inevitably, this has been a very truncated debate that has focused on some salient features. Hopefully, those can be picked up in Committee. I commend the Bill to the House.

*Question put and agreed to.*

*Bill accordingly read a Second Time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).*

## Public House Names Bill

*Order for Second Reading read.*

2.28 pm

**Mrs. Ann Winterton** (Congleton): I beg to move, That the Bill be now read a Second time.

The British public house is a unique institution that has survived and developed over the centuries. It is part of the social fabric of not only the nation, but, perhaps more importantly, each and every local community. Many hon. Members and I are concerned about the increasing trend to develop so-called theme pubs, which have little or nothing to do with a locality's history and are usually given rather trendy, trite standard names. Traditional names, such as the King's Head, the Royal Oak and the Coach and Horses, have fascinating historical links, giving a particular locality a direct link to its past and, importantly, to its identity.

The Bill would amend the Licensing Act 1964 to include the name of a public house in the licensing conditions, thereby making it possible to change the name of a public house only after proper consultation with the local community via the planning authority and its statutory regulations.

I hope that the Bill will bring to a halt the McDonaldisation of public house names before it is too late—

*It being half-past Two o'clock, the debate stood adjourned.*

*Debate to be resumed on Friday 12 March.*

## Remaining Private Members' Bills

### ENERGY EFFICIENCY BILL

*Order read for resuming adjourned debate on Question [26 February],* That the Bill be now read a Second time.

**Hon. Members:** Object.

*Debate to be resumed on Friday 12 March.*

### ENERGY CONSERVATION (HOUSING) BILL

*Order for Second Reading read.*

**Hon. Members:** Object.

*Second Reading deferred till Friday 12 March.*

## Business of the House (Statutory Instrument)

*Ordered,*

That, if a Statutory Instrument relating to Implementation Bodies (Northern Ireland) shall be laid before the House on Monday 8th March, a Minister of the Crown may, notwithstanding the practice of the House, make without notice a Motion for the approval of the said Instrument.—*[Mr. Hill.]*

## Marine Rescue Services

*Motion made, and Question proposed,* That this House do now adjourn.—*[Mr. Hill.]*

2.31 pm

**Mr. Robert Syms** (Poole): This is the second Adjournment debate that I have secured in this Parliament, and I am pleased that the Minister who responded to the first is here again today. However, given the wide range of subjects covered by the Department of the Environment, Transport and the Regions, it does not surprise me that that should be so.

I intend to touch on two aspects of the maritime rescue services—the Coastguard and the Royal National Lifeboat Institution. I must make it perfectly clear that they are two separate organisations, one of which is a governmental organisation and one of which is a private charity. However, they work closely together as key parts of the emergency services to save those in trouble at sea.

The Coastguard service was last debated on, I believe, 26 November 1997, after the Government had produced their five-year strategy for the service. That debate, which was introduced by my hon. Friend the Member for Gosport (Mr. Viggers), seems to have been quite stormy, particularly because many hon. Members hold their local coastguard stations very dear.

Fifteen months on, the Environment, Transport and Regional Affairs Select Committee has just produced a pretty critical report. Given that the Minister has not formally responded to the Select Committee's report and that we may have a debate on it in a few weeks' time, I shall understand if she is not able to respond to this debate in great detail. However, I make no apology for raising this matter today.

Poole is of course a great maritime port. It is the second largest port in the south-west of England, second to Avonmouth. It is the second largest natural harbour in the world, and it has great links with the sea. Therefore, issues of sea safety have a great resonance among my constituents.

The Coastguard service is important. Having read about it prior to this debate, I was surprised to learn that it has only approximately 430 regular members and 3,100 auxiliaries. I should have thought that the service was far larger, bearing in mind that it has to discharge its duties over 10,000 miles of our coastline and 1.25 million square miles of sea and that it sometimes has to undertake operations 1,000 miles out into the north Atlantic.

I shall touch on particular aspects of the Select Committee's sixth report. The key point is that the Committee suggested that the Government ought to reverse their decision to merge the Maritime Safety Agency and the Coastguard. One or two people in my constituency have suggested that. I do not feel strongly about this but I am not sure whether the two really go together.

Another key point was the proposal to reduce the number of maritime rescue co-ordination centres from 21, closing those at Oban, Pentland, Tyne Tees and Liverpool and merging those at Lee-on-the-Solent and Portland.

The Committee was keen that the Coastguard should keep local knowledge—a key factor in command and control. The Committee felt that the proposals to merge

Portland and Solent would not be welcomed, and asked for a reversal. My hon. Friend the Member for South Dorset (Mr. Bruce)—a remorseless exponent of his constituents' interests who has brought up the subject of the Portland base many times—was happy for me to raise the issue. His constituents are keen to retain the base, and would not wish it to close in 2002. The report criticised the consultation process, and the Committee stated that the savings from the review would be only £500,000—not much in terms of the local Coastguard scheme.

The management of the Poole harbour commissioners told me that if there were a Herald of Free Enterprise-type accident in Poole harbour—something nobody would wish to see—a knowledge of the harbour or coastline would be important. At the moment, an individual from Poole could go to the Portland control centre to give advice about the harbour. If the centre were moved 200 miles away, that would not be possible. Local knowledge is a fundamental tool of the Coastguard watch officers.

Interestingly, the Committee felt that a period of stability within the Coastguard would have been welcomed. Given that the work load of the Coastguard has increased substantially—there were 11,667 incidents in 1997, an increase of 110 per cent. on 10 years ago, and 16,884 people were assisted—there is good argument for that proposal.

I welcome the fact that the Coastguard is bringing in a new communications system—the integrated Coastguard communications system—but I caution against putting all one's eggs into technology. Experience and training are very important in this area. I served formerly on the Wessex regional health authority, which had a regional information computer system which did not work. The National Air Traffic Service at Swanwick is an example where the hope of managers to bring in technology for emergencies has not worked out. We need training, and we need to look realistically at what technology can do.

I am looking forward to Lord Donaldson's report on command and control, salvage and rescue. The report is with the Department of the Environment, Transport and the Regions. The Sea Empress and other recent disasters show that we need to look at the matter. I look forward to the report being published before the end of this month.

I have mentioned my concerns about the Coastguard, and I wish to move on to the Royal National Lifeboat Institution. Members who read the newspapers yesterday will be aware that the RNLI—based in Poole, in my constituency—is celebrating its 175th anniversary. The RNLI is well loved and does an excellent job for this country. It was founded in 1824 by Sir William Hilary, an aristocrat and lifeboat man from the Isle of Man.

We are almost unique, in that the lifeboats around our coastline are paid for almost wholly by private charity and fund raising. Since 1824, the RNLI has saved 132,000 lives off our coast. It has running costs of £200,000 a day and, of its 4,000 lifeboat men, there are 200 women, playing a full part in life-saving. It takes £80 million a year to run the lifeboats, £50 million of which comes from bequests. The RNLI is successful in that way. It is all private money. As people often say in the RNLI, a rescue does not start with the lifeboat being launched, but with a man or woman collecting on the street corner. That is important.

There is one slight gripe that the RNLI has. Like many charities, it contributes in terms of VAT. Of the £80 million a year it raises, the RNLI pays the Treasury £1 million a year in VAT. The Minister is not a Treasury Minister, but perhaps she could convey concerns on this matter, as the RNLI does a great service saving lives off shore.

The importance of the celebration year—I note that the Minister may be taking part in some activities associated with it—is to increase the profile of the RNLI. There is a very strong feeling for the organisation among members of the population who are a little older, but it may not have the same profile in the minds of the younger population. If that successful institution is to continue, we must fund-raise throughout the community, and the 175th anniversary is a useful opportunity to do so.

The institution is very unusual in that it is a royal organisation that serves lifeboats not only throughout the United Kingdom but in southern Ireland. It pre-dates southern Irish independence. After southern Ireland became independent, the lifeboat organisation asked the Government of southern Ireland what they wished it to do, and they said, "Just carry on", which proves that the Irish are very sensible, as basically it is a free service, although it raises funds in southern Ireland as well.

Poole has the busiest lifeboat station in the country. Last year, the all-weather boat had 36 calls and saved two lives, and the inshore boat answered 78 calls and saved five lives. It is a very important institution; I am sure that the Minister recognises that, as I believe that one or two of her relatives have worked for it as lifeboat men.

From 20 and 26 June there is to be a major flotilla of lifeboats in Poole, and there is to be a conference in Bournemouth—the 18th International Lifeboat Federation conference—in which ideas and techniques will be exchanged. That will be a useful opportunity, in this celebration year, for lifeboats to promote themselves.

I pay tribute to the director of the RNLI who retired at the end of last year, Lieutenant-Commander Brian Miles CBE, who did an excellent job in his 34 years at the helm of the lifeboat institution. He will be fondly remembered by the organisation. I wish success to the new director, Andrew Fremantle.

I have raised a few concerns about the Coastguard. I will understand if the Minister does not want to give a detailed reply, because no doubt she will do so when she responds to the Select Committee and in the debate that we may have on the Floor of the House in a few weeks' time, but I am sure that she will join me in recognising the real achievements of the Royal National Lifeboat Institution. I believe that it needs public support. We need to continue to raise money, and it will continue to do the job, which we all appreciate, of saving lives off shore.

Those of us on land often see an ambulance or a fire engine, but the emergency services that come into action when people are in trouble at sea may not always be within the sight of our citizens. We should cherish and support that organisation. I look forward to the Minister's reply.

2.43 pm

**The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson):** I congratulate the hon. Member for Poole (Mr. Syms) on securing this opportunity to discuss marine rescue services and the men and women who play a vital role in life-saving around our shores. He referred

*[Ms Glenda Jackson]*

to possibly the two most famous search-and-rescue services in this country, the Royal National Lifeboat Institution and HM Coastguard, and said that they were separate organisations, but, as I am sure that he is aware, the co-ordination of marine rescue services falls to the Maritime and Coastguard Agency, through its national network of 24-hour HM Coastguard rescue co-ordination centres.

The hon. Gentleman referred to the report by the Environment, Transport and Regional Affairs Committee. He is right that it would be improper for me to respond to it in this debate, but the Government welcome the Select Committee's report and will give a considered response in due course.

The hon. Gentleman has specific and individual concerns regarding the proposed co-location of Portland and Solent. Co-location will not in any way mean a reduction in manning or a merger of the two divisions as they are at the moment. He mentioned the importance of local knowledge, which is indeed vital, but I am sure that he would agree that the local knowledge needed to ensure the safety of hundreds of miles of our coastline and millions of square miles of the seas around them could not be maintained exclusively in the brains of individuals, and there are many ways to ensure that local knowledge is at the fingertips of the coastguards when they need it in the co-ordinating centres.

The Coastguard, of course, deals with both search-and-rescue incidents and the threat of pollution. The Government will be publishing Lord Donaldson's report on 15 March. The Coastguard has its own extensive marine and coastal rescue organisation, with more than 3,000 auxiliary coastguard volunteers formed into nearly 400 response teams. I believe that through the services of the RNLI and other volunteer rescue organisations—for example, the facilities of the Ministry of Defence and the Coastguard organisation—we have the best search-and-rescue service in the world. That is what the Government are committed to continuing.

Last year the Coastguard co-ordinated 11,747 incidents resulting in 18,965 persons being assisted or rescued. It is also worth noting that 98.7 per cent. of these incidents were brought to a successful conclusion, thanks to our excellent marine rescue service.

The Coastguard and RNLI do not react only to marine casualty situations but have an excellent relationship when working together towards promoting marine safety within the United Kingdom. This is achieved through such groups as the sea safety liaison committee, where the pooled knowledge of the two organisations gained through more than 350 years of experience between them of marine safety is being used to excellent effect.

Initiatives aimed primarily at the sport and recreational user have been successfully introduced, which offer safety advice and education. It is in this way that the awareness of safety issues and accident prevention have been brought to the fore.

I know that the hon. Gentleman takes a keen interest in marine safety matters, especially as the RNLI headquarters are situated in Poole. I should declare a personal interest because my great grandfather and grandfather served on the lifeboat in my home town of Hoylake on the Wirral peninsula. When I had the privilege of visiting the headquarters at Poole, those present kindly dug into their archives and produced the most wonderful photograph of my grandfather sitting with the crew outside the lifeboat house at Hoylake. The photograph is now hanging on my office wall.

I am sure that the hon. Gentleman will agree that all marine rescue services deliver the highest standards of search and rescue, but the timing of the debate is particularly noteworthy as it follows the day on which the RNLI celebrated 175 years of exceptional and gallant service to the maritime community. I am sure that I speak for the entire House in extending my warmest congratulations and the country's gratitude to it for the service it provides and for the courage so often displayed by the crews of its lifeboats. The Government wish to be associated with the sentiments expressed in early-day motion 387.

The RNLI operates a fleet of more than 300 lifeboats from 222 lifeboat stations round our coasts and, as the hon. Gentleman said, those of the Republic of Ireland, as well as a relief fleet of about 130 boats. As a registered charity, the organisation relies entirely upon voluntary contributions and volunteer crews.

Calls on the service have nearly doubled over the past 10 years, with on average 19 calls for assistance each and every day. More than 60 per cent. of all marine incidents round our shores involve the services of the RNLI. This amounts to more than 7,000 incidents a year.

It is also important to recognise that the United Kingdom is served by other voluntary marine organisations. I am sure that the House would wish me to acknowledge too their significant contribution to the saving of life at sea and on our shores.

No debate about marine rescue services would be complete without including the contribution made by the Ministry of Defence through its network of search-and-rescue and other helicopters and fixed-wing aircraft. These together with helicopters contracted to the Maritime and Coastguard Agency provide unique air rescue coverage of the United Kingdom.

The provision of such a service can sometimes come with a very high personal price. The House will recall the tragic death of Coastguard helicopter winchman William Deacon in November 1997 during his heroic rescue of 10 crew members from the Green Lily off the Shetland islands. I pay tribute also to the RNLI for its part in that rescue. But for the tremendous efforts and skill of the coxswain and crew of the Lerwick lifeboat, five crew members would undoubtedly have lost their lives.

The Lerwick lifeboat was launched and the Coastguard helicopter scrambled to stand by the vessel Green Lily, which had been drifting, disabled, towards Bressay, Shetland, for most of the day while tugs tried to reach her and connect a tow. Coxswain Hewin Clark took the Lerwick lifeboat alongside and held her there, despite being slammed against the hull or having to manoeuvre clear of the ship, until five of the crew were saved and the ship was a mere 200 m from the shore. The Coastguard helicopter then saved the other 10 men. It was during this phase of the rescue that winchman William Deacon was tragically washed overboard and drowned.

Coxswain Clark was awarded the RNLI's gold medal—the lifeboat crews' Victoria Cross—for the rescue. That was the first gold medal to be awarded for 16 years. His crew were all awarded RNLI bronze medals.

The rescue of all the crew of the Green Lily typifies the extent to which all the rescue services work together, often in extraordinary conditions, to the common end of saving life. All sea and coastal users owe an enormous debt of gratitude to the members of the marine rescue services who daily put their lives at risk to save others.

In closing, I should like to assure the hon. Gentleman, the House and the country that the Government are fully committed to ensuring that marine safety services in the United Kingdom remain among the best in the world. We will also continue to work tirelessly not only to maintain, but to improve the service provided to sea and coastal users.

*Question put and agreed to.*

*Adjourned accordingly at nine minutes to Three o'clock.*

# Written Answers to Questions

*Monday 22 February 1999*

## NORTHERN IRELAND

### Portadown

**Mr. McDonnell:** To ask the Secretary of State for Northern Ireland how many persons have been *(a)* charged, *(b)* prosecuted and *(c)* convicted under section 8(7) of the Public Processions (Northern Ireland) Act 1998 in relation to contravention of the conditions placed by the Parades Commission on the legally notified marches organised by the Orange Order in Portadown on (i) 5 July 1998, (ii) 5 September 1998, (iii) 28 November 1998, (iv) 19 December 1998, (v) 30 December 1998 and (vi) 2 January 1999. [70208]

**Mr. Ingram:** None.

### Prisoners

**Mr. MacKay:** To ask the Secretary of State for Northern Ireland how many persons have been convicted of scheduled offences within the meaning of the Northern Ireland (Emergency Provisions) Acts 1973, 1978, 1991 and 1996 since 10 April 1998; and how many of them received *(a)* a mandatory life sentence and *(b)* a fixed term sentence of five years or more. [70140]

**Mr. Ingram:** From 10 April 1998 to 31 December 1998, 123 people have been convicted of scheduled offences. Of those convicted six were given mandatory life sentences and 23 received a fixed term sentence of five years or more.

*Note:*

These statistics are currently being updated and may be subject to change.

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland how many persons in Northern Ireland have been *(a)* arrested on suspicion of, *(b)* charged and *(c)* convicted of conspiracy to commit offences outside the United Kingdom under section 1 of the Criminal Law Act 1977 as amended by the Criminal Justice (Terrorism and Conspiracy) Act 1998. [69878]

**Mr. Ingram:** No one has been charged or convicted under the equivalent provision in Northern Ireland. I am unable to say whether or not anyone has been arrested on suspicion of conspiracy to commit offences outside the United Kingdom: no central record is kept of arrests made under that heading.

### RUC

**Mr. Moss:** To ask the Secretary of State for Northern Ireland if she will make a statement on the status of the current review of the Royal Ulster Constabulary. [70097]

**Mr. Ingram:** The independent Policing Commission is consulting widely and has received over 2,000 submissions—the vast majority from individual members of the public. It has met with many of the key figures in the field of policing and has recently held a number of public meetings throughout Northern Ireland. As the Agreement says, the Commission will report by summer 1999.

### Legal Services

**Mr. Ruffley:** To ask the Secretary of State for Northern Ireland if she will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for her Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70034]

**Mr. Paul Murphy:** The detailed information requested is either the subject of confidentiality or could not be answered on the ground of disproportionate costs (or both).

Departments may use firms of solicitors in addition to the Departmental Solicitors Office and the Crown Solicitors Office, for example, where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

### Public Bodies

**Dr. Tony Wright:** To ask the Secretary of State for Northern Ireland which of the executive non-departmental public bodies sponsored by her Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69989]

**Mr. Paul Murphy:** The information for the Northern Ireland Office and the Northern Ireland Departments is as follows:

| | *(a) Public admission* | *(b) Hold public meetings* | *(c) Lay or consumer representatives* | *(d) Appeal or complaints procedure* |
|---|---|---|---|---|
| NI Council for the Curriculum, Examinations and Assessment | No | No | No | Yes |
| Council for Catholic Maintained Schools | Yes | No | Yes | No |
| Sports Council for Northern Ireland | No | No | Yes | Yes |
| Youth Council for Northern Ireland | No | No | Yes | Yes |
| Arts Council of Northern Ireland | No | No | No | Yes |
| National Museums and Galleries of Northern Ireland | No | No | No | Yes |
| Northern Ireland Museums Council | No | No | No | Yes |
| Belfast Education and Library Board | Yes | Yes | Yes | Yes |
| North Eastern Education and Library Board | Yes | Yes | Yes | Yes |

| | (a) Public admission | (b) Hold public meetings | (c) Lay or consumer representatives | (d) Appeal or complaints procedure |
|---|---|---|---|---|
| South Eastern Education and Library Board | [1][2]Yes | [1][2]Yes | [1]Yes | Yes |
| Southern Education and Library Board | [1][2]Yes | [1][2]Yes | [1]Yes | Yes |
| Western Education and Library Board | [1][2]Yes | [1][2]Yes | [1]Yes | [1]Yes |
| Staff Commissioner for Education and Library Board | No | No | [1]Yes | No |
| Commission for Racial Equality for Northern Ireland | No | No | No | No |
| Equal Opportunities Commission for Northern Ireland | No | No | No | Yes |
| Fair Employment Commission for Northern Ireland | No | No | No | Yes |
| Labour Relations Agency | No | No | No | Yes |
| Construction and Industry Training Board | No | Yes | No | Yes |
| Enterprise Ulster | No | No | No | Yes |
| Ulster Supported Employment Ltd. | No | No | Yes | Yes |
| General Consumer Council for Northern Ireland | No | Yes | No | Yes |
| Local Enterprise Development Unit | No | No | No | Yes |
| Northern Ireland Tourist Board | No | No | No | Yes |
| Northern Ireland Commissioner for Protection Against Unlawful Industrial Action | No | No | No | Yes |
| Northern Ireland Commissioner for the Rights of Trade Union Members | No | No | No | Yes |
| Laganside Corporation | No | Yes | No | Yes |
| Northern Ireland Housing Executive | No | Yes | No | Yes |
| Local Government Staff Commission | No | No | Yes | Yes |
| Northern Ireland Local Government Officers' Superannuation Committee | No | No | Yes | Yes |
| Fire Authority for Northern Ireland | [1]Yes | [1]Yes | No | Yes |
| Mental Health Commission for Northern Ireland | No | No | Yes | Yes |
| Northern Ireland Council for Postgraduate Medical and Dental Education | No | No | No | Yes |
| National Board for Nursing, Midwifery and Health Visiting for Northern Ireland | Yes | Yes | Yes | Yes |
| Livestock and Meat Commission for Northern Ireland | No | No | No | No |
| Pig Production Development Committee | No | No | No | Yes |
| Agricultural Wages Board for Northern Ireland | No | No | Yes | No |
| Agricultural Research Institute of Northern Ireland | No | No | Yes | No |
| Foyle Fisheries Commission | No | No | No | Yes |
| Northern Ireland Harbour Authority | No | Yes | Yes | Yes |
| Fisheries Conservancy Board for Northern Ireland | No | No | Yes | Yes |
| Police Authority for Northern Ireland | No | Yes | Yes | Yes |
| Independent Commission for Police Complaints for Northern Ireland | Yes | No | No | Yes |
| Probation Board for Northern Ireland | No | Yes | Yes | Yes |
| Juvenile Justice Board | No | No | No | No |

[1] Under a statutory requirement
[2] Other than a Teaching Appointments Committee meeting
[3] Except where the nature of the business to be transacted would be prejudicial to the public interest

**Dr. Tony Wright:** To ask the Secretary of State for Northern Ireland which of the advisory non-departmental public bodies sponsored by her Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement. [69966]

**Mr. Paul Murphy:** The information for the Northern Ireland Office and the Northern Ireland Departments is as follows:

| | (a) Public Admission | (b) Hold public meetings | (c) Lay or consumer representatives |
|---|---|---|---|
| Health and Safety Agency for Northern Ireland | No | No | No |
| Industrial Development Board for Northern Ireland | No | No | No |
| Industrial Research and Technology Unit (Advisory Board) | No | No | Yes |
| Training and Employment Agency (Advisory Board) | No | No | No |
| Statistics Advisory Committee | No | No | Yes |
| Charities Advisory Committee | No | No | No |
| Disability Living Allowance Advisory Board for Northern Ireland | No | No | — |
| Distinction and Meritorious Service Awards Committee | No | No | Yes |
| Northern Ireland Disability Council | No | No | No |
| Statute Law Committee for Northern Ireland | No | No | Yes |
| Law Reform Advisory Committee for Northern Ireland | No | No | No |
| Northern Ireland Economic Council | No | No | Yes |
| Northern Ireland Higher Education Council | No | No | Yes |
| Northern Ireland Advisory Committee on Travellers | No | No | Yes |
| Council for Nature Conservation and the Countryside | No | No | No |
| Historic Buildings Council | No | No | No |

| | *(a) Public Admission* | *(b) Hold public meetings* | *(c) Lay or consumer representatives* |
|---|---|---|---|
| Historic Monuments Council | No | No | No |
| Northern Ireland Construction Industry Advisory Council | No | No | No |
| Northern Ireland Building Regulations Advisory Committee | No | No | Yes |
| Northern Ireland Water Council | No | No | Yes |
| Drainage Council for Northern Ireland | No | No | No |
| Boundary Commission for Northern Ireland | No | No | No |
| Standing Advisory Commission on Human Rights | No | No | No |

No statutory requirement for these actions except: the regulations provide for the board to include one member with experience of dealing with a disabled person. This can be a lay person.

**Dr. Tony Wright:** To ask the Secretary of State for Northern Ireland which of the executive non-departmental public bodies sponsored by her Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69955]

**Mr. Paul Murphy:** The information for the Northern Ireland Office and the Northern Ireland Departments is as follows:

| | *(a) Minutes of meetings* | *(b) Agendas of meetings and documents* | *(c) Register of Members interests* |
|---|---|---|---|
| Northern Ireland Council for the Curriculum, Examinations and Assessment | No | No | No |
| Council for Catholic Maintained Schools | Yes | Yes | No |
| Sports Council for Northern Ireland | No | No | No |
| Youth Council for Northern Ireland | Yes | No | Yes |
| Arts Council of Northern Ireland | No | No | No |
| National Museums and Galleries of Northern Ireland | No | No | No |
| Northern Ireland Museums Council | No | No | No |
| Belfast Education and Library Board | Yes | No | Yes |
| North Eastern Education and Library Board | Yes | No | Yes |
| Southern Education and Library Board | Yes | No | Yes |
| Western Education and Library Board | Yes | No | Yes |
| Staff Commission for Education and Library Boards | No | No | Yes |
| Commission for Racial Equality for Northern Ireland | No | No | No |
| Equal Opportunities Commission for Northern Ireland | No | No | No |
| Fair Employment Commission for Northern Ireland | No | No | No |
| Labour Relations Agency | No | No | No |
| Construction Industry Training Board | No | No | No |
| Enterprise Ulster | No | No | No |
| Ulster Supported Employment Limited | No | No | No |
| General Consumer Council for Northern Ireland | No | No | No |
| Local Enterprise Development Unit | No | No | Yes |
| Northern Ireland Tourist Board | No | No | No |
| Northern Ireland Commissioner for Protection Against Unlawful Industrial Action | No | No | No |
| Northern Ireland Commissioner for the Rights of Trade Union Members | No | No | No |
| Laganside Corporation | No | No | No |
| Northern Ireland Housing Executive | Yes | No | No |
| Local Government Staff Commission | No | No | No |
| Northern Ireland Local Government Officers' Superannuation Committee | No | No | No |
| Fire Authority for Northern Ireland | Yes | No | No |
| Mental Health Commission for Northern Ireland | No | No | No |
| Northern Ireland for Postgraduate Medical and Dental Education | No | No | No |
| National Board for Nursing, Midwifery and Health Visiting for Northern Ireland | Yes | Yes | Yes |
| Livestock and Meat Commission for Northern Ireland | No | No | No |
| Pig Production Development Committee | No | No | No |
| Agricultural Wages Board for Northern Ireland | No | No | No |
| Agricultural Research Institute of Northern Ireland | No | No | Yes |
| Foyle Fisheries Commission | No | No | No |
| Northern Ireland Fishery Harbour Authority | No | No | No |
| Fisheries Conservancy Board for Northern Ireland | No | No | No |
| Police Authority for Northern Ireland | No | No | No |
| Independent Commission for Police Complaints for Northern Ireland | Yes | Yes | Yes |
| Probation Board for Northern Ireland | No | No | No |
| Juvenile Justice Board | No | No | No |

Available for inspection on request

Statutory requirement

**Dr. Tony Wright:** To ask the Secretary of State for Northern Ireland which of the advisory non-departmental public bodies sponsored by her Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69940]

**Mr. Paul Murphy:** The information for the Northern Ireland Office and the Northern Ireland Departments is as follows:

| | *(a)* *Minutes of meetings* | *(b)* *Agendas of meetings and documents* | *(c)* *Register of members interests* |
|---|---|---|---|
| Health and Safety Agency for Northern Ireland | No | No | [1]No |
| Industrial Development Board for Northern Ireland | No | No | [2]No |
| Industrial Research and Technology Unit (Advisory Board) | No | No | [2]No |
| Training and Employment Agency (Advisory Board) | No | No | [2]No |
| Statistics Advisory Committee | No | No | No |
| Charities Advisory Committee | No | No | No |
| Disability Living Allowance Advisory Board for Northern Ireland | No | No | No |
| Distinction and Meritorious Service Awards Committee | No | No | No |
| Northern Ireland Disability Council | No | No | No |
| Statute Law Committee for Northern Ireland | No | No | No |
| Law Reform Advisory Committee for Northern Ireland | No | No | No |
| Northern Ireland Economic Council | No | No | No |
| Northern Ireland Higher Education Council | No | No | No |
| Northern Ireland Advisory Committee on Travellers | No | No | No |
| Council for Nature Conservation and the Countryside | No | No | No |
| Historic Buildings Council | No | No | No |
| Historic Monuments Council | No | No | No |
| Northern Ireland Construction Industry Advisory Council | No | No | No |
| Northern Ireland Building Regulations Advisory Committee | No | No | No |
| Northern Ireland Water Council | No | No | No |
| Drainage Council for Northern Ireland | No | No | No |
| Boundary Commission for Northern Ireland | No | No | No |
| Standing Advisory Commission on Human Rights | No | No | No |

[1] Published in the Annual Report
[2] Available for inspection on request
*Note:*
No statutory requirements for these actions

**Dr. Tony Wright:** To ask the Secretary of State for Northern Ireland which of the executive non-departmental bodies sponsored by the Northern Ireland Office have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69888]

**Mr. Paul Murphy:** The information for the Northern Ireland Office and the Northern Ireland Departments is as follows:

| | *Statutory base* | *Subject to Parliamentary Commissioner Investigation* |
|---|---|---|
| NI Council for the Curriculum, Examinations and Assessment | Yes | Yes |
| Council for Catholic Maintained Schools | Yes | Yes |
| Sports Council for NI | Yes | Yes |
| Youth Council for NI | Yes | Yes |
| Arts Council of NI | Yes | Yes |
| National Museums and Galleries of NI | Yes | Yes |
| NI Museums Council | No | Yes |
| Belfast Education and Library Board | Yes | Yes |
| North Eastern Education and Library Board | Yes | Yes |
| South Eastern Education and Library Board | Yes | Yes |
| Southern Education and Library Board | Yes | Yes |
| Western Education and Library Board | Yes | Yes |
| Staff Commissioner for Education and Library Board | Yes | Yes |
| Commission for Racial Equality for NI | Yes | Yes |
| Equal Opportunities Commission for NI | Yes | Yes |
| Fair Employment Commission for NI | Yes | Yes |
| Labour Relations Agency | Yes | Yes |
| Construction Industry Training Board | Yes | Yes |
| Enterprise Ulster | Yes | Yes |
| Ulster Supported Employment Ltd. | Yes | Yes |
| General Consumer Council for NI | Yes | Yes |
| Local Enterprise Development Unit | Yes | Yes |
| Northern Ireland Tourist Board | Yes | Yes |

| | Statutory base | Subject to Parliamentary Commissioner Investigation |
|---|---|---|
| NI Commissioner for Protection Against Unlawful Industrial Action | Yes | Yes |
| NI Commissioner for the Rights of Trade Union Members | Yes | Yes |
| Laganside Corporation | Yes | Yes |
| NI Housing Executive | Yes | Yes |
| Local Government Staff Commission | Yes | Yes |
| NI Local Government Officers' Superannuation Committee | Yes | Yes |
| Fire Authority for NI | Yes | Yes |
| Mental Health Commission for NI | Yes | Yes |
| NI Council for Postgraduate Medical and Dental Education | Yes | Yes |
| National Board for Nursing, Midwifery and Health Visiting for NI | Yes | Yes |
| Livestock and Meat Commission for NI | Yes | Yes |
| Pig Production Development Committee | Yes | No |
| Agricultural Wages Board for NI | Yes | No |
| Agricultural Research Institute of NI | Yes | Yes |
| Foyle Fisheries Commission | Yes | No |
| NI Fishery Harbour Authority | Yes | Yes |
| Fisheries Conservancy Board for NI | Yes | Yes |
| Police Authority for NI | Yes | No |
| Independent Commission for Police Complaints for NI | Yes | No |
| Probation Board for NI | Yes | Yes |
| Juvenile Justice Board | Yes | Yes |

### Speeding Fines

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how much money has been raised by speeding fines issued by *(a)* speed cameras and *(b)* police officers, in each of the past five years. [71402]

**Mr. Ingram:** The following Fixed Penalty notices and Endorsable Fixed Penalty notices, in respect of speed detection, were issued by the Royal Ulster Constabulary during the last 5 years:

| Year | Police Officers | Speed cameras |
|---|---|---|
| 1994 | 31,089 | n/a |
| 1995 | 27,005 | n/a |
| 1996 | 27,380 | n/a |
| 1997 | 26,926[1] | n/a |
| 1998 | 13,858 | 6,674 |

[1] Including 3,983 endorsable fixed penalty notices

Mobile speed cameras were first introduced in Northern Ireland on 1 October 1997. Therefore the first full year for which information is available is 1998. Up to 30 September 1997 speeding offences attracted a £20 fine and no penalty points. From 1 October 1997 they attracted a £40 fine and 3 penalty points.

### Punishment Beatings

**Mr. Blunt:** To ask the Secretary of State for Northern Ireland how many punishment beatings there were in Northern Ireland between 1 May 1998 and 31 December 1998; and in respect of how many of these incidents, charges have been laid against the alleged perpetrators. [71581]

**Mr. Ingram:** The table shows the number of casualties as a result of paramilitary-style attacks during the period 1 May to 31 December 1998. Charges are made on the basis of specific offences, for example, Common assault, Grievous bodily harm and Actual bodily harm. Those which are deemed to be paramilitary-style attacks are not recorded separately and it is therefore not possible to provide information on the number of persons made amenable for these attacks.

| | By Loyalists | By Republican |
|---|---|---|
| Shootings | 25 | 19 |
| Assaults | 65 | 40 |
| Total | 90 | 59 |

*Note:*
The figures may be subject to minor amendment

## INTERNATIONAL DEVELOPMENT

### Public Bodies

**Dr. Tony Wright:** To ask the Secretary of State for International Development which of the advisory non-departmental public bodies sponsored by her Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement. [69968]

**Clare Short** *[holding answer 10 February 1999]:* The information is as follows:

*(a) Admission of members of the public:*

Members of the public may be admitted to meetings of the Know How Fund Advisory Board, ordinarily at the request of Board members, but individual requests by the public to attend would be considered on their merits. It has not been the practice to admit members of the public to meetings of other advisory bodies. There are no statutory requirements to do so.

*(b) Public meetings:*

It has not generally been the practice to hold public meetings principally because of the nature of the remit or the scope and size of the bodies in question. However, my Department has recently conducted a series of Regional Policy Forums culminating in a National forum to which members of the public were invited and which have contributed to the deliberations of the Development Awareness Working Group. There are no statutory requirements to hold public meetings.

*(c) Lay/Consumer representatives:*

The following bodies have either lay or consumer representatives:

The Development Awareness Working Group

The Indian Family Pensions Fund Body of Commissioners

The Overseas Service Pensions Scheme Advisory Board

The Know How Fund Advisory Board

There are no statutory requirements to appoint lay or consumer representatives.

**Dr. Tony Wright:** To ask the Secretary of State for International Development which of the executive non-departmental public bodies sponsored by her Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69977]

**Clare Short** *[holding answer 10 February 1999]:* We do not admit members of the public to meetings of the Commonwealth Scholarships Commission and the Crown Agents Holding & Realisation Board and neither of these organisations hold public meetings of those bodies. The nature of their remit is not such as to require lay or consumer representation or an appeal/complaints procedure and there are no statutory requirements to do so.

**Dr. Tony Wright:** To ask the Secretary of State for International Development which of the executive non-departmental public bodies sponsored by her Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69946]

**Clare Short** *[holding answer 10 February 1999]:* Minutes of meetings of the Commonwealth Scholarships Commission are available on request but the minutes, agenda and other papers are not routinely published. A register of members' interests is currently being compiled.

The Crown Agents Holding & Realisation Board does not satisfy the terms of the question but is expected to be wound up in the near future.

There are no statutory requirements of this nature.

**Dr. Tony Wright:** To ask the Secretary of State for International Development which of the executive non-departmental public bodies sponsored by her Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69913]

**Clare Short** *[holding answer 10 February 1999]:* The Crown Agents Holding and Realisation Board was established under the authority of the Crown Agents Act 1979. Statutory provision for the operations of the Commonwealth Scholarships Commission is made in the Overseas Development and Co-operation Act 1980. Neither fall within the remit of the Parliamentary Commissioner for Administration.

## Honduran Street Children

**Dr. Tonge:** To ask the Secretary of State for International Development if she will make a statement on the projects her Department is supporting concerning street children in Casa Alianza, Honduras. [72519]

**Clare Short:** We are not currently funding any Casa Alianza projects in Honduras. Officials from the Department for International Development met representatives of Casa Alianza in Honduras in November last year to discuss their Honduran projects but decided we could not make this project a priority. Obviously it is not possible or efficient for any one donor to work in all sectors.

## KPMG

**Mr. Ruffley:** To ask the Secretary of State for International Development if she will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72015]

**Clare Short:** Since 1 May 1997 DFID has awarded KPMG 27 contracts for services. In the corresponding period prior to 1 May 1997 KPMG were awarded 31 contracts. The tables show the project title, the country to which the contract applies, and the total value of the contract.

*a) Contracts awarded to KPMG since 1 May 1997*

| *Project title* | *Country* | *Value (£)* |
|---|---|---|
| Personnel Controls and Information Systems | Uganda | 113,902 |
| Salaries Review Commission—implementation | Lesotho | 379,950 |
| Evaluation of company database | Hungary | 69,488 |
| Public sector development programme: phase 2 | Grenada | 533,775 |
| Anguilla public sector development programme | Anguilla | 77,474 |
| Caribbean Drugs Initiative: training study formulation | Caribbean Regional | 24,910 |
| Emergency assessment of public sector resourcing requirements | Montserrat | 28,590 |
| Strengthening government finance and accounting functions | Kenya | 79,120 |
| Job evaluation and grading implementation | South Africa, Republic of | 23,500 |
| Preparation of Project Memorandum | Turks and Caicos Islands | 33,330 |
| Job evaluation implementation project | South Africa, Republic of | 295,860 |
| Taxation reform | Yemen, Republic of | 550,158 |
| Extension: Salaries Review Commission | Lesotho | 163,560 |
| World Bank/DFID institutional specialist | Ethiopia | 28,448 |
| Strengthening of Presidential efficiency unit: phase II | Colombia | 369,865 |
| Support to the government of Kenya in the development of medium term strategy for Civil Service Reform | Kenya | 75,830 |
| Public Sector Development Project—value for money studies | Dominica | 307,650 |
| Assistance on rating insurance companies | Russia | 9,306 |
| Lesotho police rank structure review | Lesotho | 37,540 |
| Caribbean Drugs Initiative: Training Implementation | Caribbean Regional | 24,620 |
| Brazil—value for money audit | Brazil | 496,805 |

*a) Contracts awarded to KPMG since 1 May 1997*

| *Project title* | *Country* | *Value (£)* |
|---|---|---|
| Country policy plan: strategic review | Anguilla | 29,420 |
| Institutional appraisal and strategic review of the Royal St. Lucia Police Force | St. Lucia | 34,175 |
| Support of restructuring of Russian private enterprise | Russia | 168,650 |
| Institutional appraisal and strategic review of the Royal Grenada Police Force | Grenada | 30,600 |
| Financial advice for United Nations Relief and Works Agency | West Bank and Gaza | 207,124 |
| Public service pay reform in Uganda | Uganda | 128,303 |

*b) Contracts awarded by DFID to KPMG in the corresponding period prior to 1 May 1997*

| *Project title* | *Country* | *Value (£)* |
|---|---|---|
| Spares management study | India | 37,000 |
| Assistance to Customs and Excise and Inland Revenue | South Africa, Republic of | 12,950 |
| Enterprise Development Review: consultancy team | Swaziland | 58,000 |
| Personnel and training specialist | St. Kitts-Nevis | 95,050 |
| Public service development project | Grenada | 208,900 |
| Restructuring of electricity sector | Ukraine | 84,960 |
| Review of the media sector | Ethiopia | 49,090 |
| Aden free zone project | Yemen, Republic of | 89,487 |
| Assistance in insurance supervision | Poland | 38,250 |
| Guyana forestry commission—human resources development study | Guyana | 49,920 |
| Good government project identification mission | Mexico | 22,000 |
| District primary education West Bengal—institutional consultants | India | 33,920 |
| Restructuring of electricity sector | Ukraine | 382,885 |
| Presidential review commission | South Africa, Republic of | 24,050 |
| Job Evaluation and Grading Project | South Africa, Republic of | 498,500 |
| Uganda—Mildmay Palliative care centre | Uganda | 16,141 |
| Good government programme | Mexico | 22,060 |
| Audit of agricultural bank | Armenia | 185,358 |
| Zahony enterprise zone—technical assistance to coordination committee | Hungary | 89,008 |
| Efficiency unit project | Colombia | 184,988 |
| Civil service reform consultancy | Malawi | 144,875 |
| Assistance to the public service salaries review | Lesotho | 64,546 |
| Good government—focus on results | Mexico | 175,808 |
| Administrative assistance to Eastern Cape | South Africa, Republic of | 33,804 |
| Strengthening Government finance and accounting functions | Kenya | 88,180 |
| Assistance on rating of insurance companies | Russia | 49,671 |
| Public sector development: resource allocation review | Montserrat | 245,845 |
| Assistance to review United Nations Relief and Works budget management systems | West Bank and Gaza | 25,238 |
| Jamaica: agency development project | Jamaica | 1,999,480 |
| Russia—petroleum fiscal reform | Russia | 941,769 |
| Review of support to general sales tax | Pakistan | 18,911 |

## Japan

**Mr. Baker:** To ask the Secretary of State for International Development if she will set out the responsibilities of the Crown Agents in respect of the administration of (i) debt relief grants and (ii) other aid matters on behalf of the Japanese Government; and if she will make a statement. [72577]

**Clare Short:** Ownership of the Crown Agents transferred from Her Majesty's Government to an independent Foundation in March 1997. The hon. Gentleman may wish to pursue this matter with the Foundation.

## Departmental Expenditure

**Mr. Maclean:** To ask the Secretary of State for International Development what *(a)* reviews, *(b)* task forces and *(c)* advisory groups have been established by her Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71516]

**Clare Short** *[holding answer 16 February 1999]:* Since 1 May 1997 the Department for International Development (DFID) has undertaken a review of international development policy, and a review of DFID's relationship with Civil Society. The review of international development policy led to the publication of the White Paper on International Development in November 1997. A report of the consultation which DFID conducted with Civil Society, North and South, will be published shortly. Key conclusions were set out in my speech on 'NGOs in a Global Future' on 13 January at Birmingham University. The costs incurred for these reviews are not separately identified, add little to the normal running costs of the department and could be provided only at disproportionate cost.

The Department has also set up the Development Awareness Working Group. Expenditure of this advisory group is, to date, £10,500. Preparatory documents, minutes of the meetings, and a report commissioned on "Learning from Others" are all available on the DFID website.

No task forces have been established.

### Civil Servants (Misconduct)

**Mr. Maclean:** To ask the Secretary of State for International Development if she will list the offences or acts of misconduct under which a civil servant in her Department could have his pension removed or reduced; and how often this has happened during the last five years. [70770]

**Clare Short:** I refer the right hon. Member to the reply given by my right hon. Friend the Minister for the Cabinet Office on 15 February 1999, *Official Report*, columns *569–70*. My Department has had no such cases within the last five years.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for International Development if she will list the amounts of British aid to Zimbabwe for each of the last 10 years, the projects for which it has been assigned and the conditions attached to it. [70588]

**Clare Short:** Total Overseas Development Administration (ODA) and the Department for International Development (DFID) aid to Zimbabwe in each of the last 10 years was:

| *Year* | *£000* |
|---|---|
| 1987–88 | 11,708 |
| 1988–89 | 15,278 |
| 1989–90 | 13,373 |
| 1990–91 | 28,937 |
| 1991–92 | 36,682 |
| 1992–93 | 39,172 |
| 1993–94 | 24,560 |
| 1994–95 | 27,343 |
| 1995–96 | 14,804 |
| 1996–97 | 11,057 |
| 1997–98 | 12,215 |

ODA and DFID funded 170 projects (including Joint Funding Scheme projects cofinanced with British NGOs) in the last 10 years over the value of £100,000. I will place a list in the Library of the House.

Specific conditions are not attached to country programmes. Individual projects are appraised and funded in the context of agreed country strategies and may have specific conditions attached, to ensure the project will be effective and sustainable.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Secretary of State for International Development if she will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71848]

**Clare Short:** In common with other Departments, the work of press officers in my Department includes responding to any misinformed allegations concerning Government policy or activity which are published in the media. They are supported in this work by other officials as necessary.

Because this is a routine part of a Department's work and it is not separately recorded from other tasks, to provide the further information required would involve disproportionate cost.

### Pakistan (Zina Law)

**Mrs. Butler:** To ask the Secretary of State for International Development what representations she has made within the EU on the introduction of the Zina Law in Pakistan. [72511]

**Clare Short:** I have not made such representations. The Zina Law is one of five laws introduced as part of the Huddood Ordinances in 1979. The implications of the proposed 15th Constitutional Amendment are not yet clear, but it is likely that it would extend the coverage of Islamic Law in Pakistan. This Amendment still has to be passed by the Senate, for which a two-thirds majority is required. We will continue to monitor developments. More generally, the Government regularly raise their concerns with the Pakistani authorities about human rights and particularly the rights of women and girls issues; and we shall continue to do so.

**Mrs. Butler:** To ask the Secretary of State for International Development what regard she has taken of the Zina Law's effect on Pakistan's human rights record when deciding the level of bilateral aid for that country from the UK. [72510]

**Clare Short:** The Zina Law is part of the Huddood Ordinance which has proved controversial in Pakistan since its introduction in 1979. Our development co-operation with Pakistan is clearly focused on reducing poverty, and takes careful account of human rights factors. We are working with the Government of Pakistan and other partners to make gender considerations an integral part of the development policy and planning; and we provide direct support for human rights and women's groups concerned with gender equity issues.

### Departmental Staff

**Mr. Chaytor:** To ask the Secretary of State for International Development if she will list the total number of staff *(a)* in her Department and *(b)* in each of the agencies for which she is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70476]

**Clare Short:** The information is as follows. Including contract and other staff who are not classified as civil servants, my Department employs 1,656 staff located as follows:

| *Location* | *Staff* |
|---|---|
| (i) London | 755 |
| (ii) Wales | 0 |
| (iii) Scotland | 414 |
| (iv) English Regions | 0 |

The remaining 487 are employed overseas. I would also refer my hon. Friend to "Civil Service Statistics 1998" which is available in the Library of the House and provides a regional breakdown of civil service staff.

My Department has no agencies.

## CHURCH COMMISSIONERS

### Rental Income

38. **Mr. Flynn:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, how much income has been received in rents from land owned by the commission in each of the last 10 years. [70529]

**Mr. Stuart Bell:** I have arranged for this information to be placed in the House of Commons Library.

In order to assist my hon. Friend, however, he should note that, while the rental income figures for 1998 have not yet been finalised, for the previous 10 years the income amounted to £647.3m.

### Clergy (Stipends)

41. **Mr. Gerald Howarth:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what steps the commissioners have taken to ensure that the initial stipend is sufficient to attract new entrants to the clergy. [70532]

**Mr. Stuart Bell:** Clergy stipend recommendations are no longer made by the Church Commissioners, and their functions as Central Stipends Authority have been transferred by the Ministry Division of the Archbishops' Council from 1 January this year. The Central Stipends Authority gives very careful consideration to the question of stipend adequacy, including consultations with dioceses about stipend levels, and measuring the disposable income of clergy with that of other professions. A detailed review of stipend adequacy was last carried out in 1991/92, and it is likely that a further review will take place later this year.

The number of candidates recommended for ordination in 1998 was 343, an increase of 5.6 per cent. on the previous year. This would clearly suggest that the level of stipend is not deterring candidates for ordination.

### Redundant Churches

**Mrs. Curtis-Thomas:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will make a statement on the number of redundant churches that the Church Commissioners have become responsible for in the last 3 years; and what the cost to them has been in each of the last 3 years. [70530]

**Mr. Stuart Bell:** In the 3 years to 31 December 1998, 96 churches have been declared redundant and the Commissioners have become involved in settling their future. In the same period the Commissioners have vested 15 redundant churches in the Churches Conservation Trust for preservation. The Trust now maintains 317 such churches and the Commissioners provide 30 per cent. of their costs, or about £1.07m in each of the Trust's last 3 financial years.

## EDUCATION AND EMPLOYMENT

### School Admissions Code of Practice

**Mr. Don Foster:** To ask the Secretary of State for Education and Employment if he will place in the Library copies of responses he received to the School Admissions Code of Practice Consultative Draft. [71750]

**Ms Estelle Morris:** I have arranged for copies of all responses received on the Draft School Admissions Code of Practice to be placed in the Library.

### Failing LEAs (Contractors)

**Mrs. May:** To ask the Secretary of State for Education and Employment, pursuant to his answer of 1 February 1999, *Official Report*, column *490*, on failing LEAs, how many formal expressions of interest from organisations able to *(a)* perform LEA functions and *(b)* provide management consultancy services for LEAs had been received by 15 February. [72508]

**Ms Estelle Morris:** 98 expressions of interest were received for consultancy work and 107 for the delivery of LEA functions.

### Disabled People (Interviews)

**Mr. Oaten:** To ask the Secretary of State for Education and Employment in the pilot areas for the New Deal for Disabled People *(a)* how many initial interviews with personal advisers have been booked, *(b)* how many initial interviews with personal advisers have taken place, *(c)* how many disabled people have agreed to participate in the New Deal following an initial interview and *(d)* how many people obtained jobs following participation in the New Deal. [72372]

**Ms Hodge:** The Personal Adviser Service is in the early stages of pilot operation, and it is too soon to draw conclusions. Figures show that by 5 February, 1,528 interviews had been booked, 1,364 people had been seen by Personal Advisers, and some 821 people had begun to implement an employment focused action plan. We know that most people in this client group will need many months of support before they are ready to start work. However, I am delighted that so far 50 people have secured work.

### KPMG

**Mr. Ruffley:** To ask the Secretary of State for Education and Employment if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72006]

**Mr. Mudie:** The services and levels of remuneration provided to my department by KPMG are given in the following table.

| *Period* | *Service* | *Remuneration (£)* |
|---|---|---|
| 1 May 1997—31 January 1999 | Management Consultancy | 22,291 |
| | Policy advice | 47,880 |
| 1 April 1996—30 April 1997 | Management Consultancy | 265,864 |

Complete figures for the 'corresponding period' 1 August 1995—30 April 1997, are not available in a comparable form. This is due to the different accounting systems used by the former Department of Education and the Employment Department which merged under the previous administration

### Ministerial Visits

**Mr. Gray:** To ask the Secretary of State for Education and Employment, pursuant to his answer of 15 February 1999, *Official Report*, column *566*, on ministerial visits, which hon. Members have been informed of a planned visit to their constituency by him in the last 12 months. [72225]

**Mr. Mudie:** In accordance with paragraph 79 of the Ministerial Code, hon. Members are informed in advance about planned visits to their constituencies by myself and Ministerial colleagues.

### Jobfinder Grants

**Mr. Field:** To ask the Secretary of State for Education and Employment how many Jobfinder grants have been paid in each year since the introduction of the scheme. [72184]

**Mr. Andrew Smith:** Responsibility for the subject of this question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

*Letter from Leigh Lewis to Mr. Frank Field, dated 22 February 1999:*

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply to your question about the number of Jobfinder Grants that have been paid in each year since the introduction of the scheme. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

The number of Jobfinder's Grants paid nationally in each year since the introduction of the scheme is as follows:

| *Year* | *Number of Grants* |
|---|---|
| 1994–1995 pilot | 4,708 |
| 1995–1996 | 12,383 |
| 1996–1997 | 17,300 |
| 1997–1998 | 15,820 |
| 1998-Jan 99 (10 months) | 8,281 |

I hope this is helpful.

### Ofsted Inspectors

**Mr. Blizzard:** To ask the Secretary of State for Education and Employment (1) if he will make it his policy to ensure that all Ofsted inspectors periodically undertake some teaching in schools; [72269]

(2) what is the average age of Ofsted inspectors; [72270]

(3) what is the average length of time since an Ofsted inspector last taught in a school. [72271]

**Ms Estelle Morris:** These are matters for HM Chief Inspector of Schools and I have therefore asked Chris Woodhead to write to my hon. Friend and to place a copy of his letter in the Library.

### Pre-school Expenditure

**Mr. Boswell:** To ask the Secretary of State for Education and Employment what arrangements are made to assist with public funds capital expenditure on pre-school provision. [71966]

**Ms Estelle Morris:** Following the Comprehensive Spending Review, over £5 billion will be available over the next three years for investment in school buildings, including facilities for under fives. Earmarked capital grant for Early Excellence Centres is available through the New Deal for Schools programme.

### "Teachers"

**Mrs. May:** To ask the Secretary of State for Education and Employment how many copies of the magazine "Teachers" have been distributed to *(a)* teachers direct and *(b)* schools; what was the cost of producing the magazine; and what was the cost of distributing the magazine. [72506]

**Ms Estelle Morris:** No copies have been distributed direct to teachers. A total of 334,300 copies of the magazine have been distributed to schools: teachers requested approximately 8,000 extra copies after 326,300 copies were initially distributed to schools.

The magazine costs 9p a copy to produce and 11p a copy to distribute. It replaces the DfEE's previous publication, Schools Update. The magazine is paid for from the Department's central advertising and publicity budget which has already been earmarked for spending on publicity material.

**Mrs. May:** To ask the Secretary of State for Education and Employment if he will make copies of his Department's magazine, Teachers, available in the Library. [72239]

**Ms Estelle Morris:** Copies have been placed in the Library.

### Private-public Partnerships

**Mrs. May:** To ask the Secretary of State for Education and Employment when he plans to issue draft regulations for consultation on private/public sector partnerships under section 128(1)(2) of the School Standards and Framework Act 1998. [72505]

**Ms Estelle Morris:** It is planned to issue draft regulations for consultation in May 1999.

### School Meals

**Mrs. May:** To ask the Secretary of State for Education and Employment what advice his Department has issued to local education authorities on the use of genetically modified foods in school meals services. [72237]

**Mr. Charles Clarke:** Responsibility for determining the content of school meals rests with local education authorities and the governing bodies of grant maintained schools.

### Specialist Teachers

**Mrs. May:** To ask the Secretary of State for Education and Employment if he intends to publish details of the position of specialist teachers in relation to his proposals to restructure teachers' salary scales. [72507]

**Ms Estelle Morris:** There is no statutory definition of the term "specialist teacher".

The technical consultation document on pay and performance management, published on 1 February 1999, sets out the Government's proposals in respect of teachers' salary structure.

Paragraph 59 seeks views on the proposal that teachers below the new performance threshold who make additional contributions to teaching and learning, could be awarded salary supplements by the governing body on the advice of the head. Paragraph 65 proposes that, once a teacher has passed threshold assessment, that teacher's allocated salary range on the upper pay spine should reflect the nature of his or her responsibilities as well as personal performance.

The Government propose to ask the School Teachers' Review Body, following the Green Paper consultation, to advise what guidance should be available to schools on how to reflect teacher responsibilities in setting salary levels below and above the threshold.

### Infant Class Sizes

**Mrs. May:** To ask the Secretary of State for Education and Employment what estimate he has made of the annual recurrent cost of reducing infant class sizes to a maximum of 30 pupils. [72504]

**Ms Estelle Morris:** We have already allocated £22 million in revenue funding in 1998–99 for the reduction of infant class sizes. Over the next three financial years, £400 million will be available to meet the revenue costs of implementing our pledge:

1999–2000: £80 million

2000–2001: £160 million

2001–2002: £160 million.

In addition, there will be £160 million over the same period to meet the capital costs of implementing the pledge.

### Au Pairs

**Mr. Malins:** To ask the Secretary of State for Education and Employment what assessment he has made of the effect on the availability of childcare provision by au pairs for poorer families of the inclusion of au pairs within the minimum wage provisions. [70373]

**Mr. Ian McCartney** *[holding answer 10 February 1999]:* I have been asked to reply.

I do not expect the introduction of the National Minimum Wage to affect the availability of childcare provision by au pairs. The National Minimum Wage Regulations, which were laid before Parliament on Tuesday, 16 February, provide for the exclusion from coverage of workers who reside in their employer's family household, are treated as members of that family and share in the tasks and leisure activities of the family.

## DEFENCE

### GEC Marconi-British Aerospace Merger

11. **Mr. Burns:** To ask the Secretary of State for Defence what assessment he has made of the impact that the merger of GEC Marconi and British Aerospace will have on defence procurement *(a)* within the United Kingdom and *(b)* overseas; and if he will make a statement. [70501]

25. **Mr. Bercow:** To ask the Secretary of State for Defence if he will make a statement on the defence implications of the BAe-GEC Marconi merger. [70516]

**Mr. Spellar:** The proposed merger of BAe and Marconi will be subject to regulatory approval and it is therefore not appropriate for me to comment at this stage. The MOD's views on the military aspects of the merger will be given to the regulatory authorities in confidence at the appropriate time.

### Cadets

13. **Mr. Coaker:** To ask the Secretary of State for Defence what representations he has received on the Government's expenditure plans in relation to cadets. [70503]

**Mr. Doug Henderson:** During the past twelve months my Department has received a number of representations from hon. Members and others concerning the Government's expenditure plans in respect of our Cadet Forces. The Government remain fully committed to supporting the Cadet Forces, with planned expenditure upon them in the current financial year totalling some £58m. As a further indication of our commitment, we previously announced an increase in Cadet Forces' expenditure of £3m over the next four years.

### Learning Forces Initiative

15. **Dr. George Turner:** To ask the Secretary of State for Defence what progress he has made in establishing the learning forces initiative announced in the strategic defence review. [70505]

**Mr. Doug Henderson:** We are making good progress with our important "Learning Forces" initiative. At home and abroad, our Service personnel are already benefiting from increased educational opportunities. The "Learning Forces" initiative is a powerful tool which will aid recruiting and retention.

### Staff College, Camberley

16. **Mr. Hawkins:** To ask the Secretary of State for Defence what plans he has for the future use of the buildings of Staff college, Camberley. [70506]

**Mr. Spellar:** Options for the future of the former Staff College Buildings at Camberley are being studied. No proposals have yet been put to Ministers.

### Future Large Aircraft

17. **Mr. Jim Cunningham:** To ask the Secretary of State for Defence if he will make a statement on progress with the design and manufacture of the future large aircraft; and when it is planned to go into production. [70507]

**Mr. Spellar:** The MOD received bids at the end of January for competing aircraft to meet our requirement for future transport aircraft. The Future Large Aircraft—now designated the A400M by Airbus Industries—is a candidate in this competition. UK officials are assessing these bids with other European partners. I will announce the outcome to the House once a decision has been made.

### Dr. Gwyn Prins

18. **Dr. Julian Lewis:** To ask the Secretary of State for Defence what discussions he has had with NATO officials about the decision to employ Dr. Gwyn Prins of Chatham house in the office of the NATO Secretary-General. [70508]

**Mr. George Robertson:** None.

### Iraq

19. **Mr. Heppell:** To ask the Secretary of State for Defence how many British service personnel are currently involved in helping to patrol the no-fly zones in northern and southern Iraq. [70509]

**Mr. George Robertson:** Just over 2,000 service personnel are currently involved in conducting or supporting operations in the northern and southern no-fly zones. Around half of these are land-based and regularly involved in such duties; the other half are aboard HMS Invincible, whose aircraft are currently participating in the patrolling of the no-fly zones.

### Service Families

20. **Mr. Borrow:** To ask the Secretary of State for Defence what policies his Department has for improving the quality of life for service families. [70510]

**Mr. Doug Henderson:** Following the Strategic Defence Review, we created the Service Families Task Force. Under my leadership the Task Force is addressing the problems Service families have told us they encounter and we are pursuing measures to help them in the areas of education, employment and health. In addition, each Service is developing specific initiatives to improve the quality of life for their families.

### Anthrax

21. **Mr. Gale:** To ask the Secretary of State for Defence when he plans to recommence his programme of voluntary immunisation of personnel against anthrax. [70512]

**Mr. George Robertson:** We will resume our programme of voluntary immunisation against anthrax for personnel deploying to the Gulf as soon as practicable. However, new licensed supplies of vaccine will not be available before next year.

### Land Mines

22. **Mr. Jenkins:** To ask the Secretary of State for Defence when he expects to complete Britain's land mine destruction programme. [70513]

34. **Mr. Pond:** To ask the Secretary of State for Defence if he will make a statement on progress with Britain's land mine destruction programme. [70525]

**Mr. George Robertson:** I refer my hon. Friends to the answer I gave to my hon. Friend the Member for Stockton, South (Ms Taylor) on 22 February 1999, *Official Report*, column 7.

### Gulf War Syndrome

23. **Mr. Sutcliffe:** To ask the Secretary of State for Defence how much his Department is spending on research into the illnesses of Gulf war veterans. [70514]

**Mr. Doug Henderson:** The Ministry of Defence's portfolio of research into Gulf veterans' illnesses matters currently comprises two major epidemiological studies, a neuromuscular systems study, an independent review of research literature and a programme to investigate possible interactions between the medical countermeasures which were used during the 1990–91 Gulf conflict. So far, about £1.9 million has been spent on these studies and we estimate that they will cost a further £4 million to complete.

### Armed Forces (Overstretch)

24. **Mr. Flight:** To ask the Secretary of State for Defence what measures he has taken to address potential overstretch resulting from increasing United Kingdom military commitments. [70515]

25. **Mr. Jim Marshall:** To ask the Secretary of State for Defence what steps the Government are taking to reduce overstretch in the armed forces. [70700]

**Mr. Doug Henderson:** As I explained in my reply of 25 January 1999, to my hon. Friends the Members for Blaydon (Mr. McWilliam) and for South Ribble (Mr. Borrow), *Official Report*, column *4*, we are firmly committed to addressing overstretch in the Armed Forces. We are taking a number of steps to increase recruitment to the Armed Forces, which continues to improve for all three Services. We are also making efforts to improve retention in the Armed Forces. Maintenance of morale within the Armed Forces as a whole is a high priority. Any decision to increase operational commitments will be taken only after careful consideration of personnel resources.

### Ethnic Recruitment (Brent)

26. **Dr. Kumar:** To ask the Secretary of State for Defence if he will make a statement on the progress of the Army's ethnic recruitment initiative in Brent. [70517]

**Mr. Spellar:** The Army's recruiting initiative in Brent was an integral part of the Army ethnic minority recruiting campaign for 1997–98, and was designed to last for three months between January and March 1998. The Brent campaign was used as a trial of a Community Partnership Model developed by a consultancy firm. Under this approach, personnel are allocated specifically to liaise with council, education and community leaders and students, in order to promote the Army as a potential career.

Research carried out before and after this initiative shows that it was a success, and that it has created a generally more positive attitude to the Army in Brent.

During the current financial year, the Army has included Brent in its programme of visits by recruiting teams, including the Ethnic Minority Recruiting Team.

and links with the community continue to improve. The Army is currently on target to achieve its aim that two per cent. of its recruits for the year should come from ethnic minorities.

The Community Partnership Model will be employed at various locations around the country over the next three years, including Brent, with the aim of increasing ethnic minority recruiting to five per cent. over this period.

### Scottish Armed Forces

27. **Mr. Nigel Griffiths:** To ask the Secretary of State for Defence how many *(a)* Scots and *(b)* non-Scots are currently serving in the UK armed forces. [70518]

**Mr. Doug Henderson:** We estimate that some 23,000 Service personnel, or around 11 per cent. of the armed forces are Scots.

### Chamber of Shipping

28. **Mr. Bill O'Brien:** To ask the Secretary of State for Defence what contribution was made by the United Kingdom Chamber of Shipping to the strategic defence review; and if he will make a statement. [70519]

**Mr. Spellar:** The UK Chamber of Shipping contributed to the Strategic Defence Review as part of the Review's public consultation process. Copies of submission made to the Review have been placed in the Parliamentary and selected reference libraries. As my hon. Friend is aware, the Ministry of Defence enjoys a close and productive relationship with the Chamber on defence issues, primarily through the auspices of the Shipping Defence Advisory Committee and its various working groups and sponsored discussions.

### Defence Medical Services

29. **Mr. Viggers:** To ask the Secretary of State for Defence if he will make a statement on the defence medical services. [70520]

**Mr. Doug Henderson:** The future strategy for the Defence Medical Services was outlined by my right hon. Friend the Secretary of State for Defence on 14 December 1998, *Official Report*, column *329*. Work on the implementation of the proposals identified in the Strategic Defence Review and the future strategy for the Defence Medical Services is now well in hand.

**Mr. Viggers:** To ask the Secretary of State for Defence, pursuant to his answer of 14 December 1998, *Official Report*, column *329*, if the harmonising of different conditions of service within the Defence Medical Services will extend to civilian employees and co-workers. [70877]

**Mr. Doug Henderson:** No. The work on harmonisation is focused exclusively on eliminating differences in the terms of service of Defence Medical Service military personnel undertaking similar functions.

**Mr. Viggers:** To ask the Secretary of State for Defence when he informed the Secretary of State for Health of his policy of direct targeting of nurses and specialist registrars for recruitment into the Defence Medical Services. [70880]

**Mr. Doug Henderson:** My right hon. Friend the Secretary of State for Defence wrote to my right hon. Friend the Secretary of State for Health on 8 December 1998.

**Mr. Viggers:** To ask the Secretary of State for Defence, pursuant to his answer of 14 December 1998, *Official Report*, column *329*, concerning the Defence Medical Services, if he will provide a breakdown of the funding to be provided over the next four years for investment in additional medical personnel and equipment. [70898]

**Mr. Doug Henderson:** Of the additional £140M which we announced in the SDR that we planned to spend on Defence Medical Services over the period 1998–99 to 2001–02, some £50M represents personnel costs, with the remainder attributed to a wide range of equipment, infrastructure and IT enhancements, including Primary Casualty Receiving Ship, Medical and Dental Equipment, and Medical Stores and Supplies over this period.

**Mr. Viggers:** To ask the Secretary of State for Defence, pursuant to his answer of 14 December 1998, *Official Report*, column *329*, how he intends to identify overstretch in the Defence Medical Services; and what deadlines he has set for this. [70876]

**Mr. Doug Henderson:** New work is currently being undertaken in Surgeon General's Department to establish a better understanding of the maximum level of medical deployment which we can sustain on a continuous basis. The results of this work will allow us to better match resources to tasks and will help operational planners to identify not only current overstretch but also the implications of proposed new deployments. The initial work should be completed by 1 March 1999.

### Kosovo

30. **Mr. Blunt:** To ask the Secretary of State for Defence what assessment he has made of the implications of a long-term deployment of forces in Kosovo on the *(a)* force structures and *(b)* budget planned by his Department. [70521]

**Mr. George Robertson:** I refer the hon. Member to the answer I gave earlier today to the hon. Member for Somerton and Frome (Mr. Heath). In the event of such an operation, where the costs cannot be accommodated within the agreed Defence Budget, I would expect to fund them through a claim on the reserve in accordance with normal procedures.

**Mr. Key:** To ask the Secretary of State for Defence what is the mission statement for the Kosovo extraction force based in Macedonia. [68802]

**Mr. George Robertson** *[pursuant to his reply, 3 February 1999, c. 651]:* I regret that it was wrong to withhold the exact mission statement of the NATO-led Extraction force, operation "Joint Guarantor" as it had, in fact, been authorised for publication by Supreme Headquarters Allied Powers (SHAPE). More recently it has been replaced by a shorter version which more accurately reflects the mission of the force in Kosovo. For completeness, the full and abbreviated versions are as set out.

*Mission Statement (Full version)*

As authorised by the NAC, SACEUR will assume overall authority for the operation and Operational command or control of designated forces which will conduct an extraction of OSCE KVM verifiers and/or PDSS (Persons of Designated Special Status) in Kosovo at short notice with minimum use of force, followed by rapid redeployment of forces concerned outside the FRY and with the required reaction times.

*Mission Statement (Abbreviated version)*

On order, to conduct an extraction of OSCE Kosovo Verification Mission (KVM) Verifiers and/or Persons with Designated Special Status in Kosovo in order to assure their safety.

### Airborne Stand-off Radar

31. **Mr. Wilkinson:** To ask the Secretary of State for Defence when he expects the airborne stand-off radar to enter service with the Royal Air Force. [70522]

**Mr. Spellar:** The In Service Date, ISD, in May 1997 was 2003. Since then the bidders for the Airborne Stand-Off Radar programme have been asked to review the feasibility of the current In Service Date of 2003, in their proposals for the Full Development and Production phase of the programme.

The Department is currently in the process of evaluating bids, and it would, therefore, not be appropriate to make specific comments on any aspect of the bids at this time. On current plans we aim to announce a decision on the project in the spring, and award a contract later this year. The new ISD is dependent upon the selected bid.

**Mr. Woolas:** To ask the Secretary of State for Defence when he expects to make an announcement on the contract for the Astor system. [70490]

**Mr. Doug Henderson:** The Department is currently in the process of evaluating bids for the Full Development and Production phase of the Airborne Stand-off Radar (ASTOR) programme. On current plans we aim to announce a decision on the project in the spring, and award a contract later this year.

### NATO

32. **Mr. Derek Twigg:** To ask the Secretary of State for Defence if he will make a statement on progress towards NATO enlargement. [70523]

**Mr. George Robertson:** All 16 members of NATO have now ratified the Protocols of Accession to NATO in respect of the Czech Republic, Hungary and Poland. The NATO Secretary-General wrote to the Foreign Ministers of the three countries on 29 January inviting them formally to accede to the North Atlantic Treaty. They will do so by depositing the instruments of accession with the United States Government. No date has yet been decided for their formal accession, but we expect it to be during March. The Government warmly welcome this progress and look forward to working with our new Allies.

### Territorial Army

33. **Mr. Waterson:** To ask the Secretary of State for Defence what assessment he has made of morale in the Territorial Army. [70524]

**Mr. Doug Henderson:** I am encouraged by indications that morale is maintained in the TA, and that it continues to attract new volunteers. We expect that the restructuring of the Territorial Army once implemented will, ensure that the TA is both more relevant and usable and, as a result, more satisfying to those who join.

**Mr. Hoyle:** To ask the Secretary of State for Defence if he will make a statement on the net effect of the review of the Territorial Army, in terms of number of units per head of the population, in *(a)* North West England and *(b)* North Wales. [69318]

**Mr. Doug Henderson:** North Wales does not contain any TA units of Regiment or Battalion size. There are a number of sub-units in Northern Wales, but as sub-units vary considerably in size, a comparison between North Wales and the North West based on numbers of sub-units would not be meaningful. However, a comparison between the two regions based on numbers of TA members shows the net effect of the restructuring of the Territorial Army on each region.

Before the review of the Territorial Army, the ratio of members of the TA to population in the North West was 1:1,023. After the review, the ratio was 1:1,366, or a net increase in the ratio of 36 per cent.

Before the review of the Territorial Army, the ratio of members of the TA to population in North Wales was 1:1,050. After the review, the ratio was 1:1,832, or a net increase in the ratio of 74 per cent.

**Mr. Hoyle:** To ask the Secretary of State for Defence (1) on what date Land Command submitted to Ministers the *(a)* first, *(b)* second and *(c)* final set of proposals for reorganisation of the Territorial Army; [69316]

(2) on what date Land Command made the recommendation to *(a)* transfer HQ 101 Battalion REME to Queensferry and *(b)* close HQ 101 Battalion REME in Chorley. [69343]

**Mr. Doug Henderson:** Land Command's recommendations for the future structure of the Territorial Army were put to Ministers on 2 November 1998.

### Training

**Mr. Pearson:** To ask the Secretary of State for Defence what steps the Government are taking to review the value for money of professional training in the armed forces. [70502]

**Mr. Doug Henderson:** We keep the cost-effectiveness of training in the Armed Forces under continual review.

### Smart Procurement

**Maria Eagle:** To ask the Secretary of State for Defence what progress has been made in implementing the smart procurement programme; and if he will make a statement. [70504]

**Mr. George Robertson:** This Government are committed to improving defence procurement performance. Under our Smart Procurement initiative ten projects have just completed an encouraging pilot

phase and lessons will be reflected in a full transition plan to be implemented over the next year.

## Royal Hospital, Haslar

**Mr. Viggers:** To ask the Secretary of State for Defence what representations he has received calling for the retention of Royal Hospital, Haslar as the tri-service medical centre. [70875]

**Mr. Doug Henderson:** The new strategy for the Defence Medical Services was the subject of comprehensive consultation within the three single Services and their respective medical Directors General are fully committed to implementing the recommendations.

Since the announcement of the closure of the Royal Hospital, Haslar, my right hon. Friend the Secretary of State for Defence has received direct representations from the Trade Unions and members of the public and there has been a protest march in Gosport. The Hospital Commander is consulting with local TUs, mainly through the Whitley process; staff in HQ DSCA are responding to the letters from the public. The representations of the protest marchers were received by the Agency Chief Executive.

**Mr. Viggers:** To ask the Secretary of State for Defence for what reason it has been determined that the Royal Hospital, Haslar will remain open until 2002. [70874]

**Mr. Doug Henderson:** In his statement on 14 December 1999, *Official Report*, column *329*, my right hon. Friend the Secretary of State for Defence made clear that the Royal Hospital, Haslar will remain open until new arrangements are in place. The booklet supporting the strategy announcement added that closure was unlikely before 2002. The plans of the Portsmouth and South East Hants Health Authority include the redevelopment of their Queen Alexandra Hospital site. This and the establishment of our new Ministry of Defence Hospital Unit (MDHU) will take a number of years. We have agreed with the NHS that the process of change should be managed and gradual to ensure that RHH is able, in the meantime, to maintain its training role for Military personnel and treatment services for both Service and NHS patients.

**Mr. Viggers:** To ask the Secretary of State for Defence if he will make a statement on the reasons for choosing to establish a new Defence Medical Services Hospital Unit in Portsmouth rather than expanding the Royal Hospital, Haslar. [70878]

**Mr. Doug Henderson:** The decision to close the Royal Hospital, Haslar (RHH) was announced on 14 December 1998 *Official Report*, columns *328–29*, by my right hon. Friend the Secretary of State for Defence as part of the overall new strategy for the Defence Medical Services.

Since RHH became the core Service hospital in 1994, significant changes have occurred which put the continued viability of the hospital in doubt. In particular, it has become increasingly difficult for RHH to provide the specialist levels of care demanded by local GPs, new healthcare strategies have been introduced by the local NHS Trust and the location of RHH is no longer ideal for the majority of Service personnel. Additionally, the running costs of RHH (not least the use of Grade 2 listed buildings) are significantly higher than any possible alternatives. Closer DMS co-operation with the NHS, through the Ministry of Defence Hospital Unit (MDHU) concept, has already demonstrated clear operational and financial advantages over isolated military hospitals. We intend to pursue this option in Portsmouth.

**Mr. Viggers:** To ask the Secretary of State for Defence if he will make a statement on the effect of the closure of the Royal Hospital, Haslar on local employment. [70871]

**Mr. Doug Henderson:** Until the size and shape of the proposed Ministry of Defence Hospital Unit in Portsmouth is established it is much too early to estimate the impact of the closure of the Royal Hospital, Haslar on local employment. Once it is possible to do so, the Defence Secondary Care Agency will consult closely with Trade Unions and the Employment Services to ensure that any transfers and releases are carefully managed throughout the long lead time.

**Mr. Viggers:** To ask the Secretary of State for Defence what assessment he has made of the costs of upgrading NHS facilities to replace the services supplied by Royal Hospital, Haslar to the civilian population. [70873]

**Mr. Doug Henderson:** This is a matter for the Department of Health. The provision of health care to the local population is the responsibility of the Portsmouth and South East Health Authority.

**Mr. Viggers:** To ask the Secretary of State for Defence how many (i) civilian and (ii) military personnel have been treated at the Royal Hospital, Haslar since 1995 *(a)* in total and *(b)* for accident and emergency cases. [70869]

**Mr. Doug Henderson:** Hospitals count the numbers of admissions and the number of outpatient appointments. Those details for the Royal Hospital, Haslar, along with those for accident and emergency cases, are as follows in the table, from 1 January 1995.

*RH Haslar A&E attendances 1995–98*

| | Service | | | Civilian | | | |
|---|---|---|---|---|---|---|---|
| *Year* | *New attendances* | *Follow up attendances* | *Total* | *New attendances* | *Follow up attendances* | *Total* | *Totals for year* |
| 1995 | 1,690 | 5 | 1,695 | 16,968 | 30 | 16,998 | 18,693 |
| 1996 | 1,769 | 9 | 1,778 | 16,713 | 45 | 16,758 | 18,536 |
| 1997 | 1,819 | 6 | 1,825 | 18,585 | 69 | 18,654 | 20,479 |
| 1998 | 1,698 | 5 | 1,703 | 19,066 | 60 | 19,126 | 20,829 |
| Total | 6,976 | 25 | 7,001 | 71,332 | 204 | 71,536 | 78,537 |

## Military Personnel Wastage

**Mr. Keith Simpson:** To ask the Secretary of State for Defence (1) if he will list the military personnel wastage rates for *(a)* Royal Navy (i) officers and (ii) other ranks, *(b)* Army (i) officers and (ii) other ranks and *(c)* Royal Air Force (i) pilot officers, (ii) non-pilot officers and (iii) other ranks for each of the years 1995–96, 1996–97, 1997–98 and 1998–99 to date; [71930]

(2) how his Department defines military personnel wastage. [71929]

**Mr. Doug Henderson:** Military personnel wastage is defined as all outflow of trained personnel. This is usually expressed as a rate which is calculated by taking the total outflow of all trained personnel during a period as a proportion of the average number of trained personnel in the period.

The wastage rates in the Armed Forces in the years from 1995–96 to 1997–98 and the current financial year are as follows:

*Percentage*

| | *Total* | *PVR*[1] | *Redundancies*[2] | *Retirements*[3] | *Other exits*[4] |
|---|---|---|---|---|---|
| *Naval Service Officers* | | | | | |
| 1995–96 | 8.0 | 1.5 | 1.3 | 4.7 | 0.5 |
| 1996–97 | 11.8 | 1.9 | 5.1 | 4.1 | 0.7 |
| 1997–98 | 7.3 | 2.5 | 0.0 | 4.2 | 0.5 |
| 1998–99[5] | 6.6 | 2.4 | 0.0 | 3.7 | 0.5 |
| *Naval Service Other Ranks* | | | | | |
| 1995–96 | 9.2 | 3.6 | 1.1 | 3.1 | 1.4 |
| 1996–97 | 14.2 | 5.2 | 4.1 | 3.3 | 1.6 |
| 1997–98 | 10.4 | 5.1 | 0.0 | 3.5 | 1.8 |
| 1998–99[5] | 11.0 | 5.5 | 0.0 | 3.3 | 2.2 |
| *Army Officers* | | | | | |
| 1995–96 | 8.4 | 2.7 | 0.6 | 4.5 | 0.5 |
| 1996–97 | 7.8 | 2.9 | 0.6 | 3.3 | 0.9 |
| 1997–98 | 7.5 | 3.6 | 0.0 | 3.5 | 0.4 |
| 1998–99[5] | 8.9 | 4.5 | 0.0 | 3.8 | 0.5 |
| *Army Other Ranks* | | | | | |
| 1995–96 | 12.2 | 7.3 | 0.1 | 2.5 | 2.3 |
| 1996–97 | 11.2 | 6.8 | 0.1 | 2.0 | 2.3 |
| 1997–98 | 10.9 | 6.7 | 0.0 | 1.8 | 2.3 |
| 1998–99[5] | 11.4 | 6.9 | 0.0 | 2.1 | 2.4 |
| *RAF Pilot Officers* | | | | | |
| 1995–96 | 8.9 | 1.2 | 3.1 | 4.0 | 0.6 |
| 1996–97 | 11.3 | 1.5 | 4.5 | 5.1 | 0.2 |
| 1997–98 | 7.7 | 2.8 | 0.0 | 4.6 | 0.3 |
| 1998–99[5] | 9.0 | 2.5 | 0.0 | 5.9 | 0.6 |
| *RAF Non-Pilot Officers* | | | | | |
| 1995–96 | 10.3 | 1.5 | 4.2 | 4.0 | 0.5 |
| 1996–97 | 12.7 | 1.9 | 6.3 | 4.1 | 0.4 |
| 1997–98 | 5.3 | 2.0 | 0.0 | 3.0 | 0.3 |
| 1998–99[5] | 5.8 | 2.7 | 0.0 | 2.7 | 0.3 |
| *RAF Other Ranks* | | | | | |
| 1995–96 | 12.6 | 3.3 | 4.3 | 4.3 | 0.7 |
| 1996–97 | 18.0 | 3.1 | 9.5 | 4.6 | 0.7 |
| 1997–98 | 8.2 | 3.6 | 0.0 | 3.8 | 0.8 |
| 1998–99[5] | 8.7 | 4.3 | 0.0 | 3.8 | 0.6 |

[1] PVR—Premature Voluntary Release: This includes those personnel who left the Services because of pregnancy and due to marriage.
[2] Redundancies include both voluntary and compulsory redundancies.
[3] Retirements refer to personnel who have either reached the end of their commission or the end of their engagement in their Service.
[4] Other exits include deaths, medical discharges, those personnel whose services are no longer required and compassionate release.
[5] For the 1998–99 financial year, the wastage rates have been estimated by taking the number of exits from 1 April-31 December 1998 and multiplying by a factor of 4/3, and dividing by the average trained strength in this period. This takes into account the fact that the number of exits during 1998–99 is for a nine-month period; the other financial years given here are for twelve-month periods.

The rates given for the Naval Service include all personnel who were serving in the Royal Navy, Royal Marines and the Queen Alexandra's Royal Naval Nursing Service.

The rates given for the Army exclude those serving in the Gurkhas and those who were serving in the Royal Irish Regiment.

Those personnel serving in Bosnia as mobilised reservists during these periods have also been excluded.

The total wastage percentages given in the answer may not necessarily be the same as the sum of the individual wastage percentages due to rounding.

## KPMG

**Mr. Ruffley:** To ask the Secretary of State for Defence if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72005]

**Mr. Doug Henderson:** The Ministry of Defence has used the services of KPMG along with other large consultancy companies for a number of years and in the course of which they have received numerous contracts from the Department. It is not possible to provide full details of all contractual engagements which include many small contracts without incurring disproportionate cost, but the company have competitively tendered and been engaged to support a number of Departmental efficiency initiatives including Competing for Quality, the Private Finance Initiative and most recently SMART procurement, an initiative arising from the strategic defence review designed to introduce faster, cheaper and better defence purchasing. My Department's payments to KPMG pre/post 1 May 1997 are as follows:

| *Date* | *£* |
|---|---|
| 1 August 1995—30 April 1997 | 1,413,972.75 (ex VAT) |
| 1 May 1997—1 January 1999 | 4,089,789.38 (ex VAT) |

## Gibraltar

**Mr. Gill:** To ask the Secretary of State for Defence what expenditure has been incurred by his Department in respect of the Gibraltar base in each of the last 10 years at current prices. [71692]

**Mr. Doug Henderson:** The costs falling to the budget of the Commander British Forces Gibraltar for the last seven years and an estimate of the costs of the current year are as follows:

| *FY* | *Amount (£ million)* | *Current prices* |
|---|---|---|
| 1991–92 | 60.7 | 74.5 |
| 1992–93 | 59.0 | 69.9 |
| 1993–94 | 60.4 | 69.1 |

| FY | Amount (£ million) | Current prices |
|---|---|---|
| 1994–95 | 56.5 | 63.6 |
| 1995–96 | 58.6 | 63.9 |
| 1996–97 | 63.0 | 66.9 |
| 1997–98 | 61.3 | 63.8 |
| 1998–99 | 57.6 | 57.6 |

*Note:*
Figures uprated to current prices.

Similar information is not available for the years 1989–90 and 1990–91.

### Staff Travel

**Mr. Baker:** To ask the Secretary of State for Defence if he will list the mileage rates currently applicable to staff, indicating what changes have been made to encourage staff to switch from cars to public transport and other less polluting forms of travel. [70956]

**Mr. Doug Henderson** *[holding answer 15 February 1999]:* The MOD reimburses motor mileage for official travel in private vehicles at two different levels. The higher (Standard) rate is restricted to journeys which would be impracticable by public transport, taking into account the overall cost to the Department. It reflects the full costs of travel by car. The lower (Public Transport) rate is set at a level which reflects the average cost of travel by public transport and is paid for all other official travel by car.

The rates applicable in the current tax year are as follows:

*Standard Rates of Motor Mileage Allowance*

*Pence per mile*

| Car engine capacity | Up to 1,000cc | 1001cc to 1500cc | 1501cc to 2000cc | 2001cc and over |
|---|---|---|---|---|
| Up to 4,000 miles | 28 | 35 | 45 | 63 |
| Over 4,000 miles | 17 | 20 | 25 | 36 |

Public Transport Rate of Motor Mileage Allowance
All cars: 25.9p per mile

MOD discourages the unnecessary use of private cars and staff are required to undertake official travel by the most cost effective means. However, the dispersed and sometimes remote locations of Defence establishments means that public transport does not always offer a suitable option.

### Northern Division

**Mr. Key:** To ask the Secretary of State for Defence what is the number of army personnel in the areas covered by *(a)* the Scottish District based in Edinburgh and *(b)* the Second Division based in York. [70125]

**Mr. Doug Henderson** *[holding answer 9 February 1999]:* The establishments of regular Army units in these areas is currently as follows:

Scottish District 2,684

2nd Division 12,969.

Of these, some 400 personnel in Scottish District and 11,238 in the 2nd Division are in units which, though based in the area, will not be under the operational command of the General Officer Commanding the planned new northern division.

Following the restructuring of the Territorial Army announced by my right hon. Friend the Secretary of State for Defence on 17 November 1998, the establishment of TA soldiers in these areas from June 1999 will be as follows:

Scottish District 4,501

2nd Division 8,574.

### Equipment Exhibition

**Mr. Flynn:** To ask the Secretary of State for Defence what is the estimated cost of the Defence Systems and Equipment International Exhibition to the United Kingdom Government. [70387]

**Mr. Doug Henderson:** Under the arrangements set out in my reply to my hon. Friend the Member for Hackney, South and Shoreditch (Mr. Sedgemore) on 8 June 1998, *Official Report*, column *423*, the principal costs for the exhibition will fall to the organisers, Spearhead Exhibitions Ltd. However, my Department will make a contribution towards the cost of the missions from the 50 or so countries to be invited by Her Majesty's Government. Detailed arrangements have yet to be finalised, but we have estimated a direct cost to MOD of about £250,000. In addition, representatives of Her Majesty's Government may carry out other activities associated with the exhibition as part of their normal duties. These could only be identified at disproportionate cost.

### Weapons

**Mr. Llew Smith:** To ask the Secretary of State for Defence what assessment he has made of the benefits of using the PFI to fund the next generation of weapons of mass destruction designed to replace Trident. [71172]

**Mr. George Robertson:** I refer my hon. Friend to the answer I gave my hon. Friend the Member for Nottingham South (Mr. Simpson) on 3 February 1999, *Official Report*, column *650*.

### Airfields

**Mr. Woodward:** To ask the Secretary of State for Defence (1) what plans the Government have to close or scale down his Department's airfields at *(a)* Lyneham, *(b)* Boscombe Down and *(c)* Brize Norton; and what discussions he has had on the possible closure of these airfields; [71580]

(2) what proposals he has for the future of RAF Brize Norton; [71577]

(3) if he will make a statement on the Government's policy on his Department's airfields in the south of England. [71579]

**Mr. Doug Henderson** *[holding answer 16 February 1999]:* I have no plans to close or scale down the airfields at Lyneham, Boscombe Down or Brize Norton. RAF Brize Norton remains the RAF's primary strategic air transport and air-to-air refuelling base. The Strategic Defence Review (SDR) has determined this Government's defence policy and the tasks and roles that need to be carried out in future. These, in turn will determine our requirements, among other things for airfields in the UK. Some SDR

measures may have implications for airfields in the South of England, which will be announced and consulted upon in the normal way.

### Military Training (Indonesian Personnel)

**Mr. Alan Simpson:** To ask the Secretary of State for Defence, pursuant to his answer of 4 February 1999, *Official Report*, column *737*, how many Indonesian military personnel are currently receiving training in the United Kingdom; at which locations they are stationed; and what is the cost to United Kingdom public funds of that training. [71949]

**Mr. Doug Henderson:** There are currently five Indonesian military personnel attending courses at UK military training establishments. One Indonesian Navy officer is at the Joint Services Command and Staff College; another is on the International Principal Warfare Officer course at HMS Dryad, and three Indonesians are on courses at the Royal Military College at Shrivenham as part of a private and commercial initiative organised by Cranfield university. Participation on courses at the Joint Services Command and Staff College and HMS Dryad have been provided from the Defence Military Assistance Fund at a cost of £85,000.

Details of Indonesian military personnel attending courses at non-military UK educational establishments are not the responsibility of my Department. However, based on the information available to us, we understand that a further four Indonesian military personnel are currently attending academic courses at non-military educational establishments in the UK. These students are on the Chevening scholarship programme at a cost of £100,000. Information on the location of those establishments has been withhold under Exemption 4 of the Code of Practice on Access to Government Information.

### Disability Discrimination

**Mr. Berry:** To ask the Secretary of State for Defence what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71272]

**Mr. Doug Henderson:** My Department will have a number of new statutory responsibilities as a result of the implementation of Part III of the Disability Discrimination Act next October. These include the provision of departmental publications in alternative formats, such as Braille or large print, access arrangements for people with disabilities to Service museums and at open days or other events held on MOD property, and the provision of suitable housing for Service personnel with disabled dependants.

Assessment of the impact of Part III has already been set in hand, and my Department will continue to be made aware of the requirements, to ensure that the needs of members of the public with disabilities are taken into account.

### HMS Glorious

**Mr. Beith:** To ask the Secretary of State for Defence, pursuant to his oral statement of 28 January 1999, *Official Report*, column 574, if he will publish in the *Official Report* the text of the note instructing HMS Glorious to proceed to Scapa Flow to conduct the court martial. [71396]

**Mr. Doug Henderson:** The relevant extract of the Home Fleet War Diary (ADM 199/361) has been placed in the Library of the House. The Diary itself is available in the Public Record Office.

### Disabled People

**Mr. Berry:** To ask the Secretary of State for Defence what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71286]

**Mr. Doug Henderson:** Most expenditure related to disabled people by my Department is not held in a single budget but is one part of a number of different budgets, and thus cannot be provided without disproportionate cost. This includes such items as modifications to buildings and their surroundings to enable access, the provision of training material and publications in alternative formats, the use of interpreters, and disability awareness training and good practice guidance for MOD staff.

There is, however, some central provision for staff with disabilities, amounting to around £100K in 1998–99. This covers items such as specialised equipment and associated training, and funding for a disability bursary for a member of MOD's staff.

### Liability in Tort

**Mr. Grogan:** To ask the Secretary of State for Defence if he will introduce legislation to ensure that in an action for liability in tort against the armed forces a plaintiff need not in all cases show negligence on the part of the Crown. [71689]

**Mr. Doug Henderson:** My Department has no plans to introduce legislation that will affect the present position in respect of its liability in tort in cases involving members of the Armed Forces. Since the enactment of The Crown Proceedings (Armed Forces) Act 1987, which was not made retrospective, members and former members of the Armed Forces have had exactly the same rights as their civilian counterparts to pursue their employer, the Ministry of Defence, for common law compensation arising from my Department's negligence. When claims for compensation are submitted, they are considered on the basis of whether or not my Department has a legal liability to pay compensation. Where there is a legal liability to pay compensation, it is paid in accordance with common law principles.

### NATO Exercises

**Mr. Alan Johnson:** To ask the Secretary of State for Defence if he will make a statement on NATO exercises in the Barents Sea between 7 and 11 February 1974, with special reference to *(a)* collisions and *(b)* damage to NATO vessels. [71501]

**Mr. Doug Henderson:** My Department is not aware of any NATO exercises in the Barents Sea between 7 and 11 February 1974. Similarly, we are not aware of any collisions or damage involving RN vessels at that time.

neither am I aware of the presence of any RN vessels in the Barents sea at that time. MOD does not hold records concerning collisions and damage to NATO vessels.

### Strategic Defence Review

**Mr. Colvin:** To ask the Secretary of State for Defence whether the public opinion research commissioned by his Department into the Strategic Defence Review covered attitudes to the Defence Medical Services; and if he will make a statement on the conclusions of the research. [71661]

**Mr. Doug Henderson:** My Department commissioned two items of public opinion research prior to the publication of the Strategic Defence Review White Paper. The purpose of the research was to explore public attitudes, feelings and knowledge regarding the key issues covered by the Review. The research addressed attitudes to the Armed Forces as a whole and did not address the Defence Medical Services specifically. Copies of the research reports have been placed in the Library of the House.

### Defence Medical Training Organisation

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Defence Medical Training Organisation; and what was the figure at its inception. [71909]

**Mr. Doug Henderson:** The Defence Medical Training Organisation currently employs 385 people. At the launch of the agency on 1 April 1997 it employed 289 people. This did not include 102 people in the Fort Blockhouse Support Unit who transferred to the Agency in October 1998.

### Training Exercises

**Mr. Hancock:** To ask the Secretary of State for Defence which countries had armed forces involved in the 15 training exercises in Cyprus carried out between 1 April 1997 and 31 March 1998. [71894]

**Mr. Doug Henderson:** The only country to have personnel involved in these exercises was Australia.

### Defence Intelligence and Security Centre

**Mr. Hancock:** To ask the Secretary of State for Defence which targets the Defence Intelligence and Security Centre did not meet in 1997–98; and what monitoring he has undertaken for those targets in 1998–99. [71907]

**Mr. Doug Henderson:** The Defence Intelligence and Security Centre (DISC) achieved all of the Key Targets it was set for FY 1997–98.

The performance of the DISC is monitored by the Agency Owner's Advisory Board, which is chaired by the DISC's Owner, the Director General Intelligence and Geographic Resources (DGIGR), and which is made up of the Agency's major customers and its Non Executive Director. The Chief Executive of the DISC formally reports his progress against Key Targets to the Owners Board twice a year and also through the Owners Quarterly Performance Reviews with the Chief Executive. The first Owner's Board meeting to review 1998–99 Key Targets met on 22 October 1998 and the second is scheduled for 8 March 1999. In his capacity as the Owner, DGIGR is acting on behalf of the Secretary of State.

### Challenger 2

**Mr. Key:** To ask the Secretary of State for Defence what is the in-service date for the 120 millimetre stretch programme replacement for the Challenger 2 CHARM ammunition system. [71491]

**Mr. George Robertson** *[holding answer 16 February 1999]:* Challenger 2 is expected to be in service with the British Army until 2025. As a key battle winning equipment, it will be the subject of enhancements throughout its life in order that it can continue to provide an effective capability. A number of enhancement measures are already being considered for the future. Specific details regarding these enhancements are classified, for reasons of operational security.

### Aircraft Flying Hours

**Mr. Hancock:** To ask the Secretary of State for Defence, pursuant to his answer of 4 February 1999, *Official Report*, column *731*, for what reasons the average number of flying hours for Tornado GR aircraft was lower in 1998 than in 1997. [71981]

**Mr. Doug Henderson:** For Tornado GR aircraft, there was a difference of just one hour flying time per aircraft per month between 1997 and 1998. We do not consider this to be a significant difference. In such a large fleet of aircraft there are numerous minor reasons for aircraft flying varying hours, but the main one in this case was the major modifications programme that the aircraft were and are still undergoing.

**Mr. Hancock:** To ask the Secretary of State for Defence, pursuant to his answer of 8 February 1999, *Official Report*, column *21*, for what reasons the average flying hours for Tornado F3 aircraft was lower in 1998 than in 1997. [71979]

**Mr. Doug Henderson:** The principal reason for Tornado F3 aircraft flying fewer hours in 1998 than in 1997 is that the aircraft were undergoing a major upgrade programme.

### Infantry Exercise (Botswana)

**Mr. Hancock:** To ask the Secretary of State for Defence what was the purpose of the infantry exercise in Botswana between 1 April 1997 and 31 March 1998; and which units took part. [72202]

**Mr. Doug Henderson:** One joint infantry exercise, Exercise Diamond Cutter, took place in Botswana from 4 February to 12 March 1998. The purpose of the exercise was to provide company level dry and live firing training in a rugged environment, over extended lines of communication. B Company 2nd Battalion, the Parachute Regiment participated on the UK side.

### Ministerial Visits

**Mr. Gray:** To ask the Secretary of State for Defence, pursuant to his answer of 15 February 1999, *Official*

*Report*, column *486*, on ministerial visits, which hon. Members have been informed of a planned visit to their constituency by him in the last 12 months. [72223]

**Mr. Doug Henderson:** In accordance with paragraph 79 of the Ministerial Code, hon. Members are informed in advance about planned visits to their constituencies by me and my ministerial colleagues. Records relating to such visits are not held on a constituency basis, and could be constructed only at disproportionate cost.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Secretary of State for Defence if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71852]

**Mr. George Robertson:** In common with other Departments, the work of press officers in my Department includes responding to any misinformed allegations concerning Government policy or activity which are published in the media. They are supported in this work by other officials as necessary. Because this is a routine part of a Department's work and it is not separately recorded from other tasks, to provide further information requested would involve disproportionate cost.

## PRIME MINISTER

### Ethnic Special Advisers

**Mr. Livingstone:** To ask the Prime Minister (1) how many (i) black people, (ii) Asian people and (iii) women have been appointed by the Government as special advisers since 1 May 1997; and on what dates these appointments were made; [69652]

(2) how many (i) black people, (ii) Asian people and (iii) women were appointed by the Government as special advisers between 1 May 1992 and 30 April 1997; and (b) on what dates these appointments were made. [69654]

**The Prime Minister:** Information in the detailed form requested is not held in respect of appointments made under the last Administration.

At 15 February, there are 69 Special Advisers in post of which 16 are women. In response to a voluntary survey 58 have been identified as white. The other 11 have not responded to the survey. Information on the dates individuals were appointed is not held centrally.

### Joined-up Government

**Mr. Keith Simpson:** To ask the Prime Minister if he will define the term, joined-up Government. [69484]

**The Prime Minister** *[holding answer 8 February 1999]:* The forthcoming White Paper on Modernising Government will set out the Government's vision for improving the way in which policy is developed and public services are designed and delivered. In central Government it means the different parts of Government working more closely together and across departmental and institutional boundaries than they have in the past. The work of the Social Exclusion Unit and Performance and Innovation Unit are examples of this approach being applied to Government. This approach is also reflected in local authorities, government agencies, voluntary and private organisations working together.

### Departmental Asset Sales

**Mr. Malcolm Bruce:** To ask the Prime Minister if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70420]

**The Prime Minister** *[holding answer 11 February 1999]:* For the purpose of this question, this answer includes my Office and the Cabinet Office and its Agencies.

IT equipment, and vehicles in the fleet of the Government Car and Despatch Agency, are routinely replaced at the end of their useful life. The old equipment and vehicles are sold where it is appropriate and economic to do so.

In addition to these replacement programmes, the Cabinet Office has sold two of the fixed related assets, one of which is listed in the vehicles category the other from the plant and machinery category. The sale realised £1,500.

### Ministerial Visits

**Mr. Gray:** To ask the Prime Minister if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71330]

**The Prime Minister** *[holding answer 15 February 1999]:* I undertake visits to all parts of the country, but records of official visits are not held on a constituency basis and could be obtained only at disproportionate cost.

### Overseas Visits

**Mr. Tyrie:** To ask the Prime Minister if he will list each overseas visit in an official capacity by a special adviser since 2 May 1997, stating the cost and who paid. [69723]

**The Prime Minister** *[holding answer 15 February 1999]:* In respect of my Policy Unit, I refer the hon. Member to the answer I gave to the hon. Member for Gordon (Mr. Bruce) on 8 December 1998, *Official Report*, column *143*.

My Chief of Staff and Chief Press Secretary—who are employed under the terms of the amended Civil Service Order in Council—are usually part of the official party accompanying me on overseas visits.

Information covering travel by special advisers for each Government Department over the last 20 months is not held centrally.

### Oskar Lafontaine

**Mr. Blunt:** To ask the Prime Minister what role his Press Secretary had in the preparation and placing of Oskar Lafontaine's article in *The Daily Telegraph* on 11 February. [71586]

**The Prime Minister** *[holding answer 16 February 1999]:* Mr. Lafontaine's office advised mine that he was writing an article for *The Daily Telegraph*. They sought advice on the style of the article's presentation, as I routinely ask of other Governments when I write articles for foreign newspapers.

### Poland

**Mr. Mackinlay:** To ask the Prime Minister when he next intends to pay an official visit to Poland. [71813]

**The Prime Minister:** I hope to visit Poland in the near future.

### Royal Commissions

**Mr. Luff:** To ask the Prime Minister if he will list for each Royal Commission established since 1969 the date of the establishment; what deadline was set for their report; and when they reported. [72204]

**The Prime Minister:** An up to date list is as follows.

| *Title* | *Appointed* | *Report* |
|---|---|---|
| Industrial Relations | 1 March 1969 | Wound up in 1971 |
| The Constitution | 15 April 1969 | 10 October 1973 |
| Environmental Pollution | 20 February 1970 | February 1971 |
| Civil Liability and Compensation for Personal Injury | 19 March 1973 | March 1978 |
| Press | 16 July 1974 | July 1977 |
| Distribution of Income and Wealth | 23 August 1974 | First 1975<br>Final October 1979 |
| Standards of Conduct in Public Life | 6 December 1974 | July 1976 |
| Gambling | 24 February 1976 | July 1978 |
| National Health Service | 19 May 1976 | July 1979 |
| Legal Services | 20 July 1976 | October 1979 |
| Criminal Procedure | 3 February 1978 | January 1981 |
| Criminal Justice | 14 March 1991 | July 1993 |
| Long Term Care for the Elderly | 17 December 1997 | Will report shortly |

As standing body the Commission reports from time to time

The Royal Commission on Long Term Care for the Elderly was asked to report within 12 months of its establishment. No deadline was set for any of the other Royal Commissions listed.

### Mackerel Fishing

**Mr. Mitchell:** To ask the Prime Minister, pursuant to his oral answer to the hon. Member for Totnes (Mr. Steen) of 10 February 1999, *Official Report*, column 321, on commercial fishing of mackerel, what assessment he has made of allegations of fishing by EU member states' vessels in the conservation box. [72153]

**The Prime Minister:** The majority of the Mackerel Box lies outside UK territorial waters. Vessels from other member States are free to fish there provided that they have quota and do not target mackerel using mobile fishing gear or purse seine nets.

One of the tasks of the Royal Navy's Fisheries Protection Squadron and our aerial surveillance team is to patrol this area. In 1998, enforcement action included reporting two incidents to the Danish Authorities who later suspended the licences of the skippers concerned for one month. Four other cases were successfully prosecuted in the UK Courts.

We have not detected any infringements of access rights in the UK territorial waters included in the box and neither have we been informed of any infringements of those access rights.

### Fish Conservation

**Mr. Steen:** To ask the Prime Minister, pursuant to his answer to the hon. Member for Totnes of 19 January 1999, *Official Report*, column 395, if the reduction of fishing effort includes decommissioning of fishing boats. [71926]

**The Prime Minister:** I refer the hon. Member to the reply given to the hon. Member for St. Ives (Mr. George) by the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food on 11 January 1999, *Official Report*, column *117*.

### Gibraltar

**Mr. Woodward:** To ask the Prime Minister what response he made to the petition presented in December, calling on Her Majesty's Government to reject the Spanish proposals for joint sovereignty. [72211]

**The Prime Minister:** The Minister of State at the Foreign and Commonwealth Office responsible for Gibraltar, my right hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin), sent a letter in response to the December petition organised by the Self-Determination for Gibraltar Group. In this, she made clear that we will respond to the proposals from Spain at the next Brussels Process meeting. Our commitment under the 1969 Gibraltar Constitution is that we will never enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another state against their freely and democratically expressed wishes.

## LORD CHANCELLOR'S DEPARTMENT

### Social Representation (Judiciary)

**Mrs. Curtis-Thomas:** To ask the Minister of State, Lord Chancellor's Department what steps he is taking to encourage wider social representation in the judiciary. [70657]

**Mr. Hoon:** Judicial appointments are made solely on merit; the Lord Chancellor's policy is to appoint or recommend for appointment the candidates who satisfy

the statutory qualifications and who in his opinion best meet the criteria for appointment. Without prejudice to this overriding principle, the Lord Chancellor is taking a number of measures designed to encourage more applications for judicial appointment for women and minority ethnic practitioners. These include more flexible part-time sitting arrangements, an increase in the upper age limit for appointment as an Assistant Recorder and the development of work-shadowing and mentoring schemes.

### Personal Injury Actions

**Mr. Dismore:** To ask the Minister of State, Lord Chancellor's Department if he will make a statement on the alternatives to conditional fee agreements and legal aid available to finance personal injury actions. [71975]

**Mr. Hoon:** In addition to conditional fee agreements and legal aid, personal injury actions may also be financed, amongst other things, by before the event legal expenses insurance, which is a common addition to many motoring and home contents insurance; after the event legal expenses insurance; through benefits arising from membership of organisations or trade unions and such arrangements as are agreed between solicitors and their clients.

### Legal Expenses Insurance

**Mr. Dismore:** To ask the Minister of State, Lord Chancellor's Department if he will list the insurance companies who offer after-the-event legal expenses insurance *(a)* in conjunction with conditional fee agreements and *(b)* on a stand-alone basis; and if he will make a statement. [71973]

**Mr. Hoon:** Insurance products to underpin conditional fees have been available since July 1995. I am aware of at least eight providers of after the event insurance to underpin conditional fees. I doubt that a comprehensive list exists or can be put together given the expanding nature of this market.

**Mr. Dismore:** To ask the Minister of State, Lord Chancellor's Department if he will list the research projects which his Department has *(a)* undertaken and *(b)* plans to undertake, into after-the-event legal expenses insurance; and if he will make a statement. [71972]

**Mr. Hoon:** My officials are currently discussing proposals for the research and monitoring of the operation on conditional fee agreements, with representatives from the professions, insurance providers and consumer groups. After the event insurance may form a component of that research.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Minister of State, Lord Chancellor's Department if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71847]

**Mr. Hoon:** In common with other departments, the work of press officers in my Department includes responding to any misinformed allegations concerning Government policy or activity, which are published in the media. They are supported in this work by other officials as necessary.

Since this is a routine part of the Department's work and is not separately recorded from other tasks, to provide the further information requested would involve disproportionate costs.

### Ministerial Visits

**Mr. Gray:** To ask the Minister of State, Lord Chancellor's Department, pursuant to his answer of 15 February 1999, *Official Report*, column 457, on ministerial visits, which hon. Members have been informed of a planned visit to their constituency by him in the last 12 months. [72222]

**Mr. Hoon:** In accordance with paragraph 79 of the Ministerial Code, hon. Members are informed in advance about planned visits to their constituencies by myself and my Ministerial colleagues. Records relating to such visits are not held on a constituency basis, and could be constructed only at disproportionate cost.

### Scriveners Jurisdiction

**Miss McIntosh:** To ask the Minister of State, Lord Chancellor's Department what representations he has received from the Scriveners Company concerning proposals to amend Scriveners' jurisdiction. [72159]

**Mr. Hoon:** Last year the Lord Chancellor undertook to review the desirability of preserving the monopoly of the Worshipful Company of Scriveners over notarial work in the central London area. As a result of this review the Department received representations from the Scriveners' Company in letters dated 10 June 1998, 25 June 1998 and 3 February 1999. The Company was opposed to the abolition of the monopoly.

### KPMG

**Mr. Ruffley:** To ask the Minister of State, Lord Chancellor's Department if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72011]

**Mr. Hoon:** *(a)* The total remuneration to KPMG in respect of work awarded by my Department between May 1997 and January 1999 inclusive was £276,132. The bulk of this related to an engagement which began prior to 1 May 1997. *(b)* The total remuneration to KPMG in respect of work awarded by my Department between July 1995 and April 1997 inclusive was £106,136.

For the period before May 1997 complete information on the specific services performed is not available and could be obtained only at disproportionate cost. Since 1997, the payments relate to two specific pieces of work, one on the Ancillary Relief Pilot Scheme, which began prior to 1 May 1997, and the second a report on the feasibility of solicitors operating a financially viable business if most money claims were pursued under conditional fee arrangements.

### Legal Services

**Mr. Ruffley:** To ask the Minister of State, Lord Chancellor's Department if he will list the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70006]

**Mr. Hoon** *[holding answer 8 February 1999]:* The Lord Chancellor's Department may use firms of solicitors in addition to the Treasury Solicitor and their departmental legal advisers, for example where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client. London solicitors' firms have been used for advice on the drafting and negotiation of contracts let under the private finance initiative:

(i) Since 1 May 1997 services have been performed by Denton Hall (remuneration £223,284 to date), Masons (£228,111 to date) and Bird & Bird (£103,926);

(ii) In the proceeding period services were performed by Masons (remuneration: £119,276).

The Public Trustee and Official Solicitor instruct private solicitors in their representative capacity but to provide details would involve disproportionate cost.

### CPS (Rights of Audience)

**Mr. Burnett:** To ask the Minister of State, Lord Chancellor's Department if he will list *(a)* those Crown courts where the Crown Prosecution Service has had rights of audience, *(b)* the dates on which those rights of audience were first granted and *(c)* the number of successful appeals from (i) courts where rights of audience have been so granted and (ii) Crown courts where rights of audience have not been so granted. [71499]

**Mr. Hoon** *[holding answer 16 February 1999]:* Under Section 4 of the Prosecution of Offences Act 1985, Crown Prosecutor solicitors are entitled to appear in the Crown Courts at Caernarvon, Barnstaple, Bodmin (later replaced by Truro), Doncaster and Lincoln. However, these rights were not exercised until 1991, and have only been exercised at Truro.

On 26 February 1997, CPS solicitors (in common with other employed solicitors) were granted restricted rights of audience in the Crown Court (sitting at any location) subject to their obtaining a Higher Court Advocacy Qualification. These rights were exercised from 24 July 1998. Barrister Crown Prosecutors have never appeared before the Crown Court.

No separate records are kept of appeals from Crown Court centres where Crown Prosecutors have been granted or have exercised rights of audience.

### Press Releases

**Mr. Don Foster:** To ask the Minister of State, Lord Chancellor's Department if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71466]

**Mr. Hoon** *[holding answer 16 February 1999]:* Rules governing the work of the GCIS are laid down in the Guidance on the work of the Government Information Service published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the Working Guide for Government Information Officers. Copies of both documents are in the Libraries of the House.

No cost is incurred by my Department, its agencies and non-governmental bodies for the use of external consultants for the preparation of press releases. However, both my Department and HM Land Registry use the services of the Central Office of Information (COI) for the electronic distribution of press releases. The cost for this service to my Department was £24,561.62 for the period between May 1997 and the end of March 1999. The cost for HM Land Registry was £10,472.79 for the same period.

Since neither staff time spent on the preparation of press releases nor stationery costs or postage incurred in their distribution are separately recorded the further information requested could be supplied only at disproportionate cost.

## CULTURE, MEDIA AND SPORT

### The Mall

**Mr. Soames:** To ask the Secretary of State for Culture, Media and Sport when authorising the closing of The Mall, what steps were made within his Department to conform to the code of practice for the co-ordination of street works published by the Department of the Environment, Transport and the Regions. [72268]

**Mr. Alan Howarth:** Responsibility for the subject of this question has been delegated to the Royal Parks Agency under its Chief Executive, Mr. David Welch. I have asked him to arrange for a reply to be given.

*Letter from Viviane Robertson to Mr. Nicholas Soames, dated 22 February 1999:*

In the absence of the Chief Executive, Mr. David Welch, I have been asked by the Secretary of State for Culture, Media and Sport to answer your Parliamentary Question about the closure of the Mall, because it is an operational matter that falls within the responsibility of this Agency.

The code of practice is designed for use by local authorities in relation to street works in an urban setting. However, the Agency is aware of, and follows, the requirements of the code of practice and it consulted Westminster City Council, as the local highway authority, about the works.

**Mr. Soames:** To ask the Secretary of State for Culture, Media and Sport for what reason The Mall is to be closed for the three weeks from 15 February. [70813]

**Mr. Alan Howarth** *[holding answer 15 February 1999]:* The Royal Parks Agency is closing The Mall in order to carry out necessary work to resurface the road and to effect safety improvements at accident black spots. In accordance with the advice received following consultation with Westminster City Council, as the local highway authority, and the Metropolitan Police, the Royal Parks Agency has sought to concentrate works in the shortest period in order to minimise disruption, and this unfortunately requires total closure of The Mall for three weeks.

## Film Industry

**Mr. Spring:** To ask the Secretary of State for Culture, Media and Sport (1) what discussions he has had with the Department for Education and Employment over the film education group proposed in A Bigger Picture; [71742]

(2) what representations he has received from the film industry about *(a)* the Skills Investment Fund and *(b)* the definition of a culturally British film; [71746]

(3) what meetings have taken place of the *(a)* Film Finance Forum, *(b)* Skills Investment Fund, *(c)* All Industry Fund, *(d)* Film Marketing Agency and *(e)* Film Action Committee. [71748]

**Janet Anderson:** I have discussed the progress of the film education group with Ministerial colleagues at the Department for Education and Employment and officials from our two Departments are in regular contact. There is also a DfEE representative on the group itself. Good progress has been made and the group is due to publish its report in April.

A wide range of representations about the Skills Investment Fund has been received and discussions with key industry players are proceeding very constructively. We will make an announcement on the Fund in due course.

We have received only a few representations on the proposed definition of a culturally British film. Several respondents argued that the existence of two film definitions, even if used for different purposes, could be confusing. It is for the industry to decide whether it should use such a definition to help target its marketing activities. The Film Policy Review Action Committee has not pursued this recommendation from *A Bigger Picture*.

There have been four meetings of the Film Policy Review Action Committee and one meeting of the Film Finance Forum. The Action Committee is discussing with representatives of the distributors and exhibitors plans for establishing a Film Marketing Agency. On the All Industry Fund, the Action Committee decided that the model set out in *A Bigger Picture* was not practicable, but is taking forward discussions with the industry about possible support for specific initiatives in areas such as development and generic marketing.

**Mr. Spring:** To ask the Secretary of State for Culture, Media and Sport (1) what discussions he has had with the Treasury concerning continued tax exemptions for British films; [71749]

(2) what discussions he has had with the Chancellor of the Exchequer about the £15 million production costs limit for films, for tax purposes. [72324]

**Janet Anderson:** My Department has kept the Treasury fully informed of the industry's views about the beneficial effects of the tax write-off and about the £15 million production costs limit. The Film Policy Review Action Committee has also developed a proposal for a new tax relief aimed at boosting the domestic distribution sector, which has been submitted to the Treasury.

**Mr. Spring:** To ask the Secretary of State for Culture, Media and Sport what is the predicted financial savings arising from the amalgamation of British Screen, the British Film Commission and the British Film Institute. [71752]

**Janet Anderson:** Last December my right hon. Friend the Secretary of State announced that a new public body, British Film, will be established by 1 April 2000. British Film will deliver a coherent strategy for the development of film culture and the film industry. British Screen and the British Film Institute will not be incorporated in the new body. British Screen will retain its private-sector status, which enables it to operate effectively within the commercial industry. The BFI will retain its charitable status, which helps it to pursue its educational and cultural objectives. Discussions about the relationship between the British Film Commission and British Film are currently in progress.

The bringing together of grant-in-aid and Lottery funding for film under one strategic body will ensure that resources are used as cost-effectively as possible and avoid duplication of expenditure.

**Mr. Spring:** To ask the Secretary of State for Culture, Media and Sport how much lottery money *(a)* was spent by the Arts Council in the last 12 months for which figures are available and *(b)* he expects the Arts Council to have at its disposal in each of the next three years for the British film industry. [71747]

**Janet Anderson:** In 1997–98 the amount of lottery money committed by the Arts Council was £323.8 million.

In December I announced the creation of a new public body, British Film, that will take over the role of the Arts Council of England in distributing funds for film. British Film will be established as a Lottery distributor with its own percentage stream of Lottery money from the arts good cause, guaranteeing, for the first time, a dedicated share of Lottery resources for film. The percentage will be set to ensure British Film receives at least £27 million each year from the Lottery; the figure may well be higher if the numbers playing the Lottery continue as at present.

## Ministerial Visits

**Mr. Gray:** To ask the Secretary of State for Culture, Media and Sport if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71343]

**Mr. Chris Smith** *[holding answer 15 February 1999]*: I have undertaken a number of visits to regions around the UK in the past 12 months as part of my Department's strategy of stimulating thinking on cultural development in the regions. Records of official visits are not held on a constituency basis as many take in more than one constituency at a time. Since 1 March 1998, and excluding the Greater London region, the following cities or regions were visited:

Bath: 1
Berkshire: 3
Birmingham: 2
Bournemouth: 1
Cambridge: 1
Cornwall: 1
Doncaster: 1
Edinburgh: 2
Lake District: 1
Leeds/Bradford: 2
Luton: 1

Manchester: 5
Newcastle: 1
Nottingham: 2
Oxfordshire: 1
Peterborough: 1
Portsmouth: 1
Preston: 1
Salisbury: 1
Sheffield: 3
Sussex: 3
York: 1.

### Royal Opera House

**Mr. Kemp:** To ask the Secretary of State for Culture, Media and Sport what the running costs of the Royal Opera House are for the current financial year; and what level of public subsidy is required for the next financial year. [70358]

**Mr. Alan Howarth:** The total expenditure budget of the Royal Opera House for the current financial year is £36,553m. For the next financial year, grant in aid from the Arts Council of England will be £16.0m. In addition the Royal Opera House will receive £5.12m in closure grant from Arts Council Lottery funds.

### Concessionary Television Licences

**Mr. Wareing:** To ask the Secretary of State for Culture, Media and Sport what plans he has to review the regulations in respect of the granting of concessionary television licences to elderly and disabled people; and if he will make a statement. [71386]

**Janet Anderson** *[holding answer 16 February 1999]:* The current review of the future of the BBC licence fee after 2002 will include a consideration of the structure of the existing concessionary television licence scheme and whether a suitable alternative structure could be available. The independent review panel will report to my right hon. Friend the Secretary of State by the end of July this year. There will then be a period of public consultation on the panel's recommendations.

### Cricket and Football

**Mr. Keetch:** To ask the Secretary of State for Culture, Media and Sport what plans he has to develop facilities for *(a)* cricket and *(b)* football within Herefordshire; and if he will make a statement. [71156]

**Mr. Banks** *[holding answer 15 February 1999]:* The English Sports Council (ESC) is working closely with the governing bodies of sport and others to identify ways in which to promote cricket and football in Herefordshire.

Facility provision for cricket in Herefordshire will be included in the ESC/England and Wales Cricket Board facilities joint strategy which is to be published in the spring. Among potential projects are a new County Ground and specialist indoor cricket centre.

The South West Region of the Football Association has recently drawn up a facilities strategy for football in Herefordshire, which examined the requirements for football from professional down to local club level. The FA will use the strategy as part of its overall measures to promote football in the County.

There have been two awards to cricket and three to football in Herefordshire from the lottery sports fund, totalling £2,600,000.

### Television Subtitles

**Mr. Levitt:** To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the possible future use of digital television for the broadcasting of sign language inserts and audio description services to complement the use of programme subtitles. [71378]

**Janet Anderson:** The Broadcasting Act 1996 and The Broadcasting (Sign Language) Order 1996 set minimum targets of 10 per cent. for the audio description and 5 per cent. for the signing of digital terrestrial programme services by the tenth anniversary of the start of the service. These percentages can be amended by order and the Government intend to review these on the second anniversary of the launch of digital services.

**Mr. Levitt:** To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the level of *(a)* public awareness of and *(b)* usage of closed caption television subtitles (i) amongst people with a hearing impairment and (ii) generally. [71375]

**Janet Anderson:** The Government are aware of the results of research undertaken by the RNID into the use of subtitles and we are taking this into account in our consideration of how we might increase the provision of subtitling on cable and satellite television, on a voluntary basis.

**Mr. Levitt:** To ask the Secretary of State for Culture, Media and Sport what progress he has made towards establishing targets for the percentage of programmes which should carry subtitles on *(a)* digital, *(b)* cable and *(c)* satellite television media. [71376]

**Janet Anderson:** The Broadcasting Act 1996 sets out the minimum requirements for the subtitling of digital terrestrial programme services. There are no similar requirements on cable and satellite services and we are currently considering what might be done on a voluntary basis to increase the provision of subtitling on these services.

**Mr. Levitt:** To ask the Secretary of State for Culture, Media and Sport what plans he has to promote greater awareness and use of closed caption television subtitles. [71377]

**Janet Anderson:** The need for greater promotion of subtitling both within the broadcasting industry and generally is one of a number of issues raised in my officials' meetings with those representing viewers with sensory disabilities and subtitling providers. We are currently considering how we might now take this issue forward.

**Mr. Levitt:** To ask the Secretary of State for Culture, Media and Sport if he will [illegible]e when digital, cable and satellite television media will provide subtitling to the same extent as conventional free to air television media;

and if he will ensure that such a level is reached on all digital television media before analogue television broadcasting services are withdrawn. [71548]

**Janet Anderson:** We are currently considering the Government's strategy for analogue switch off and will make an announcement in due course. We are aware of concerns over the levels of subtitling which will be available on digital services and will ensure that the needs of those who rely on these services are taken into account.

### Film Archives

**Mr. Lepper:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the *(a)* role and *(b)* levels of public funding of each of the regional film archives. [71167]

**Janet Anderson:** The role of the regional film archives is to collect material of relevance and significance to their areas, so that it can be made available locally for screenings, supply to television programmes and individual research. Each depends on a range of public funding from local and central government and public bodies. Support from my Department, which is channelled through the British Film Institute, is as follows:

| | *1998–99* |
|---|---|
| East Anglian Film Archive | 20,000 |
| Media Archive for Central England | 9,000 |
| Northern Region Film and Television Archive | 35,000 |
| Northern Ireland Film Commission | 10,000 |
| North West Film Archive | 16,200 |
| South East Film and Video Archive | 17,500 |
| TSW Film and Television Archive | 10,000 |
| Wales Film and Television Archive | 22,000 |
| Wessex Film Archive | 8,000 |
| Yorkshire Film Archive | 11,500 |
| Total | 159,200 |

[1] Forecast for 1999–2000

In addition, the British Film Institute currently channels some £3.8 million of its Government grant to the National Film and Television Archive which has a national remit to preserve and make accessible its collections of film and video material.

### Museums and Art Galleries

**Mr. Pike:** To ask the Secretary of State for Culture, Media and Sport what proposals the Government have made to encourage those on low incomes to visit museums and art galleries. [70787]

**Mr. Alan Howarth:** All charging Museums and Galleries funded by the Department for Culture, Media and Sport offer concessions for those on low incomes.

My right hon. Friend the Secretary of State announced in December that funds have been allocated to allow free entry for children to currently charging national museums in England from April this year and for pensioners next year. This will allow those people on low incomes hitherto deterred by entrance charges to visit. We wish to broaden access further in 2001.

### Television Licences

**Mr. O'Hara:** To ask the Secretary of State for Culture, Media and Sport how many people were *(a)* prosecuted and *(b)* threatened with prosecution for failing to have a television licence in 1998 broken down by those aged (i) under 25, (ii) 25 to 39, (iii) 40 to 59 and (iv) 60 years and over. [71407]

**Janet Anderson:** Prosecutions for television licence fee evasion are not recorded separately from other offences under the Wireless Telegraphy Acts of 1949 and 1967, though the great majority of offences under these Acts relate to licence fee evasion. The number of prosecutions in England, Scotland and Wales in 1997, the most recent year for which information is available, was 92,749. The age breakdown (where a person's age is not known, it is recorded automatically as 25) was as follows:

| *Age* | *Number* |
|---|---|
| Under 25 | 9,138 |
| 25 to 39 | 76,125 |
| 40 to 59 | 6,948 |
| 60 and over | 538 |

The most recent available figures for Northern Ireland are for the financial year 1996–97, when there were a total of 11,301 prosecutions, but no age breakdown is available.

In 1997, TV licensing took 315,621 prosecution statements.

### Press Releases

**Mr. Don Foster:** To ask the Secretary of State for Culture, Media and Sport if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71459]

**Mr. Chris Smith** *[holding answer 16 February 1999]:* Rules governing the work of the GICS are laid down in the Guidance on the work of the Government Information Service published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the Working Guide for Government Information Officers. Copies of both have been placed in the Library of the House.

The cost of press releases issued since May 1997 by the Department for Culture, Media and Sport, and its predecessor the Department of National Heritage was £46,614 excluding VAT.

Information on press releases issued by the Royal Parks Agency, and Department's 41 Executive non-departmental Public Bodies, 9 Advisory non-departmental Public Bodies, and 5 Public Corporations is not held centrally and could be provided only at disproportionate cost.

**Mr. Don Foster:** To ask the Secretary of State for Culture, Media and Sport how many press releases have been issued by his Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71444]

**Mr. Chris Smith** [holding answer 16 February 1999]: The Department of National Heritage, predecessor to the Department for Culture, Media and Sport, was created in April 1992. Since the creation of the Department the following press releases have been issued:

| Date | Amount |
|---|---|
| 14 April 1992 to 31 December 1992 | 129 |
| 1 January 1993 to 31 December 1993 | 191 |
| 1 January 1994 to 31 December 1994 | 189 |
| 1 January 1995 to 31 December 1995 | 256 |
| 1 January 1996 to 31 December 1996 | 414 |
| 1 January 1997 to 31 December 1997 | 349 |
| 1 January 1998 to 31 December 1998 | 319 |

Information on press releases issued by the Royal Parks Agency, the Department's 41 Executive non-departmental Public Bodies, 9 Advisory non-departmental Public Bodies, and 5 Public Corporations is not held centrally and could be provided only at disproportionate cost.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Secretary of State for Culture, Media and Sport if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71851]

**Mr. Chris Smith:** In common with other Departments, the work of press officers in my Department includes responding to any misinformed allegations concerning Government policy or activity which are published in the media. They are supported in this work by other officials as necessary.

Because this is a routine part of a Department's work and it is not separately recorded from other tasks, to provide the further information requested would involve disproportionate cost.

### Feature Films

**Mr. Brady:** To ask the Secretary of State for Culture, Media and Sport if he will estimate the amount of *(a)* inward investment to and *(b)* total investment in the United Kingdom for feature film production in each of the last five years. [71153]

**Janet Anderson:** Information from industry sources shows the following levels of investment:

*£ million*

| | *1994* | *1995* | *1996* | *1997* | *1998* |
|---|---|---|---|---|---|
| a) inward investment | 229.45 | 206.71 | 398.03 | 238.85 | 219.18 |
| b) total investment | 435.76 | 420.79 | 725.59 | 557.99 | 487.16 |

### Countryside

**Mr. Gordon Prentice:** To ask the Secretary of State for Culture, Media and Sport how much land held by his Department he estimates would fall within the definition of open country as set out in the consultation document "Access to the Open Countryside" of February 1998. [71640]

**Mr. Chris Smith:** My Department has no land which falls within the definition of open countryside.

### National Lottery

**Mr. O'Hara:** To ask the Secretary of State for Culture, Media and Sport what amount and what percentage of the total awarded by the National Lottery Charities Board has been allocated to organisations representing older people and pensioners in each year since the Lottery's establishment; and if he will list the recipients and the amounts received. [71406]

**Mr. Banks:** To date the National Lottery Charities Board (NLCB) has made over 18,700 awards totalling over £1,004 billion. A number of these have been to organisations representing older people and pensioners. The following table is derived from NLCB's annual reports. Many other NLCB funded projects will also benefit older people even if they are not the main beneficiary group but these cannot be separately identified.

| *Annual Report Year* | *Value of awards to groups representing older people (£)* | *NLCB total awards (£)* | *Awards to older people groups as percentage of total awarded (%)* |
|---|---|---|---|
| 1995–96 | 9,015,267 | 184,097,769 | 4.89 |
| 1996–97 | 11,678,280 | 319,236,293 | 3.66 |
| 1997–98 | 50,169,146 | 307,386,464 | 16.32 |

Details of Lottery awards are listed on the Department for Culture, Media and Sports website at www.lottery.culture.gov.uk.

### Landmark Millennium Projects

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport what representations he has received from the organisers of Landmark Millennium projects about the availability of private sponsorship; and if he will make a statement. [72020]

**Mr. Chris Smith:** This is a matter for the Millennium Commission. I shall write to the hon. Member in my capacity as Chairman of the Commission, and place copies of my reply in the Library of the House.

### Tourism (Farm Buildings)

**Mr. Hoyle:** To ask the Secretary of State for Culture, Media and Sport what grants are available to enable the conversion of farm buildings for tourism in the Chorley constituency. [68476]

**Janet Anderson** *[holding answer 1 February 1999]*: I refer my hon. Friend to the answer that I gave on 18 January 1999, *Official Report*, columns *318–19*.

The Redundant Building Grant Scheme, currently operated by the Rural Development Commission, can provide grants for the conversion or refurbishment of redundant buildings to bring them back into productive business use or to enhance their current business use. The European Regional Development Fund grants I referred to in my earlier answer are not available in the Chorley constituency itself.

## ENVIRONMENT, TRANSPORT AND THE REGIONS

### Roofs (Latent Defect Insurance)

**Mr. Bercow:** To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will meet representatives of the National Federation of Roofing Contractors to discuss the implications of the Latent Defect Insurance Scheme; [70380]

(2) what assessment he has made of the Latent Defect Insurance Scheme being launched by the National Federation of Roofing Contractors; [70378]

(3) what plans he has to support the Latent Defect Insurance Scheme being launched by the National Federation of Roofing Contractors. [70379]

**Mr. Raynsford:** I was very interested to hear of the Latent Defect Insurance Scheme which has been prepared by the National Federation of Roofing Contractors, and am pleased to offer support for a scheme which seeks to improve standards in the construction industry.

If there are specific issues where my Department may be able to assist, which the Federation wishes to discuss in relation to their scheme, I will be happy to consider a request for a meeting.

### A3 (Hindhead)

**Mrs. Virginia Bottomley:** To ask the Secretary of State for the Environment, Transport and the Regions (1) which body is responsible for drawing up the proposal for the A3 improvements at Hindhead; and if he will publish the schedule for the necessary decisions and announcements relating to that proposal; [70809]

(2) when he plans to visit Hindhead to examine the A3 and its effects on business and the environment. [70808]

**Mr. Prescott:** I have no plans currently to visit Hindhead. We already recognise that there is a serious congestion problem there and, in December of last year, announced our intention that an A3 Hindhead study would form part of a group of road based studies proposed to start within the next two years.

### Constituency Visits

**Mrs. Virginia Bottomley:** To ask the Secretary of State for the Environment, Transport and the Regions which parliamentary constituencies he has visited in the past year to discuss road proposals. [70807]

**Mr. Prescott:** Paragraph 79 of the Ministerial Code makes it clear that Ministers should inform hon. Members in advance of planned visits to their constituencies. Ministers in the Department undertake visits to all parts of the country and discuss various subjects of local and national interest, but records of official visits are not held on a constituency basis. This information could be provided only at disproportionate cost.

### London Underground (Disabled Access)

**Dr. Cable:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to improve access for disabled people to London Underground services. [70726]

**Ms Glenda Jackson:** The Government are committed to a fully accessible public transport system. However, full accessibility cannot happen overnight, especially on London Underground, where most of the stations are old and not designed with access for mobility impaired people in mind.

London Transport has been developing a scheme to improve access to a core of 68 Underground stations and plans shortly to consult the Disabled Peoples Transport Advisory Committee, London Boroughs and local disability groups about these plans.

The Jubilee line extension will be fully accessible and will mean that wheelchair users will be able to travel from mainline stations at Waterloo, Stratford and London Bridge stations to the Millennium Exhibition at North Greenwich.

### Railway Stations (Disabled Access)

**Dr. Cable:** To ask the Secretary of State for the Environment, Transport and the Regions how many of those railway stations which have been *(a)* refurbished and *(b)* restructured in the last five years do not have access for the disabled. [70802]

**Ms Glenda Jackson:** All new stations planned or in build will provide full unassisted wheelchair access. In addition, Railtrack are on course to meet the target, set in the Network Management Statement 1998, of providing unassisted wheelchair access at a further 119 stations this year.

On refurbishment and restructuring projects information is available only for those stations which are included in Railtrack's Station Regeneration Programme. Of the 786 stations which have been subject to such works, 607 are not able to offer unassisted wheelchair access to all platforms. Wheelchair access may be available at these stations, however staff assistance will be required because of goods lifts, barrow crossings, or other barriers to independent access.

### Civil Servants (Misconduct)

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70772]

**Mr. Prescott:** I refer the right hon. Member to the reply given by hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 1999, *Official Report*, columns *567–70*.

### Disabled People

**Mr. Berry:** To ask the Secretary of State for the Environment, Transport and the Regions what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71292]

**Mr. Meale:** Amounts within the Department's budget for 1998–99 that can be attributed to spending on disabled people are as follows:

(a) the Department's Mobility Unit is responsible for transport policy as it affects the mobility of disabled people and has a net running cost budget of £950,000 and a net programme budget of £477,000;

(b) there are some specific allocations within the Department's housing programmes as follows: (i) £60 million of disabled facilities grants to help disabled people adapt their homes to enable them to live more independently; (ii) £50,000 available through the housing research programme project "housing options for people with learning disabilities and mental health problems"; and (iii) around £17 million of the Housing Corporation's Approved Development Programme is being spent on disabled people. In addition the Housing Corporation's revenue funding programme for supported housing schemes includes provision for the disabled;

(c) about £4.6 million is available through the Home Energy Efficiency Scheme to households specifically on the basis of a disability benefit;

(d) the Department administers the Pneumoconiosis etc. (Workers' Compensation) Act 1979 with a budget of £8,269,000; and

(e) the Air and Environment Quality air pollution information service provides information on the levels of air pollution, a forecast of levels and advice on health at a cost of about £100,000 a year.

Many of the Department's other programmes are of benefit to disabled people, although it is not possible specifically to attribute such expenditure, or to specify how much it represents as a proportion of total departmental spending.

The Department spends approximately £45,000 a year on providing technical aids for its own central staff who are disabled and about another £9,000 for the disability access survey for its central buildings and other improvements.

### A3

**Mrs. Virginia Bottomley:** To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* miles of single carriageway road and *(b)* sets of traffic lights are on the A3 between London and Portsmouth. [71159]

**Dr. Reid:** I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to the right hon. Member.

*Letter from Peter Nutt to Mrs. Virginia Bottomley, dated 22 February 1999:*

The Secretary of State for the Environment, Transport and the Regions has asked Lawrie Haynes, Chief Executive of the Highways Agency to reply to your recent question about how many miles of single carriageway and how many traffic lights there are on the A3 between London and Portsmouth. I am replying in Mr. Haynes' absence.

The A3 around Hindhead in south west Surrey is the last remaining section of single carriageway between Wandsworth in south west London and Portsmouth. There are twenty sets of traffic lights on the A3 between London and Portsmouth, sixteen in Wandsworth, three in Kingston and one at Hindhead.

### Resident Students

**Mr. Cousins:** To ask the Secretary of State for the Environment, Transport and the Regions what financial adjustments were made to each local education authority for 1999–2000 in respect of *(a)* net movement of resident students into other local education authorities and *(b)* resident students in the non-maintained sector. [71708]

**Ms Armstrong:** Financial adjustments between authorities in respect of pupils without special educational needs educated in the maintained sector outside their authority of residence ('recoupment') ended on 31 March 1995.

The Education Standard Spending Assessments use estimates of resident pupils. These are defined in the Local Government Finance Report (England) 1999–2000 on pages 40–41.

### London Underground

**Mr. Gardiner:** To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the answer to the hon. Member for Carshalton and Wallington (Mr. Brake) of 13 January 1999, *Official Report*, column *212*, if he will list the consultancy firms with contracts to provide advice jointly to London Transport and the Government on the implementation of his public/private partnership plans for London Underground. [71763]

**Ms Glenda Jackson:** The main consultants working on the London Underground Public-Private Partnership (PPP) are:-

PricewaterhouseCoopers (financial)

Freshfields (legal)

Ove Arup and Partners (engineering)

Arthur Andersen (operations entity design)

PA Consulting (infrastructure entities design and financial modelling)

Hornagold & Hills (project management)

Richard Ellis (property)

Sedgwick (insurance)

Bacon & Woodrow (pensions).

All of these firms are employed by London Transport, but their advice is available to the Government, and Ministers and officials can, through London Transport, ask them for advice on matters relating to the PPP.

### Light Pollution

**Mr. Grogan:** To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to introduce legislation for the control of light pollution. [71683]

**Mr. Raynsford:** External lighting may require planning permission, particularly, for example, where installations are substantial and affect the external appearance of a building. Local authorities may also attach conditions to planning permissions for new development which cover the design and operation of lighting systems. These conditions can control the type and siting of light installations, and place restrictions on the spread and duration of light. The guidance, "Lighting in the Countryside: Towards good practice", issued in 1997 jointly by my Department and the Countryside

Commission, gives further advice on what can be done to lessen the intrusive effects of lighting schemes. In addition, advice on floodlighting is given in Planning Policy Guidance Note 17, 'Sport and Recreation'. My officials are also in discussion with the DIY industry to identify ways in which their customers might be made more aware of the problems which badly positioned lighting can cause. Our view is that the present combination of planning controls and practical advice is the best way forward and we are not proposing to introduce further legislation in this area.

### Hazardous Waste Landfill Sites

**Mr. Grogan:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the one day meeting of experts organised by the Institute of Environment and Health, at the request of his Department, to discuss the links between congenital anomalies and hazardous waste landfill sites. [71691]

**Mr. Meale:** The one day meeting of experts was held on 26 January 1999 at the joint request of my Department and the Department of Health. Experts in toxicology, epidemiology, exposure assessment and landfill technology were present. The purpose of the meeting was to discuss recent research findings, to identify gaps in knowledge base, and to agree and prioritise further research requirements.

The meeting made a number of recommendations for further research work. We are currently considering the best way to take forward these recommendations.

### London to Portsmouth Rail Services

**Mr. Hancock:** To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of the impact on road and rail traffic levels between London and Portsmouth of *(a)* an improvement in the quality of the rail rolling stock and *(b)* an increase in the frequency of main line rail services; [71559]

(2) what assessment he has made of the investment required to reduce main line rail journey times from Portsmouth to London by *(a)* 10 per cent. and *(b)* 20 per cent. [71562]

**Ms Glenda Jackson:** The Secretary of State has made no such assessments.

### Rolling Stock (Connex)

**Mr. Hancock:** To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will discuss with the rail franchising director the condition of the rolling stock operated by Connex services into Portsmouth; [71564]

(2) what representations he has received about the condition of the rolling stock operated by Connex services to Portsmouth. [71523]

**Ms Glenda Jackson:** No specific representations have been received on the condition of the rolling stock operated by Connex services to Portsmouth, although general complaints about performance may have included reference to dissatisfaction with the condition of trains. The Health and Safety Executive has published draft regulations for consultation which would require the replacement or modification of mark 1 rolling stock by 1 January 2003 and, if modified, the stock to be rebodied or replaced by 2007. We are currently considering these proposals.

### London to Portsmouth Road Services

**Mr. Hancock:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on capital investment needs of the main railway line from Portsmouth to London. [71558]

**Ms Glenda Jackson:** The Secretary of State has received no such representations.

### Portsmouth Ferry Port (Rail Interchange)

**Mr. Hancock:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received in support of the creation of a passenger rail interchange at Portsmouth Ferry Port. [71563]

**Ms Glenda Jackson:** I refer the hon. Member to the answer I gave on 10 February 1999, *Official Report*, column *235*.

The Secretary of State has received no representations in support of the creation of a passenger rail interchange at Portsmouth Ferry Port.

### Local Transport Plans

**Mr. Kidney:** To ask the Secretary of State for the Environment, Transport and the Regions what guidance he proposes to give to local authorities as to the *(a)* targets for road casualty reductions and *(b)* road safety strategy to be included in the first local transport plans that they are required to draw up. [71478]

**Dr. Reid:** The Department issued draft guidance on local transport plans on 12 November 1998. This includes advice on the preparation of road safety strategies and the adoption of targets for road casualty reduction. The guidance emphasises the need to consider road safety in all aspects of the local transport plan. The guidance is intended both as interim advice to enable authorities to make a start on preparing their plans, and as a draft for consultation. The consultation period has now closed and we are in the process of preparing revised guidance, due for publication in the Spring.

### Hush-kit Aircraft

**Miss McIntosh:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on the use of hush-kit aircraft in Britain and Europe after 2002; and if he will make a statement. [71539]

**Ms Glenda Jackson:** We have received representations from three sources about the draft EU regulation on recertificated aircraft, raising specific concerns about the provision on re-engined aircraft. We do not believe that it would be possible to meet these concerns without undermining the aims of the regulation, which we support.

### Local Authority Expenditure (Education)

**Mr. McLoughlin:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list how much each local authority spends on education as a percentage of their total budget. [71547]

**Ms Armstrong:** The requested information has been placed in the Library of the House.

### Housing Conditions

**Mr. O'Hara:** To ask the Secretary of State for the Environment, Transport and the Regions what research he has *(a)* commissioned and *(b)* evaluated on identifying the locations of the worst housing conditions (i) in general terms and (ii) in respect of energy efficiency. [71405]

**Mr. Raynsford:** My Department carries out a five-yearly English House Condition Survey that assesses the number and distribution of dwellings nationally and regionally in poor condition and with poor energy standards. The last survey was carried out in 1996 and another is planned for 2001. As the survey is only a (representative) sample of the stock it cannot identify which particular local areas have concentrations of poor housing conditions or low energy efficiency levels. Local authorities themselves assess housing conditions and energy efficiency levels in their areas to produce locally based strategies.

### Housing Stock (Energy Efficiency)

**Mr. O'Hara:** To ask the Secretary of State for the Environment, Transport and the Regions what information local authorities have provided to him on the relative energy efficiency of their housing stock. [71404]

**Mr. Raynsford:** Local authorities are expected in their Housing Investment Programme submission to demonstrate that they have an energy conservation policy as part of their housing strategy. They are also required to set out, in energy conservation reports prepared under the Home Energy Conservation Act 1995, their plans for improving the energy efficiency of all residential accommodation, and they now provide an annual return covering a range of standard information on energy efficiency improvements.

### Bus Grant

**Mr. Gordon Prentice:** To ask the Secretary of State for the Environment, Transport and the Regions if he will review the impact of increases in bus grant on the pattern of *(a)* rural bus services, with particular reference to passenger usage, *(b)* frequency and *(c)* routings. [71637]

**Ms Glenda Jackson:** We will be gathering information from local authorities in the coming months to assess the impact of the first year's funding for rural bus services announced in the last Budget. We will carry out a similar review in subsequent years. This information will inform future policy on this matter.

### PFI Waste Management Schemes

**Mr. Llew Smith:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the operational effectiveness of waste management schemes funded to date under the PFI; and what plans he has to develop more PFI-backed waste management schemes. [71168]

**Mr. Meale:** Five PFI waste management schemes have been approved but only 3 contracts have been signed and the most advanced of these is at a very early stage of implementation. Given this and the fact that each of the contracts is for 25 years, it is too early to judge their effectiveness.

We will continue to approve PFI waste management schemes if funds are available and they meet the Department's criteria for endorsement.

### Radioactive Waste Management

**Mr. Llew Smith:** To ask the Secretary of State for the Environment, Transport and the Regions when he received a copy of the Commission Communication on the present situation regarding prospects for radioactive waste management in the European Union, COM(1998) 799, dated 11 January 1999; what assistance the United Kingdom nuclear authorities gave to the Commission in its preparation; and if he will make a statement on the implications of the report for radioactive waste management in the United Kingdom. [71178]

**Mr. Meale:** A copy of the report was received in January this year. United Kingdom input to the report was co-ordinated by the Department of the Environment, Transport and the Regions with assistance from producers of radioactive waste. The international perspective provided by the report may prove useful in considering how to respond to the report on nuclear waste management which the House of Lords Select Committee on Science and Technology is expected to produce shortly.

### HOMES

**Mr. Soley:** To ask the Secretary of State for the Environment, Transport and the Regions (1) how many staff were employed by HOMES for each year from 1993; [71678]

(2) what was the total cost of HOMES for each year from 1993. [71677]

**Mr. Raynsford:** The cost to DOE, now the Department of the Environment, Transport and the Regions—of HOMES and the number of staff HOMES has employed since 1993 are as shown in the following table.

| *Financial year* | *Total HOMES expenditure (£)* | *DOE/DETR grant (£)* | *Average number of staff employed* |
|---|---|---|---|
| 1993–94 | 2,271,224 | 1,667,067 | 35 |
| 1994–95 | 2,201,070 | 1,646,000 | 40 |
| 1995–96 | 2,088,727 | 1,672,900 | 40 |
| 1996–97 | 2,075,138 | 1,975,138 | 45 |
| 1997–98 | 2,457,485 | 1,593,997 | 52 |
| 1998–99 | [1]2,183,223 | 1,535,063 | 48 |

[1] Forecast

*Source:*

Apart from 1998–99, figures derived from HOMES published accounts.

HOMES also generate their own income and have received some smaller amounts of grant support from other Departments and the Housing Corporation during this period.

### Air Pollution

**Mr. Lansley:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he plans to ensure that the air pollution targets set out in the National Air Quality Strategy will be met. [71911]

**Mr. Meale:** My right hon. Friend the Deputy Prime Minister announced last month the outcome of the Government's review of the National Air Quality Service. We are now consulting on our proposals to amend the Strategy in order to deliver our commitment to cleaner air.

National policies will go a significant way to meeting our air quality objectives throughout the country. However, action at local level will also be essential since air quality has an important local dimension which needs a focused local approach. Local Authorities are therefore required to carry out periodic reviews of air quality in their areas and to assess present and likely future air quality against the objectives set out in the Strategy. Where any of the objectives are not likely to be met by 2005, authorities are required to designate Air Quality Management Areas and prepare and implement action plans in pursuit of the objectives.

**Mr. Lansley:** To ask the Secretary of State for the Environment, Transport and the Regions what were the average levels of air pollution affecting residential homes adjacent to *(a)* motorways, *(b)* major trunk roads and *(c)* minor trunk roads in South Cambridgeshire in 1997–98. [71912]

**Mr. Meale:** There are eight Nitrogen Dioxide ($NO_2$) Diffusion Tube Network sites in or near Cambridge (sites and annual mean levels recorded in the following table). None of the sites are adjacent to motorways or trunk roads although the Cambridge Parker Street site is in the busy town centre.

*South Cambridgeshire: April 1997 to March 1998*

| *Monitoring site* | *Environment* | *Nearest road* | *Grid reference* | | *Annual mean Parts per billion(ppb)* |
|---|---|---|---|---|---|
| | | | *East* | *West* | |
| Histon 1N | Kerbside | Glebe Way (B1049) | 5440 | 2635 | 20 |
| Histon 2N | Intermediate | Narrow Close | 5440 | 2641 | 15 |
| Histon 3N | Background | Narrow Lane | — | — | 12 |
| Histon 4N | Background | The Coppice, Impington | 4552 | 2620 | 14 |

*Cambridgeshire: April 1997 to March 1998*

| *Monitoring site* | *Environment* | *Nearest road* | *Grid reference* | | *Annual mean Parts per billion (ppb)* |
|---|---|---|---|---|---|
| | | | *East* | *West* | |
| Cambridge 1N | Kerbside | Parker Street | 5454 | 2584 | 34 |
| Cambridge 2N | Intermediate | Abbey Road | 5462 | 2589 | 21 |
| Cambridge 3N | Background | Cockburn Street | 5466 | 2577 | 15 |
| Cambridge 4N | Background | Oak Tree Avenue | 5459 | 2601 | 16 |

Further information and daily data up to September 1998, can be obtained via the World Wide Web, at DETR's Air Quality Archive at http://www/environment.detr.gov.uk/aiq/aqinfo.htm.

The Government's policies with respect to improving air quality in the UK were published on the 13 January, in the "Report of the Review of the National Air Quality Strategy". Copies of the report have been placed in the Library of the House.

**Mrs. Humble:** To ask the Secretary of State for the Environment, Transport and the Regions if he will give details of the 1999–2000 charging scheme for local air pollution control under Part I of the Environmental Protection Act 1990. [72364]

**Mr. Meale:** Charges to cover the costs of local enforcing authorities in regulating processes which are subject to Part 1 of the Environmental Protection Act 1990 were introduced in April 1991.

With the approval of the Treasury, and following consultation with local authority associations and industry, my right hon. Friends the Secretary of State for the Environment, Transport and the Regions and the Secretary of State for Wales have made a revised scheme specifying the scale of fees and charges to take effect from 1 April 1999.

The level of fees and charges will be increased by approximately 20 per cent. to cover an identified shortfall in recovery of costs. The main changes are that the standard application fee is increased by £215 to £1,280, the substantial change fee is increased by £135 to £815, and the annual subsistence charge is increased by £130 to £790.

The scheme will be laid before both Houses and copies placed in the Libraries.

### Night Flights

**Dr. Tonge:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on the departmental consultation document relating to night flights at Heathrow, Gatwick and Stansted airports; and if he will publish a breakdown by constituency of the responses. [71915]

**Ms Glenda Jackson:** The closing date for responses was 12 February 1999 and analysis of them is proceeding. I will comment on the responses when announcing the decision and will make available for inspection, following the decision, those responses where confidentiality has not been requested. It is not the intention to prepare a breakdown of responses by parliamentary constituency, as this would involve disproportionate cost. Responses from organisations do not relate to particular districts, but consideration will be given to making available a breakdown of responses from individuals by postal district.

**Dr. Tonge:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to commission independent research into the effects of night flights on people living around Heathrow Airport. [71922]

**Ms Glenda Jackson:** Our intention to commission a new research trial on the effect of night-time aircraft noise on sleep disturbance was announced on 27 February last year, when the first stage consultation on night restrictions at Heathrow, Gatwick and Stansted airports was published. The trial is expected to focus on methodologies, assessing experimental and analytical techniques—and their limitations—which are related to the measurement of sleep disturbance. The findings of the trial will help us decide whether to proceed with a full-scale study of sleep disturbance, and to determine what should be included in any such study. The trial will be based at Manchester Airport, which provides a suitable combination of densely populated communities close to the airport with a spread of aircraft noise throughout the night. It may be extended to Heathrow if actual noise levels in the early morning at Manchester prove insufficient for the purposes of the trial. If, on completion of the trial, we decide to continue with more detailed research, the question of where that study would be based is one of many issues which would need to be considered at that time, based on objective research considerations.

A steering group, which includes community and industry representatives, has been established to oversee the trial and expert advice is obtained from a technical group made up of specialists in relevant scientific fields. Further peer group advice will also be sought from a panel of international experts. Detailed proposals for the trial will be announced following completion of discussions with these groups.

**Dr. Tonge:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the studies used in preparing the latest departmental consultation document on night flights at Heathrow, Gatwick and Stansted airports. [71914]

**Ms Glenda Jackson:** The second stage consultation paper on night restrictions at Heathrow, Gatwick and Stansted, issued on 17 November 1998, *Official Report*, column *492*, refers at Appendix D to the following studies:

1. "Aircraft Noise and Sleep Disturbance: final report", DORA Report 8008 (£3.50)
2. "Aircraft Noise and Sleep Disturbance: designated night data for sites surveyed in the main phase of the study", DORA Communication 8004 (£1.50)
3. "Noise Disturbance at Night near Heathrow and Gatwick Airports: 1984 check study", DR Report 8513 (£2.50)
4. "Noise Disturbance at Night near Heathrow and Gatwick Airports: Critique of the technical issues raised by consultees during the 1986 Public Consultation", DORA Report 8715 (£3.00)
5. "Report of a Field Study of Aircraft Noise and Sleep Disturbance", Department of Transport 1992 (£11.00)
6. "Night Noise Contours: a feasibility study", National Physical Laboratory 1997.

Also referred to in the consultation document are:

7. "Night Time Ground Noise", DORA Report 9850 October 1998 (£20.00)
8. "Assessment of Revised Heathrow Early Mornings Approach Procedures Trials", DORA Report 9823, November 1998; and
9. historical daytime noise exposure contours for Gatwick, Heathrow and Stansted airports prepared by DORA on behalf of the Department; those for 1996 being the most recent available at the time the consultation paper was issued.

Reference was also made to the "Heathrow Runway Alternation Trials—Research Among Local Residents" Final Report, March 1998, prepared by MVA for the Heathrow Airport Consultative Committee. In addition the consultation document includes information on such matters as usage of the noise quotas and movement limits since October 1993 and the main points made in the responses to the preliminary consultation, some of which referred to studies carried out.

Advice on how to obtain copies of each document or to consult reference copies free of charge, was given in the consultation document.

### Northumberland National Park Committee

**Mr. Peter Atkinson:** To ask the Secretary of State for the Environment, Transport and the Regions what qualifications are required for appointment to the Northumberland National Park Committee, with particular reference to residence within England. [71741]

**Mr. Meale:** Our approach in respect of Secretary of State appointments to the National Park Authorities is to encourage candidates to be put forward from as broad a range of backgrounds as possible. The aim is to achieve both a strong and a diverse membership. Secretary of State appointees are expected to represent the national interest and, although there is no specific requirement to be resident in England, preference will be given wherever possible to those candidates who combine the qualities sought with local association to the Park to which they seek appointment.

### National Public Transport Information

**Mr. Baker:** To ask the Secretary of State for the Environment, Transport and the Regions (1) what role National Rail Inquiries will play in the one point of inquiry national public transport information system; [72574]

(2) what progress he has made in meeting the commitment in paragraphs 3.73 and 3.74 of the Transport White Paper in respect of the creation of a national integrated journey timetable; [72572]

(3) how the provision of a one point of inquiry national public transport information system is to be funded. [72573]

**Ms Glenda Jackson:** Our aim is to develop a framework for public transport information that builds on existing local and national sources—including the National Rail Enquiry Service—and extends them systematically across the country. At my request, the relevant parties are working together under the auspices of the Confederation of Passenger Transport. Decisions have yet to be taken on the preferred system architecture and funding, but the Department has given over £1 million of credit approvals this year to enable local authorities to play their part, and has invited further bids for funding in 1999–2000.

## Home Buyers

**Ms Buck:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his discussions with mortgage lenders and insurers on protection for home buyers. [72509]

**Ms Armstrong:** The Government are committed to working with mortgage lenders to encourage greater provision of flexible mortgage products and better protection for home buyers. A mortgage is one of the biggest financial commitments of most people's lives. Home buyers need to think seriously about how they would meet their mortgage payments if they lost their income. Help with mortgage payments through the benefits system (Income Support Mortgage Interest) is confined to people receiving Income Support or income-based Jobseeker's Allowance; most claimants wait for nine months before Income Support Mortgage Interest is paid. Home buyers therefore need better, more effective insurance to protect their mortgage payments against unforeseen periods of financial difficulty caused by problems such as accidents, sickness and unemployment. Following discussions with the Government, the Council of Mortgage Lenders and the Association of British Insurers intend to announce tomorrow a new benchmark for mortgage payment protection insurance products which all lenders and insurers will need to meet or exceed. The Government welcome this move, which paves the way for higher quality, better value insurance operating alongside state benefits to provide a more effective level of protection. Everyone with a mortgage or applying for a mortgage should consider carefully whether mortgage payment protection insurance is suitable for their needs and circumstances. If it is, they should seek professional information and advice on a policy which meets their requirements and offers good value.

## Greater London Authority

**Mr. Burstow:** To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 16 February 1999, *Official Report*, column *603*, concerning Best Value, if the provision of services for the Greater London Assembly will be covered by the Best Value regime. [72595]

**Mr. Raynsford:** The Local Government Bill allows for the Secretary of State to provide, by Order, for the GLA to be a best value authority in relation to those specified functions of the Authority which it does not exercise through the Mayor. This includes services for the Assembly which will be provided through the GLA's Chief Administrative Officer.

## Signing Routes (M25)

**Mr. Burstow:** To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 15 February 1999, *Official Report*, columns *439–40*, what representations he, or the Highways Agency, has received concerning the siting of individual signs. [72625]

**Ms Glenda Jackson:** I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to the hon. Member.

*Letter from Lawrie Haynes to Mr. Paul Burstow, dated 22 February 1999:*

The Minister for Transport, Glenda Jackson has asked me to reply to your recent Parliamentary Question asking about the representations which we or the Secretary of State for the Environment, Transport and the Regions had received, in respect of the siting of individual direction signs under the London Primary Route network Signing project.

Over 900 signs have been replaced since work began and we have received only 13 representations, mainly from local residents, about the siting of six of them. Of these, two duplicated representations were sent to the Department of the Environment, Transport and the Regions. They include those that the London Borough of Sutton, a local Councillor and yourself made on behalf of one of your constituents.

The representations have focused on peoples concerns about replacement direction signs being erected nearer their property. As a result of the representations, one sign has been moved and consideration is being given to the location of two other signs.

## Channel Tunnel Rail Link

**Mr. Cash:** To ask the Secretary of State for the Environment, Transport and the Regions (1) what detailed plans are in place for *(a)* the provision of Channel Tunnel Rail Link Eurostar passengers services to Staffordshire and *(b)* the opening of rail freight routes on the West Coast Main Line through the Channel Tunnel; [72340]

(2) when he expects the Channel Tunnel Rail Link to reach Staffordshire specifically in relation to Eurostar passenger services and wider freight services. [72339]

**Ms Glenda Jackson:** *(a)* My right hon. Friend the Deputy Prime Minister received a report from Inter-Capital and Regional Rail Ltd (ICRR), the consortium appointed by London and Continental Railways to manage and operate Eurostar (UK) Ltd, on 13 November 1998 entitled "Review of Regional Eurostar Services". On 28 January 1999, *Official Report*, column *340*, he announced the commissioning of a thorough and independent review. The terms of reference address a wide range of key issues including, in particular, the study by ICRR and the alternative proposals for regional Channel Tunnel services put forward by the Virgin Group.

*(b)* Railtrack are responsible for the maintenance, renewal and enhancement of the rail network, including any rail freight gauge upgrade of the West Coast Main Line. However, any such upgrade would require significant amounts of Government grant. No grant application has been received.

## Local Agenda 21 Strategies

**Mr. Chaytor:** To ask the Secretary of State for the Environment, Transport and the Regions (1) if he

will make a statement clarifying the relationship between Local Agenda 21 strategies and the planning process; [72053]

(2) what plans he has to ensure that local authorities' Local Agenda 21 strategies are integrated with unitary development plans; [72047]

(3) what representations he has received from local authorities about the legal status of Local Agenda 21 strategies in the determination of local planning applications. [72052]

**Mr. Raynsford:** Section 54A of the Town and Country Planning Act 1990 requires that planning applications are determined in accordance with the statutory development plan for the area, unless material considerations indicate otherwise. Local planning authorities are required to have regard to national and regional planning guidance when preparing their development plans. National and local strategies, including Local Agenda 21 strategies, may also inform the plan preparation process to the extent that they have a bearing on land use planning matters. Such strategies may also relate to matters which are, or which are capable of being, material considerations to be weighed when local planning authorities take decisions on individual planning applications. Local Agenda 21 strategies do not, however, form part of the statutory planning system.

The Local Agenda 21 process is a useful means of engaging members of the public in identifying ideas, issues and interests which can add value in shaping development plan policies and proposals.

**Mr. Chaytor:** To ask the Secretary of State for the Environment, Transport and the Regions if he will indicate *(a)* how many and *(b)* what proportion of local authorities have adopted Local Agenda 21 strategies. [72055]

**Mr. Meale:** The most recent survey of Local Agenda 21 activity in the UK was carried out in autumn 1998 by the Local Government Management Board. Of the authorities who responded 129 (35 per cent.) had produced Local Agenda 21 strategies. A further 187 (52 per cent.) were committed to producing a strategy by December 2000 to meet the Prime Minister's target.

## Journey Costs

**Mr. Dalyell:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the statistics from the Department of Transport and Infrastructure at Imperial College, London, concerning the change in real terms in the costs of journeys by *(a)* public transport and *(b)* car in the past 20 years. [71197]

**Ms Glenda Jackson:** The statistics were taken from my Department's publication "Transport Statistics Great Britain". They show that bus and rail fares have increased by 25–27 per cent. in real terms over the past 20 years. Total motoring costs fell by 10 per cent. to 1990, but have increased since then to the levels of 20 years ago. Labour costs, which rise faster than average prices, tend to have had a greater influence on the costs of public transport and car maintenance than on car purchase costs, which have fallen in real terms because of improved productivity. Duty is the main component of car fuel costs. Since 1990, increases in duty have caused fuel costs to rise more rapidly than public transport fares.

## Fats and Proteins (UK) Ltd.

**Mr. Dawson:** To ask the Secretary of State for the Environment, Transport and the Regions if he will revoke the decision of the Planning Inspectorate with regard to the Town and Country Planning Act 1990 section 78 and Schedule 6 appeals by Fats & Proteins (UK) Ltd. application Nos. 97/01177/FUL and 97/01178/FUL. [72231]

**Mr. Raynsford:** The Secretary of State uses his powers to revoke planning permission only in exceptional circumstances. These particular planning decisions were reached only after a public inquiry had been held to examine the appeals.

## Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71853]

**Mr. Meale:** In common with other Departments, the work of the press officers in my Department includes responding to any misinformed allegations concerning Government policy or activity which are published in the media. They are supported in this work by other officials as necessary.

Because this work is a routine part of a Department's work and it is not separately recorded from other tasks, to provide the further information requested would involve disproportionate cost.

## Education SSAs

**Miss McIntosh:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on the SSA levels for *(a)* education provision and *(b)* social services provision in North Yorkshire; and if he will make a statement. [72161]

**Ms Armstrong:** During the consultation period on the Local Government Finance Settlement for 1999–2000, Ministers received four formal representations from Members of Parliament or from the local authority concerning the SSA level for social services funding in North Yorkshire. No representations were received concerning the SSA level for the education budget.

All of the issues raised in the representations have been taken into account in the final settlement.

**Miss McIntosh:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to visit North Yorkshire to discuss *(a)* education and *(b)* social services SSA levels for North Yorkshire County Council. [72158]

**Ms Armstrong:** The Deputy Prime Minister has no plans at present to visit North Yorkshire to discuss these matters.

## Air Services Agreements

**Miss McIntosh:** To ask the Secretary of State for the Environment, Transport and the Regions what progress there has been in the UK-US air services negotiations; and if he will make a statement. [72162]

**Dr. Reid:** The last round of formal negotiations on full liberalisation of UK/US air services ended abruptly on 7 October when the US team decided to terminate the discussions. A round of informal exploratory discussions on liberalisation is scheduled for 18–19 February in London. Meanwhile, routine negotiations on matters such as increases in the allowable capacity on UK/US routes under the Bermuda 2 agreement continue as normal.

## Flight Paths

**Mr. Mackinlay:** To ask the Secretary of State for the Environment, Transport and the Regions what variations in flight paths and regulations of night flights have been made in the last two years over, or in relation to, flights above the *(a)* county boroughs of (i) Thurrock and (ii) Southend, *(b)* the county of Essex and *(c)* the London boroughs to the east of Central London; and when the relevant hon. Members were consulted. [72147]

**Ms Glenda Jackson:** The routes followed by aircraft taking off from City and Stansted airports, and those followed by aircraft inbound to the Lambourne holding position (stack) over SW Essex used by aircraft waiting to land at Heathrow, have not changed in the last two years. Aircraft preparing to land at City, Heathrow and Stansted are managed tactically by air traffic control within controlled airspace set aside for the purpose which also has not changed over this period. Much of the airspace over Essex, including that over Thurrock below an altitude of 2500ft and over Southend below an altitude of 3500ft, does not form part of the controlled airspace of the London Terminal Control Area and is available for use by general aviation.

Restrictions on night flights at Heathrow, Gatwick and Stansted airports have not been changed in the last two years, but future arrangements to apply from 31 October 1999 were the subject of a consultation paper issued by my Department on 17 November 1998, *Official Report*, column 492, with a closing date for responses of 12 February 1999. The consultation paper included details of the Early Morning Landings Trial for aircraft approaching to land at Heathrow from the east. As a result of the trial, which began in September 1995, more aircraft are joining Heathrow's instrument landing system at higher altitudes further from touchdown, including over London boroughs east of Central London, but there have been no variations to flight paths over Essex.

## Croydon Tramlink

**Mr. Ottaway:** To ask the Secretary of State for the Environment, Transport and the Regions when he expects Croydon Tramlink to be fully operational. [71950]

**Ms Glenda Jackson:** Croydon Tramlink is being constructed and will be operated under a 99 year concession agreement awarded by London Transport to Tramtrack Croydon Limited.

I understand that Tramtrack aim to open the system in November 1999.

## London First

**Mr. Robathan:** To ask the Secretary of State for the Environment, Transport and the Regions how much funding *(a)* London First and *(b)* London First Centre has received from his Department per annum since 1992; and for what purposes the funding was specified. [72164]

**Ms Glenda Jackson:** Contributions have been made to several London First initiatives. I will write to the hon. Member with full details and place copies in the Libraries of the House.

**Mr. Robathan:** To ask the Secretary of State for the Environment, Transport and the Regions how many civil servants have been seconded from his Department to *(a)* London First and *(b)* London First Centre since 1992; and for what purposes. [72168]

**Ms Glenda Jackson:** Since 1992 the Department has had one member of staff seconded to London First, between May 1996 and April 1998, to manage a project promoting manufacturing industry in London. No staff have been seconded to the London First Centre.

**Mr. Robathan:** To ask the Secretary of State for the Environment, Transport and the Regions what sums the Government Office for London has contributed towards the London First/Centre for Management of Traffic and the Environment study being undertaken by Halcrow Fox on road pricing. [72169]

**Ms Glenda Jackson:** The Government Office for London has contributed £5,000 to this study.

## KPMG

**Mr. Ruffley:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72007]

**Mr. Meale:** The following services have been performed by KPMG for the Department of the Environment, Transport and the Regions:

£

| *Services* | *1 May 1997–1 February 1999* | *1 August 1995–30 April 1997* |
|---|---|---|
| Research Consultancy | 404,328.00 | — |
| Specific Consultancy (i.e. Privatisation) | 95,211.65 | — |
| IT Consultancy | — | 45,264.00 |
| General MNGT Consultancy | 192,541.76 | 129,301.00 |
| Total | 692,081.41 | 174,565.00 |

## Car Headlights (Migraines)

**Dr. Tonge:** To ask the Secretary of State for the Environment, Transport and the Regions if he will investigate reports that car headlights are setting off migraine attacks. [72517]

**Ms Glenda Jackson:** I can confirm that the possibility of new car headlights setting off migraine attacks is being considered as part of a current research project that the Department is carrying out into glare from headlights.

**Dr. Tonge:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received concerning the effect on migraine sufferers of the use of intense white lights on car headlights. [72518]

**Ms Glenda Jackson:** The Department has received two representations on this issue. The possibility of new car headlights setting off migraine attacks is being considered as part of a current research project that the Department is carrying out into glare from headlights.

### Advisory Committee on Releases to the Environment

**Mr. Yeo:** To ask the Secretary of State for the Environment, Transport and the Regions if he will publish all the advice which he has received from the Advisory Committee on Releases to the Environment since 1 May 1997. [72233]

**Mr. Meacher:** All the advice which I have received from the Advisory Committee on Releases to the Environment is published on the statutory public register held in the Department of the Environment, Transport and the Regions.

The agendas and Minutes of ACRE meetings are also published on the DETR website.

### Foreign Goods Vehicles

**Mr. Gale:** To ask the Secretary of State for the Environment, Transport and the Regions how many prosecutions of *(a)* foreign and *(b)* EU lorry drivers arose in 1997–98 as a result of the Vehicle Inspectorate's examination of goods vehicles. [69269]

**Ms Glenda Jackson** *[holding answer 8 February 1999]:* In 1997–98 the Vehicle Inspectorate recorded one prosecution of a driver who gave his place of residence as outside the EU, 5,082 prosecutions of drivers who gave their place of residence as inside the EU and one prosecution of a driver whose place of residence was unknown. The Vehicle Inspectorate's records do not include prosecutions by the police or Procurators Fiscal as a result of Vehicle Inspectorate checks.

### Departmental Asset Sales

**Mr. Malcolm Bruce:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70419]

**Mr. Meale** *[holding answer 11 February 1999]:* Details regarding asset sales from items listed in the National Assets Register of November 1997 are in the table.

*National assets register: Sales up to November 1997*

| *Part of DETR* | *Type of asset sold* | *Amount realised (£)* |
|---|---|---|
| DETR (Central) | RTCC Cardington, Bedfordshire—Land only | 512,000 |
| | 5 No Mobility Vehicles | 3,695 |
| The Highways Agency | 128 No Properties retained for construction | 10,147,000 |
| | 1,019 No Surplus properties | 78,417,000 |
| | Various items of Plant and Equipment | 76,000 |
| DVLA | Furniture (3 cabinets and 1 desk) | 36 |
| | 48 No Laser Printers | 828 |
| | Miscellaneous Catering equipment | 1,457 |
| DSA | 6 No Properties | 1,150,000 |
| Vehicle Inspectorate | Various items of Plant and Equipment | 4,304 |
| | 12 No Cars | 8,474 |
| | 3 No Vans | 4,926 |
| MCA | GP Boat | 4,400 |
| | Vehicles/Trailers | 38,367 |
| | 1 No Property | 57,500 |
| Queen Elizabeth II Conference Centre | Various Fixtures and Fittings | 21,513 |
| PINS | Computer Hardware (various) | 18,175 |
| Commission for the New Towns | Loans and Mortgages, Built Assets, and Land awaiting development | 11,197,000 |
| English Nature | 1 No Building | 73,000 |
| Health and Safety Commission/Executive | Machinery, Equipment, Computers and Plant, Vehicles, Furniture and Office Machinery[1] | [1]1,000,000 |
| North Hull Housing Action Trust | 1 No Building | 600,000 |
| Rural Development Commission | Property, Furniture, Fixtures and Fittings | 857,000 |
| Traffic Director for London | Furniture | 1,000 |
| British Waterways Board | Property, Plant and Equipment | 12,871,000 |
| London Regional Transport | Land and Property, Plant and Machinery | 33,300,000 |
| OFWAT | IT equipment, and Fixtures and Fittings[1] | [1]3,000 |
| Ordnance Survey | Vehicles[1] | [1]8,000 |
| Total | | 150,375,675 |

[1] Approximate value

## Ministerial Visits

**Mr. Gray:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71331]

**Mr. Prescott** *[holding answer 15 February 1999]:* Paragraph 79 of the Ministerial Code makes it clear that Ministers should inform hon. Members in advance of planned visits to their constituencies. Ministers in the Department undertake visits to all parts of the country and records of official visits are not held on a constituency basis. This information could be provided only at disproportionate cost.

**Mr. Gray:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the parliamentary constituencies which the Minister of Transport has visited in an official capacity in the past 12 months. [71350]

**Dr. Reid** *[holding answer 15 February 1999]:* Paragraph 79 of the Ministerial Code makes it clear that Ministers should inform hon. Members in advance of planned visits to their constituencies. Ministers in the Department undertake visits to all parts of the country and records of official visits are not held on a constituency basis. This information could be provided only at disproportionate cost.

## Vehicle Documents (Mileage Information)

**Mr. Jenkin:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for the compulsory inclusion of mileage information on vehicle documents. [71076]

**Ms Glenda Jackson** *[holding answer 15 February 1999]:* We are committed to providing the public with more information about second hand cars and, as part of the initiative to reduce vehicle crime, we are currently considering how best to introduce a scheme for the compulsory inclusion of mileage information on vehicle documents.

## Press Releases

**Mr. Don Foster:** To ask the Secretary of State for the Environment, Transport and the Regions how many press releases have been issued by his Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71446]

**Mr. Meale** *[holding answer 16 February 1999]:* The information is as follows:

| | *Department of the Environment* | *Department of Transport* |
|---|---|---|
| 1990 | 736 | 461 |
| 1991 | 819 | 392 |
| 1992 | 865 | 375 |
| 1993 | 893 | 525 |
| 1994 | 743 | 502 |
| 1995 | 655 | 440 |
| 1996 | 579 | 410 |
| 1997[1] | 171 | 96 |

[1] 1 January 1997 to 30 April 1997

| | *Department of the Environment, Transport and the Regions* |
|---|---|
| 1997[1] | 586 |
| 1998 | 1,121 |

[1] 1 May 1997 to 31 December 1997

*Regional Press Releases*

| | *DoE/Dot 1996*[1] | *DoE/DoT/DETR 1997* | *DETR 1998* |
|---|---|---|---|
| North East | 55 | 71 | 100 |
| North West | 50 | 108 | 127 |
| Yorkshire and Humberside | 196 | 259 | 360 |
| West Midlands | 183 | 120 | 162 |
| South West | n/a | 175 | 258 |
| East Midlands | 100 | 95 | 115 |
| Eastern | n/a | 170 | 379 |
| South East | 83 | 109 | 119 |

[1] Figures prior to 1996 are not available. Figures for 1996 are aggregates of those issued on behalf of the former DoE and DoT. For 1997 DoE, DoT and from 1 May 1997 the DETR. Figures for 1998 relate to DETR.

*Driver and Vehicle Licensing Agency*

1990: 30

1991: 28

1992: 22

1993: 26

1994: 31

1995: 23

1996: 24

1997: 26

1998: 24

*Driving Standards Agency*

1990: 6

1991: 24

1992: 45

1993: 29

1994: 35

1995: 10

1996: 33

1997: 71

1998: 61

*Highways Agency (Established 1994)*

1994: 11

1995: 34

1996: 67

1997: 33

1998: 33.

*Regional Press Releases*

| | *1996*[1] | *1997* | *1998* |
|---|---|---|---|
| North East | 40 | 69 | 103 |
| North West | 200 | 124 | 180 |
| Yorkshire and Humberside | 286 | 258 | 346 |
| West Midlands | 191 | 199 | 230 |
| South West | n/a | 75 | 87 |
| East Midlands | 189 | 87 | 175 |
| Eastern | n/a | 74 | 167 |
| South East | 190 | 225 | 213 |

[1] Figures prior to 1996 are not available

| Year | Number |
|---|---|
| *Marine Safety Agency (Established 1994)* | |
| 1994 | 14 |
| 1995 | 41 |
| 1996 | 33 |
| 1997 | 21 |
| 1998[1] | 2 |
| *Coastguard Agency (Established 1994)* | |
| 1994 | 9 |
| 1995 | 23 |
| 1996 | 2 |
| 1997 | 94 |
| 1998[1] | 31 |
| *Maritime and Coastguard Agency (Established 1998)* | |
| 1998[2] | 280 |

[1] 1 January 1998 to 31 March 1998
[2] 1 April 1998 to 31 December 1998

*Queen Elizabeth II Conference Centre*

1990: 7

1991: 8

1992: 9

1993: 8

1994: 10

1995: 9

1996: 12

1997: 14.

1998: 13

*Vehicle Certification Agency*

1990: nil

1991: 1

1992–1995: nil

1996: 2

1997–1998: nil

*Vehicle Inspectorate*

1990–1991 press releases issued by the then DoT on behalf of VI and included in DoT figures above

1992: 23

1993: 16

1994: 9

1995: 15

1996: 40

1997: 34

1998: 32.

In addition to the above agencies, the DETR has responsibility for 47 non departmental public bodies on whose behalf the Department issues a small number of press releases each year. To provide the information requested for each NDPB individually from the totals issued by DETR since its formation in May 1997, and prior to that from the totals issued by the former Department of the Environment and Department of Transport would be disproportionately costly.

**Mr. Don Foster:** To ask the Secretary of State for the Environment, Transport and the Regions if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71461]

**Mr. Meale** *[holding answer 16 February 1999]:* Rules governing the work of the GICS are laid down in the Guidance on the work of the Government Information Service published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the Working Guide for Government Information Officers. Copies of both documents are in the Libraries of the House.

Press releases are principally issued on my Department's behalf via the Central Office of Information's News Distribution Service. The cost of this service for DETR for the period in question was £111.8k. Figures for DETR staff and postage costs specifically in relation to the issue of press releases are not available.

## PRESIDENT OF THE COUNCIL

### Privy Council (Cash Limits)

**Mrs. Ellman:** To ask the President of the Council what changes she intends to make to the 1998–99 cash and running cost limits for the Privy Council. [72366]

**Mrs. Beckett:** Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class XVIII, Vote 3 will be increased by £157,000 from £2,887,000 to £3,044,000 and the gross running costs limit will be increased by £157,000 from £2,360,000 to £2,517,000.

The increase in the cash and running cost limits reflects the transfer to the Department of responsibility for minor occupier charges, together with the cost of establishing an office and support for my hon. Friend the Member for Sherwood (Mr. Tipping) on his appointment as Parliamentary Secretary, Privy Council Office.

The increase in minor occupier charges will be offset by a transfer of £87,000 from Cabinet Office Class XVIII, Vote 1, and savings elsewhere within Class XVIII; and the remainder will be a charge to the Reserve and will not therefore add to the planned total of public expenditure.

## HOUSE OF COMMONS

### Genetically Modified Plants

**Mr. Mitchell:** To ask the President of the Council when the then Select Committee on European Legislation reported on proposals from the European Commission to regulate the growing of genetically modified plants for research and sale, when such proposals were considered in Standing Committee and on the Floor of the House; and what resolutions were passed. [72180]

**Mrs. Beckett:** The European Commission adopted a proposal in February 1998 to amend Council Directive 90/220/EEC. This Directive establishes a system of controls which require prior consent from a Member State competent authority or any research and development release of genetically modified organisms (GMOs). Approval at Community level is required before any

product containing GMOs may be placed on the Community market. The proposed amendment, which is contained in EC document 6378/98, COM(98)85 final, is currently under negotiation. The Government submitted an explanatory memorandum on the proposal on 23 March 1998 which was considered by the then Select Committee on European Legislation on 29 April 1998. The Committee reported that the proposal raised issues of political importance but requested further information from the Government and did not clear it from scrutiny (26th report, 97–98, HC 155-xxv1). The Committee subsequently reconsidered the proposal on 9 December 1998 on the basis of further information provided by the Government in a letter of 27 November 1998 from my right hon. Friend the Minister for the Environment. The Committee maintained that the proposal raised issues of political importance and recommended that it should be debated in European Standing Committee A (3rd report, 98–99 HC 34-iii). That debate has yet to take place but will be held in good time before any decisions are taken on the proposed amendments by the Council of Ministers. An adjournment debate on the effect of Directive 90/220/EEC was held on 16 December 1998, *Official Report*, columns 927–33, by my hon. Friend the Member for Norwich, North (Dr. Gibson).

## TREASURY

### Smuggling (Tobacco and Alcohol)

**Mrs. Lait:** To ask the Chancellor of the Exchequer what was the value of confiscated smuggled or bootlegged *(a)* tobacco and its products and *(b)* alcohol in each year since 1994. [70017]

**Dawn Primarolo:** I regret that figures on the value of confiscated smuggled tobacco and alcohol products are not available.

**Mr. Drew:** To ask the Chancellor of the Exchequer how many individuals who were caught smuggling alcohol and tobacco *(a)* were given a final warning, *(b)* received a caution, *(c)* received a conviction and fine and *(d)* were imprisoned in each of the last three years. [70817]

**Dawn Primarolo** *[holding answer 16 February 1999]:* I regret that central records are not kept in this format.

### Fines (Income)

**Mr. Rendel:** To ask the Chancellor of the Exchequer what are the agreed Treasury criteria for income from certain fines to be used to meet some of the costs of those engaged in the enforcement and prosecution of offenders. [70231]

**Mr. Milburn** *[holding answer 9 February 1999]:* The Economic and Fiscal Strategy Report (Command 3978) announced that Departments would keep more of their receipts, including from fines, where this would further the Government's economic objectives, improve efficiency and not prejudice spending plans and priorities. Further details on the criteria are set out in a technical Treasury paper (PES(98)7(Revise)) which was circulated to Departments on 31 July 1998. I am arranging for a copy to be placed in the Library.

### Civil Servants (Misconduct)

**Mr. Maclean:** To ask the Chancellor of the Exchequer if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70771]

**Ms Hewitt:** I refer the right hon. Member to the answer given to him by the Parliamentary Secretary, Cabinet Office on 15 February 1999, *Official Report*, columns *569–70*.

### Arms Embargoes

**Dr. Tonge:** To ask the Chancellor of the Exchequer if he will list the United Kingdom companies currently under investigation by Customs and Excise for alleged breaches of *(a)* United Kingdom, *(b)* European Union and *(c)* mandatory UN arms embargoes. [71049]

**Dawn Primarolo:** It is not the normal practice of the Commissioners of Customs and Excise to comment publicly about the existence or nature of any current investigations.

**Dr. Tonge:** To ask the Chancellor of the Exchequer how many United Kingdom companies have been found guilty of breaching *(a)* United Kingdom and *(b)* mandatory UN arms embargoes in the periods (i) January 1996 to January 1997, (ii) January 1997 to January 1998 and (iii) January 1998 to January 1999. [71051]

**Dawn Primarolo:** No United Kingdom companies were found guilty of breaching United Kingdom or mandatory UN arms embargoes during the periods in question. Three individuals have been found guilty in connection with the activities of UK companies, two in 1996 in relation to a destination subject to a United Kingdom arms embargo and one in 1998 in relation to a destination subject to a European Union arms embargo.

### Heavily Indebted Poor Countries Initiative

**Mr. Benton:** To ask the Chancellor of the Exchequer what assessment he has made of the contribution which the Heavily Indebted Poor Countries initiative will make towards the achievement of the OECD target of halving world poverty by 2015. [71308]

**Ms Hewitt:** Debt relief is one of the means by which the Chancellor hopes to meet the OECD target of halving world poverty by 2015. Data on the exact contribution which the HIPC initiative will make towards achieving the target are not currently available.

### Departmental Expenditure

**Mr. Don Foster:** To ask the Chancellor of the Exchequer, pursuant to his answer of 16 December 1998, *Official Report*, column *568*, if he will list the expenditure not included in his answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research

and *(d)* for publications and publicity; and if he will list the bodies which incurred the expenditure. [71015]

**Dawn Primarolo** *[holding answer 15 February 1999]:* There was no expenditure for the categories required which was not included in the earlier answer.

**Mr. Don Foster:** To ask the Chancellor of the Exchequer, pursuant to his answer of 16 December 1998, *Official Report*, column *568*, if he will list the expenditure not included in his answer incurred by *(a)* his agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for his Department. [71014]

**Dawn Primarolo** *[holding answer 15 February 1999]:* There was no expenditure relating to work carried our for HM Treasury by the bodies listed for the categories required which was not included in the earlier answer.

### Travel Insurance

**Mr. Maclean:** To ask the Chancellor of the Exchequer if he will estimate the number of people affected by the extension of insurance premium tax to travel insurance announced in the 1998 Budget. [70690]

**Dawn Primarolo** *[holding answer 15 February 1999]:* None. Insurance Premium Tax has always applied to travel insurance.

### Vehicle Excise Duty

**Mr. Jenkin:** To ask the Chancellor of the Exchequer when he expects to announce changes in the Vehicle Excise Duty system for cars; and if he will make a statement. [71079]

**Ms Hewitt** *[holding answer 15 February 1999]:* A consultation paper setting out the options for reforming vehicle excise duty was published on 3 November 1998. The formal consultation ended on 31 January 1999 and all responses are now being considered. An announcement will be made in due course.

**Mr. Jenkin:** To ask the Chancellor of the Exchequer how many substantive responses he has received to the Vehicle Excise Duty consultation paper. [71080]

**Ms Hewitt** *[holding answer 15 February 1999]:* The total number of responses received to 5 February is over 2,200.

### Foreign Earnings Deduction

**Mr. Maclean:** To ask the Chancellor of the Exchequer how many *(a)* businesses and *(b)* individuals are affected by the abolition of the foreign earnings deduction announced in the 1998 Budget; and in each case, if he will estimate the average annual cost. [70654]

**Dawn Primarolo** *[holding answer 15 February 1999]:* There is no information available on the number of businesses that employ people who were affected by the abolition of the foreign earnings deduction.

All UK taxpayers are affected by the abolition of the foreign earnings deduction. The closing of this loophole means that ordinary taxpayers no longer have to make good the shortfall created by a minority of UK residents being able to escape tax on their income. The estimated number of employees who have lost the advantage they previously enjoyed as a result of the foreign earnings deduction is about 20,000. All those affected are simply put on an equal footing with other UK residents.

### Property Purchases

**Mr. Maclean:** To ask the Chancellor of the Exchequer how many purchases of *(a)* private dwellings and *(b)* business premises in excess of £250,000 were made in 1998. [70691]

**Dawn Primarolo** *[holding answer 15 February 1999]:* It is provisionally estimated that there were about 40,000 residential transactions and about 20,000 commercial and land transactions in excess of £250,000 in 1998, out of a total of 1.5 million property transactions.

### Pensions

**Mr. Maclean:** To ask the Chancellor of the Exchequer what estimate he has made of the number of *(a)* personal pension plans and *(b)* occupational pension schemes which will be affected by the abolition of ACT credits. [70684]

**Dawn Primarolo** *[holding answer 15 February 1999]:* Most pension providers receive dividends from UK companies. To remove a distortion, which encouraged payment of dividends rather than retention of profits for investment, payable tax credits on those dividends were abolished in July 1997.

**Mr. Field:** To ask the Chancellor of the Exchequer if he will estimate the number of people who *(a)* were originally mis-sold personal pensions and *(b)* had reached a satisfactory settlement in respect of their pension entitlement (i) by 1 May 1997 and (ii) at the latest available date. [71557]

**Ms Hewitt:** The number of people mis-sold personal pensions will not be known until the review is completed. The priority review identified a population of approximately 685,000. At 1 May 1997, the regulators' published figures showed about 15 per cent. of these case reviews had been completed. The latest figures for 30 November 1998 showed 91 per cent. of priority reviews completed.

### Corporation Tax

**Mr. Maclean:** To ask the Chancellor of the Exchequer what estimate he has made of the number of businesses which will be affected by the introduction of quarterly payments of corporation tax; and what will be the average cost per business. [70652]

**Dawn Primarolo** *[holding answer 15 February 1999]:* The introduction of quarterly payments of corporation tax will affect some 20,000 companies. This measure was part of a package of measures introduced in the 1998 Budget which included the abolition of Advanced Corporation Tax (ACT) and a 1 per cent. cut in the main rate of corporation tax from April 1999. After a four year transition period, the effect for these companies of introducing quarterly payments, abolishing ACT and the 1 per cent. rate cut is likely on average to be a reduction in liability.

### Business Costs

**Mr. Maclean:** To ask the Chancellor of the Exchequer what estimate he has made of *(a)* the number of businesses which will be affected by the 1998 Budget announcement of withdrawal of cash basis for professional businesses and *(b)* the average cost per business. [70653]

**Dawn Primarolo** *[holding answer 15 February 1999]:* Inland Revenue has no central record of which businesses are on the cash basis, and no estimate of the total number of such businesses. It is therefore not possible to estimate an average cost per business.

### Fiscal Measures

**Mr. Maclean:** To ask the Chancellor of the Exchequer (1) how many businesses were affected by the 1997 Budget announcement which prohibited the *(a)* transfer of unused past allowances and *(b)* acceleration of capital allowances; and if he will estimate the average cost to each affected business; [70685]

(2) how many businesses were affected by the 1997 Budget announcement that dividends will be taxed as trading profits; and if he will estimate the average cost per business; [70686]

(3) how many businesses were affected by the 1997 Budget announcement which blocked company purchase schemes; and if he will estimate the average cost to each affected business; [70699]

(4) what estimate he has made of the number of businesses which will be affected by the change in rules on *(a)* capital gain buying and *(b)* controlled foreign companies which were announced in the 1998 Budget; and what will be the average cost per business. [70687]

**Dawn Primarolo** *[holding answer 15 February 1999]:* In respect of all but the 1998 changes obliging companies to include amounts chargeable under the controlled foreign company (CFC) rules in their self assessment tax returns the measures referred to are aimed at stemming the loss of tax through avoidance devices and possibly outright evasion, rather than being tax raising. The relevant tax yields in the respective Budget Reports reflect the direct effects of the measures within the existing level of activity. The measures protect the Exchequer against greater losses in the future. Accurate estimates of the number of businesses affected directly at the time action was taken, or who might in future have been involved if action had not been taken, are not available.

In respect of the CFC change relating to self assessment, it is estimated that 1,500 groups will be affected by the new legislation and that the total compliance cost will be under £10 million in the first year. Recurrent costs will be considerably less than initial costs. The change is estimated to raise £50 million in a full year.

### Biofuel Industry

**Mr. Gareth R. Thomas:** To ask the Chancellor of the Exchequer if he will make a statement on Government policy on the proposed EU Energy Products Directive as it affects the biofuel industry. [71397]

**Ms Hewitt:** The Government's position on the Energy Products Directive is that we favour some aspects of the proposal, such as higher minimum rates of tax on road fuels. However, we could not accept, for social policy reasons, any obligation to impose new taxes on domestic fuel and power. Our attitude to new taxes on business use of energy will depend on the decisions we take in the light of Lord Marshall's report on 'Economic Instruments and the Business Use of Energy', which was published on 3 November 1998.

Under the terms of the draft Directive, Member States may introduce optional exemptions from tax or reduced rates for certain types of energy product and to products put to particular uses. This applies to energy products used in pilot projects for the development of more environmentally friendly products, or in relation to fuels from renewable sources of energy such as solar, wind and geothermal power and biofuels.

### Private Capital Inflows

**Mr. Chaytor:** To ask the Chancellor of the Exchequer if he will provide data for each of the last 20 years on non-foreign direct involvement private capital inflows into the United Kingdom; and if he will make a statement on their quantifiable effect on the balance of payments. [71812]

**Ms Hewitt** *[holding answer 16 February 1999]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

*Letter from Tim Holt to Mr. David Chaytor, dated 22 February 1999:*

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on non-FDI private capital inflows into the UK.

Estimates for non-FDI private capital inflows into the United Kingdom can be derived from the 1998 edition of "United Kingdom Balance of Payments: The Pink Book". The data in the Pink Book are available on the ONS database, which can be accessed by the Library. Capital inflows form part of the Financial Account within the Balance of Payments.

### Arms Exports

**Ann Clwyd:** To ask the Chancellor of the Exchequer if he will investigate reports that two British companies have transported arms in breach of UN embargoes on arms exports to Sierra Leone and the Congo. [71566]

**Dawn Primarolo** *[holding answer 16 February 1999]:* The investigation and prosecution of any alleged breaches of UK legislation implementing UN arms embargoes is a matter for the Commissioners of Customs and Excise. Anyone in possession of information which might suggest offences have been committed should make the material available to them.

### Smuggling

**Mr. Drew:** To ask the Chancellor of the Exchequer in what circumstances Customs and Excise are permitted to make a private arrangement with an individual caught smuggling rather than pursuing the full legal process. [70816]

**Dawn Primarolo** *[holding answer 16 February 1999]:* Under section 152(a) of the Customs and Excise Management Act 1979 the Commissioners may "compound" any proceedings for an offence under the Customs and Excise Acts i.e. accept a monetary penalty in lieu of prosecution. The decision whether to prosecute or compound proceedings is taken on the merits of each case. Offers to compound are made only if there is sufficient evidence to support criminal proceedings. Where an offer to compound is refused it is the policy of the Commissioners to prosecute for the alleged offence.

## TRADE AND INDUSTRY

### Legal Services

**Mr. Ruffley:** To ask the Secretary of State for Trade and Industry if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70037]

**Mr. Byers** *[holding answer 8 February 1999]:* The remuneration paid to London barristers and solicitors by this Department is not collated or held centrally, and the information requested could only be obtained at disproportionate cost.

My right hon. and learned Friend the Attorney-General appointed Phillip Sales as First Junior Treasury Counsel (Common Law) and Jonathan Crow as First Junior Treasury Counsel (Chancery) to advise and represent the Government in their important civil cases. In addition, the Attorney-General maintains at present two London panels of junior Counsel whom departments are expected to use for the government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers. The Attorney-General's individual nomination is required before a barrister who is not on one of the approved panels can be instructed to appear for the Government in litigation.

Departments may use firms of solicitors in addition to the Treasury Solicitor and their departmental legal advisers, for example where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operate between lawyer and client.

### Employment Policy (Business Costs)

**Mr. Redwood:** To ask the Secretary of State for Trade and Industry what impact on business costs *(a)* the minimum wage, *(b)* the Working Time Regulations and *(c)* the Fairness at Work White Paper proposals have had to date; and what estimate he has made of the annual impact when fully implemented. [69816]

**Mr. Byers:** Regulatory impact assessments have been published for each of these measures and are available in the Library of the House.

### Deep-mined Coal

**Mr. Redwood:** To ask the Secretary of State for Trade and Industry what has been the change in deep mined coal output in *(a)* the last quarter and *(b)* the last year; and how many pits closed in each time period. [69813]

**Mr. Byers:** Deep mined output in quarter 4 1998 compared with quarter 4 1997 has decreased by 0.8 million tonnes. This compares to a decrease of 3.6 million tonnes in quarter 4 1994 compared to quarter 4 1993.

Deep mined output in calendar year 1998 compared with calendar year 1997 has decreased by 5 million tonnes. This compares to a decrease of 18.5 million tonnes between calendar year 1993 and 1994.

One major pit and four smaller pits closed in quarter 4 1998 and six small pits closed during the first three quarters of the year.

### Export Licences

**Mr. Hancock:** To ask the Secretary of State for Trade and Industry how many export licence applications his Department has received in each of the last three years for *(a)* Iran and *(b)* other countries. [70063]

**Dr. Howells:** The Export Control Organisation's computer databases have been interrogated and the following results were obtained. Between 1 January 1996 and 31 December 1998, 37,478 applications for Standard Individual Export Licences were received.

*Number of applications for Standard Individual Export Licences received in each calendar year covering exports (a) to Iran or (b) to any other destination (enduser).*

| *Year* | *Iran* | *All other destinations* |
|---|---|---|
| 1996 | 146 | 13,382 |
| 1997 | 118 | 12,071 |
| 1998 | 164 | 12,025 |

This information should be considered in light of the answer given by the former Minister for Small Firms, Trade and Industry, my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *870–71*.

Open Individual Export Licences (OIELs) routinely cover exports to a number of countries (unlike Standard Individual Export Licences, each of which normally covers exports to a single country). Any country initially specified on an OIEL application but not included as a permitted destination on the licence issued is not recorded on the Export Control Organisation's computer databases. Accordingly, as regards OIELs, the information requested could be compiled only by manual examination of the paper records of all 1,515 applications made in the period, which would entail disproportionate cost.

**Mr. Hancock:** To ask the Secretary of State for Trade and Industry what is the average length of time taken by his Department to issue export licences; if he will estimate

the impact on the value of export orders of the length of time taken; and what representations he has received from exporters. [70759]

**Dr. Howells:** From time to time, exporters and representative bodies express concern about the time taken to process specific applications or generally. All such cases are carefully investigated and replied to.

The average length of time taken to process individual export licence applications is not recorded. However, performance is monitored against published targets, which were set out to the hon. Member in my answer of 11 February 1999, *Official Report*, column *404*. Data on performance will be included in the forthcoming Annual Report on Strategic Export Controls, and in future reports.

The sensitive issues raised by many applications mean that it is not possible to guarantee that the decision on a particular application can be taken by a specific date. However, the Export Control Organisation does aim wherever possible to give exporters a reasonable indication of the additional time that the processing of their applications is likely to take.

As recognised by the Trade and Industry Committee in its recent report on strategic export controls, the overall performance of the Government's export licensing system depends on contributions from all of the Departments involved. The Government have already taken steps to improve the information provided to exporters on the status of pending licence applications. Within DTI, the Export Control Organisation has in place both formal and informal procedures to encourage the timely provision of advice on urgent or exceptionally delayed applications; in addition, as appropriate, exporters may be put in direct contact with relevant advisers in other Departments.

Finally, the introduction of the ELATE computer system on 1 March should, among other advantages, improve the exchange of licensing information between Departments and is intended to enhance the effectiveness and efficiency of the licensing process.

**Mr. Hancock:** To ask the Secretary of State for Trade and Industry if he will make it his policy to accept applications for export licences by means of telephone and e-mail. [70758]

**Dr. Howells:** As the processing of applications for export licences cannot be completed without relevant supporting documentation, and applications need formally to be signed by specifically designated persons it would be impractical for them to be made by telephone.

The introduction of a new export licence application form and the ELATE computer system on 1 March 1999 is a first step in the process towards the use of electronic data in export licence processing. For the first time, exporters will be able to apply for a standard individual export licence using electronic information transferred on a floppy disk. The information on the disk will be entered into the ELATE system at the DTI and, where applications have to be circulated to the FCO or MoD for advice, the electronic information will be transferred to them via a modem link or on disk. Additional supporting documentation, such as end-user documentation and technical specifications will still be required in paper form.

Once the effectiveness of ELATE has been proven, the aim will be to extend the transfer of information by disk or modem link to all advisory departments involved in export licence consideration. The Government will work towards full electronic applications where the end-user documentation and technical specifications can be transferred together with the application by electronic mail subject to satisfactory assessment of security and other relevant considerations.

### Minister for Small Firms, Trade and Industry

**Mr. Bercow:** To ask the Secretary of State for Trade and Industry, pursuant to the oral answer to the right hon. Member for Wokingham (Mr. Redwood) of 21 January 1999, *Official Report*, column 1007, if he will list each company with which the Minister for Small Firms, Trade and Industry has been associated, indicating the dates upon which their annual returns were filed in each year of the company's existence. [70129]

**Mr. Wills** *[holding answer 10 February 1999]:* As my right hon. Friend the Leader of the House made clear on 4 February 1999, *Official Report*, columns 1091–92, my oral answer to the right hon. Member for Wokingham referred to Attractions Limited. The annual return for Attractions Limited in 1997 was filed on 1 November in compliance with the deadlines set by Companies House. It was returned by Companies House on 5 November for completion of the SIC code and it was registered on 13 November 1997. The annual return for Attractions Limited in 1998 was sent to Companies House on 21 October 1998. It was lost in transit. Companies House sent a reminder on 10 December, setting a deadline of 10 January 1999. A new return for Attractions Limited was received by Companies House on 8 January 1999.

### Travel Industry

**Mr. Pike:** To ask the Secretary of State for Trade and Industry what representations he has received about takeovers and regional integration in the travel industry; and if he will make a statement. [70921]

**Dr. Howells:** I have received a limited number of representations about takeovers in the travel industry.

The Director General of Fair Trading advises on mergers which qualify for investigation under the Fair Trading Act 1973. Where a merger raises concerns in respect of a particular market—whether throughout the whole of the United Kingdom or in a particular region—it can be referred to the Monopolies and Mergers Commission (MMC) for investigation.

### Civil Servants (Misconduct)

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70781]

**Mr. Byers:** I refer the right hon. Member to the answer given to him by my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 1999, *Official*

*Report*, columns *569–70*. No Department of Trade and Industry civil servants have had their pensions removed or reduced for disciplinary reasons in the last five years.

### Departmental Asset Sales

**Mr. Malcolm Bruce:** To ask the Secretary of State for Trade and Industry if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70413]

**Mr. Byers** *[holding answer 11 February 1999]:* The information requested by the hon. Member is not available in the form requested.

### Cigarette Lighters

**Mr. Bruce George:** To ask the Secretary of State for Trade and Industry (1) what assessment he has made of the assistance which the introduction of a requirement for cigarette lighters to bear the identity of the manufacturer or importer would provide to the work of trading standards officers; and if he will make a statement; [70804]

(2) what representations he has received from *(a)* trading standards officers and *(b)* the BSI on introducing a requirement for the identity of the manufacturer or importer to be marked on each cigarette lighter; and if he will make a statement. [70790]

**Dr. Howells:** Apart from the recent correspondence from my hon. Friend and concerns raised by European lighter manufacturers about imported lighters, I have not received any recent representations from trading standards officers or the British Standards Institution about introducing a requirement for the identity of the manufacturer or importer to be marked on cigarette lighters. However, a requirement to provide for such traceability will be included in the revised European and international standard for lighters (BS EN ISO 9994). I believe that this requirement will help enforcement, although I have not made a formal assessment of this.

### Fireworks

**Mr. Nigel Griffiths:** To ask the Secretary of State for Trade and Industry if he will estimate the number of people injured by fireworks in 1998; and if he will make a statement. [71065]

**Dr. Howells:** DTI is still collating the firework injury data and I do not believe that we should speculate when we are so close to having the final figures. I expect the detailed statistics to be available shortly and I will write to my hon. Friend as soon as they have been verified.

### Foreign Inward Investment

**Mr. Chaytor:** To ask the Secretary of State for Trade and Industry if he will provide data on foreign direct investment in the United Kingdom for each of the last 20 years, broken down into, *(a)* the stocks and flows of inward investment for each year, *(b)* the percentage of foreign direct investment in mergers and acquisitions for each year, *(c)* the percentage of the labour force employed in foreign direct investment for each year, *(d)* the contribution of foreign direct investment to United Kingdom tax revenues for each year, *(e)* the total subsidies given to foreign investors for each year and *(f)* the total royalties paid to abroad by the United Kingdom on foreign direct investment for each year. [71561]

**Mr. Wills:** Available information is given in the tables. No official data are collected for tax revenues from foreign enterprises or total royalties paid to abroad by the UK on FDI.

*(a)* Table 1 shows the stocks and flows of foreign direct investment into the UK each year from 1978 until 1997, the latest year available. FDI covers not only the acquisition of fixed assets, stock building and stock appreciation but all other financial transactions, such as additions to, or payments of, working capital, other loans and credit, and acquisitions of securities. The figures cover transactions where the investor's purpose is to have an effective voice in the company, taken to be equivalent to a holding of 20 per cent. or more (10 per cent. in the 1997 figures). Stock figures are recorded at the end of the stated period. They are not cumulative totals of investment flows, but also take account of goodwill write-offs, revaluation of assets and exchange rate fluctuations.

*Table 1: Foreign direct investment in the UK*

*£ million*

| *Year* | *Stocks* | *Flows* |
|---|---|---|
| 1978 | 11,098 | 1,261 |
| 1979 | — | 1,740 |
| 1980 | — | 2,541 |
| 1981 | 16,962 | 980 |
| 1982 | — | 1,137 |
| 1983 | — | 2,063 |
| 1984 | 38,484 | –245 |
| 1985 | — | 4,417 |
| 1986 | — | 5,645 |
| 1987 | 58,430 | 8,986 |
| 1988 | 71,652 | 11,562 |
| 1989 | 93,554 | 17,405 |
| 1990 | 105,760 | 17,155 |
| 1991 | 111,373 | 8,418 |
| 1992 | 114,409 | 8,816 |
| 1993 | 121,005 | 9,871 |
| 1994 | 121,336 | 6,046 |
| 1995 | 128,885 | 12,654 |
| 1996 | 134,654 | 15,662 |
| 1997 | 156,969 | 21,751 |

*Note:*

Figures for stocks of FDI were collected only triennially before 1987.

*Source:*

Office for National Statistics

*(b)* Table 2 shows the percentage of FDI flows into the UK represented by mergers and acquisitions of companies. The value of acquisitions is the sum of the value of transactions where the foreign business takes their percentage share of the relevant UK target to over 50 per cent. Figures are available only from 1986.

*Table 2: Percentage of FDI represented by acquisitions and mergers*

| Year | Percentage |
|---|---|
| 1986 | 21 |
| 1987 | 26 |
| 1988 | 23 |
| 1989 | 62 |
| 1990 | 58 |
| 1991 | 51 |
| 1992 | 38 |
| 1993 | 42 |
| 1994 | 74 |
| 1995 | 88 |
| 1996 | 41 |
| 1997 | 53 |

*Source:*
Office for National Statistics

*(c)* Figures for the percentage of the labour force employed in foreign enterprises are available only for the manufacturing sector. This sector represents between 20 and 25 per cent. of total employees over the years shown. Comparable figures are not available for earlier years. In Table 3 foreign enterprises are defined as those controlled by companies incorporated overseas; this is different from the definition used in Table 1, where figures include all transactions where the investor's purpose is to have an effective voice in the company, taken to be equivalent to a holding of 20 per cent. or more.

*Table 3: Percentage of employees in the manufacturing industry employed by foreign enterprises*

| Year | Percentage |
|---|---|
| 1983 | 14.5 |
| 1984 | 14.8 |
| 1985 | 14.0 |
| 1986 | 13.0 |
| 1987 | 13.4 |
| 1988 | 13.1 |
| 1989 | 14.9 |
| 1990 | 16.1 |
| 1991 | 17.2 |
| 1992 | 18.1 |
| 1993 | 17.9 |
| 1994 | 18.6 |
| 1995 | 17.2 |

*Source:*
Office for National Statistics

*(e)* Table 4 shows offers of grant accepted by foreign owned businesses in GB under Regional Selective Assistance (RSA), the DTI's main investment grant scheme, in each of the last ten years. Figures for earlier years are not available:

*Table 4*

*£ million*

| Year | Grant |
|---|---|
| 1989 | 141 |
| 1990 | 166 |
| 1991 | 79 |
| 1992 | 85 |
| 1993 | 157 |
| 1994 | 155 |
| 1995 | 133 |
| 1996 | 170 |
| 1997 | 364 |
| 1998 | 167 |

*Source:*
DTI

## Dormant Companies

**Mr. Rendel:** To ask the Secretary of State for Trade and Industry what changes have been made to the CHN21, Dormant Company Accounts booklet to ensure that directors of dormant companies are made aware of the DCA forms. [71136]

**Dr. Howells** *[holding answer 15 February 1999]:* A new version of CHN 21 is currently being printed. It makes reference to the availability of a form DCA for dormant companies that have not traded since incorporation. This is not a statutorily prescribed form. It is offered as a helpful aid for dormant companies and its use is entirely optional.

**Mr. Rendel:** To ask the Secretary of State for Trade and Industry what publicity has been arranged for the Dormant Company Accounts form relating to the submission of annual accounts by dormant companies. [71135]

**Dr. Howells** *[holding answer 15 February 1999]:* The availability of the Dormant Company Accounts form was communicated via the Companies House Magazine for customers, "The Register". This is widely read by professional presenters, who submit accounts to the Agency on behalf of companies. It has also been publicised via Companies House User Groups and at their Road Shows. Companies House cannot readily target individual dormant company directors. The Companies House publicity budget does not allow it to do more than publicise the most important issues in national media and mail drops.

## Departmental Staff

**Mr. Chaytor:** To ask the Secretary of State for Trade and Industry what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70458]

**Mr. Byers** *[holding answer 15 February 1999]:* The Department has 46 per cent. of its staff located outside London. This includes the Patent Office and Companies House, which relocated from London to Wales, a strong presence in the Government Offices for the Regions and the regional networks of the Insolvency Service, Employment Tribunals Service and Radiocommunications Agency. There has been no major decentralisation in recent years. The scope for further relocation is limited by operational requirements.

## GATT

**Mr. Chaytor:** To ask the Secretary of State for Trade and Industry what estimate he has made of the benefits to the United Kingdom economy in *(a)* output and *(b)* jobs of the Uruguay round of trade and investment talks. [71757]

**Mr. Wilson:** In 1994, the GATT secretariat estimated that, by the year 2005, the Uruguay Round Agreement could boost world incomes by up to 1.4 per cent. per annum and European Union incomes by up to 1.7 per cent. per annum.

No reliable estimates have been made of the output or employment benefits of the Agreement to the UK alone. However, as the second largest trader with non-EU economies among EU Member States, the UK is likely to be a major beneficiary of these projected income gains.

### Precious Metals Directive

**Mr. Chope:** To ask the Secretary of State for Trade and Industry when he expects the draft Precious Metals Directive to be discussed next by EU ministers. [71370]

**Dr. Howells** *[holding answer 15 February 1999]:* The draft directive is under consideration at Council Working Group level and is unlikely to be discussed by Ministers unless a greater degree of consensus can be reached. I have had no indication as to whether Germany intends to convene meetings of the Council Working Group to consider the proposal during her Presidency.

### Venture Capital

**Miss McIntosh:** To ask the Secretary of State for Trade and Industry what representations he has received concerning competition between financial intermediaries to which small businesses can apply for venture capital; and if he will make a statement. [71527]

**Mr. Wills:** I am not aware of any representations concerning competition between financial intermediaries to which small businesses can apply for venture capital.

I am aware that growing businesses have faced difficulties in raising venture capital in small amounts. We therefore announced, in the Competitiveness White Paper (Cmd 4176), the creation of the Enterprise Fund. One of the functions of this Fund will be to stimulate the availability of venture capital for smaller businesses.

We are also working with the key players in the informal investment or "business angel" markets to stimulate the availability of venture capital from individual investors.

### Hallmarks

**Mr. Chope:** To ask the Secretary of State for Trade and Industry how many copies of "New Hallmarks", a consumer guide, have been printed; and by what means it is being distributed. [71364]

**Dr. Howells:** One million copies have been printed. The Assay offices are sending copies to their entire client base and DTI is also asking the principal retail trade associations to make their members aware of the leaflet. Individual retailers will then be able to order copies free of charge to be displayed at the point of sale. Further copies are being made available to Citizens Advice Bureaux, Consumer Advice Centres and public libraries.

### Businesses (South Yorkshire)

**Mr. Ennis:** To ask the Secretary of State for Trade and Industry how many businesses in the Barnsley MBC area are registered at Companies House, and how many of these businesses have fewer than 20 employees. [71141]

**Dr. Howells:** There are 242 companies registered at Companies House in Barnsley (S71) area. Companies House has no information on how many of these have fewer than 20 employees.

**Mr. Ennis:** To ask the Secretary of State for Trade and Industry how many businesses in the Doncaster MBC area are registered at Companies House; and how many of these businesses have fewer than 20 employees. [71140]

**Dr. Howells:** There are 598 companies registered at Companies House in the Doncaster DN1 area. Companies House has no information on how many of these have fewer than 20 employees.

### British Aerospace

**Mr. Wilkinson:** To ask the Secretary of State for Trade and Industry when his predecessor, the right hon. Member for Hartlepool (Mr. Mandelson), met as Secretary of State *(a)* the Chairman and *(b)* the Chief Executive of British Aerospace plc during 1998; and what subjects were discussed on each occasion. [70651]

**Mr. Byers** *[holding answer 15 February 1999]:* I refer the hon. Member to the answers given by my right hon. Friend the Member for Hartlepool to the hon. Member for Christchurch (Mr. Chope) on 3 December 1998, *Official Report*, column *291*. These described all his meetings as Secretary of State for Trade and Industry with British Aerospace in 1998 up to that date.

Subsequently, my right hon. Friend also met the Chairman and Chief Executive of British Aerospace on 15 December at a reception to mark the twenty-first anniversary of the creation of that company. DTI officials were also present.

### Manufacturing Best Practice

**Mr. Sheerman:** To ask the Secretary of State for Trade and Industry what measures he plans to introduce to encourage UK manufacturing companies to adopt the best practice techniques of their international competitors. [71644]

**Mr. Battle:** There is a wide variety of existing measures available to manufacturing companies to learn from and adopt the best practice of their international competitors. New measures include the CBI-led "Fit for the Future" Campaign, launched by the Secretary of State in December 1998 and featured in the recently published Competitiveness White Paper. The Campaign will provide an umbrella to enable business to get help and advice when and where is it needed. The Campaign is business led and is supported by the Department to ensure coverage of all sectors and sizes of industry.

The White Paper announced other measures designed to increase competitiveness through the process of "Business learning from Business". Two examples are the adaptation of the successful automotive sector project where "world-class" engineers work within the supply base to make significant improvements in manufacturing practice. The Department will be investing £15 million to support projects in up to 10 new sectors. A further example is the Department's work to gather international data based to the UK Benchmarking Index. This development will enable SMEs to compare their own business performance with peer groups in the UK and world-wide.

### Ministerial Visits

**Mr. Gray:** To ask the Secretary of State for Trade and Industry if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71349]

**Mr. Byers** *[holding answer 15 February 1999]:* Paragraph 79 of the Ministerial Code makes clear that Ministers should inform hon. Members in advance of planned visits to their constituencies. I and my Ministers undertake visits to all parts of the country but records of official visits are not held on a constituency basis.

### Press Releases

**Mr. Don Foster:** To ask the Secretary of State for Trade and Industry if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71470]

**Mr. Byers** *[holding answer 16 February 1999]:* Rules governing the work of the GICS are laid down in the Guidance on the Work of the Government Information Service published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the Working Guide for Government Information Officers. Copies of both documents are in the Library of the House.

Since April 1997 my department has spent £399,000 on distributing press releases through the Central Office of Information's News Distribution Service.

### Airline Industry

**Miss McIntosh:** To ask the Secretary of State for Trade and Industry what representations he has received on the liberalisation of the airline industry and on the potential exploitation of monopoly positions at certain British airports. [71656]

**Dr. Howells** *[holding answer 16 February 1999]:* The liberalisation of the airline industry is a matter for my right hon. Friend the Deputy Prime Minister. My Department has received a number of representations in relation to competition cases involving airlines.

### City Flyer Express

**Miss McIntosh:** To ask the Secretary of State for Trade and Industry what representations he has received over the take-over of City Flyer Express by British Airways; and if he will make a statement. [71655]

**Dr. Howells** *[holding answer 16 February 1999]:* My right hon. Friend the Secretary of State for Trade and Industry has received a number of representations on the proposed acquisition by British Airways plc of City Flyer Express Ltd. He announced on 20 January that, in accordance with the advice of the Director General of Fair Trading, he had referred the merger to the Monopolies and Mergers Commission under the provisions of the Fair Trading Act 1973. The MMC are to make their report by 28 April 1999.

### BNFL

**Mr. Stunell:** To ask the Secretary of State for Trade and Industry (1) what studies his Department has *(a)* commissioned and *(b)* funded on the technical feasibility of British Nuclear Fuels Ltd. conditioning German spent nuclear fuel and German nuclear waste currently held at Sellafield for final disposal in Germany; and what studies have been undertaken into the commercial opportunities for the company in Germany for undertaking such conditioning; [71919]

(2) what discussion he has had with British Nuclear Fuels Ltd. on the conditioning of German spent fuel and German waste currently held at Sellafield for final disposal in Germany; and if he will make a statement. [71916]

**Mr. Battle:** None. Subject to meeting relevant safety, security and international safeguard requirements, it is for the owners of spent nuclear fuel to choose whether to reprocess it or whether to seek alternative management options. The contracts now in place between BNFL and German electricity utilities are for reprocessing spent nuclear fuel. Since 1976 all new contracts for reprocessing of overseas spent fuel have contained options for return of wastes. The government intend that such options should be exercised and that wastes arising from reprocessing be returned to the country of origin. Arrangements for the return of wastes are a commercial matter between BNFL and its overseas customers, subject to meeting relevant regulatory requirements.

**Mr. Stunell:** To ask the Secretary of State for Trade and Industry what discussions he has had with the German Government on final disposal in Germany of German spent fuel and German nuclear waste that is currently held at Sellafield by BNFL. [71917]

**Mr. Battle:** I refer the hon. Member to the answer I gave to my hon. Friend the Member for Bury, North (Mr. Chaytor) on 15 February 1999, *Official Report*, columns *453–54*.

**Mr. Stunell:** To ask the Secretary of State for Trade and Industry if he will place in the Library a copy of the KPMG report on British Nuclear Fuels Ltd. [72591]

**Mr. Battle:** I refer the hon. Member to the answer I gave to my hon. Friend the Member for Blaenau Gwent (Mr. Smith) on 15 December 1998, *Official Report*, column *455*.

### Small Businesses (New Jobs)

**Mr. Townend:** To ask the Secretary of State for Trade and Industry how many new jobs he expects will be created by small businesses over the next 12 months. [72298]

**Mr. Wills:** The Department of Trade and Industry does not produce forecasts of the number of jobs created by small businesses. Previous studies have shown that small businesses (those with under 50 employees) are responsible for six out of every ten new jobs created in the UK.

## Written Answers

**Mr. Alan Simpson:** To ask the Secretary of State for Trade and Industry how many parliamentary questions for written answer have been tabled to his Department in each session since May 1997; and how many have not been answered on grounds of disproportionate cost. [71933]

**Mr. Byers:** In the 1997–98 session, my Department gave written answers to 4,146 questions, of which 18 could not be answered on the grounds of disproportionate cost.

So far in this session, 692 questions have been given written answers, with 3 not answered on the grounds of disproportionate cost.

### Plutonium Shipments (Japan)

**Mr. Llew Smith:** To ask the Secretary of State for Trade and Industry, pursuant to his answers to the hon. Member for Blaenau Gwent, 15 February 1999, *Official Report*, column *451*, and to my hon. Friend the Member for Stroud (Mr. Drew), 18 January 1999, *Official Report*, columns *364–65*, if he will set out what proportion of the costs for physical protection of transporting plutonium fuels will be borne by Japan and the United Kingdom respectively; and if he will indicate what proportion of the United Kingdom's costs will be borne by the public purse. [72608]

**Mr. Battle:** All the capital costs incurred by BNFL in undertaking contracts for transporting MOX fuel from Europe to Japan, including the costs of ensuring the physical protection of the shipment, would be reflected in the value of the contracts between BNFL and its customers.

### Film Industry

**Mr. Spring:** To ask the Secretary of State for Trade and Industry what assessment he has made of the impact of the Working Time Directive on the film industry. [71744]

**Mr. Ian McCartney:** There was no specific assessment of the impact of the Working Time Directive on the film industry. An assessment for the whole of British industry was made, a copy of which is held in the Library of the House.

### Payment Cards

**Mr. Rendel:** To ask the Secretary of State for Trade and Industry if he will list the post offices that have been automated to take payment cards under the BA PoCL scheme. [72023]

**Mr. Ian McCartney:** The Post Office have provided a list of the 204 post offices in the North East and South-West of England that have been automated and are paying Child Benefit by Payment Card as part of a limited trial. A copy of the list has been placed in the library of the House.

### London First

**Mr. Robathan:** To ask the Secretary of State for Trade and Industry how many civil servants have been seconded from his Department to *(a)* London First and *(b)* London First Centre since 1992; and for what purposes. [72166]

**Mr. Wills:** There have been three members of DTI staff out on secondment to London First Centre at different times since 1992: the first, for six months, on Inward Investment work during the initial months of the London Investment Agency; the second, for two years, as a Project Manager, co-ordinating the Inward Investment Programme by promoting London as a location of excellence to overseas investors; and the third, for two years, as Business Development Manager, particularly identifying Inward Investment from North America.

### Inward Investment (Wales)

**Mr. Rowlands:** To ask the Secretary of State for Trade and Industry if he will list the inward investments to Wales since 1992 to which the Invest in Britain Bureau contributed. [72295]

**Mr. Wills:** Between the years 1992 and 1998 my Departments Invest in Britain Bureau were significantly involved in 18 projects into Wales. The following list includes only those projects where the company has not requested commercial confidentiality and is based on information provided by the companies at the time of the announcement of the decision to invest in the UK—it takes no account of subsequent developments.

| *Company Name* | *Project Nature* | *Date of announcement* |
|---|---|---|
| Acer Peripherals | Computer monitors | 18 December 1997 |
| Almedica | Clinical contract packaging | 1 February 1995 |
| Halla Euro Enterprise | Excavators and fork lifts | 1 February 1996 |
| I G Electromes | Monitor assembly | 1 July 1996 |
| I G Semiconductors | Semiconductor fabrication | 1 July 1996 |
| Robertson Associates | Can ends for beverage industry | 1 December 1992 |
| Schulman Plastics | Plastics | 1 April 1992 |
| Showa Corporation | Suspension and steering systems | 23 August 1996 |
| Unites States Can Co | Aerosol cans | 20 September 1996 |

### Au Pairs

**Mr. Dismore:** To ask the Secretary of State for Trade and Industry if he will make a statement on the application of the national minimum wage to au pairs. [71970]

**Mr. Ian McCartney:** The draft National Minimum Wage Regulations, which were laid before Parliament on 16 February, provide an exemption from the provisions of the National Minimum Wage Act 1998 for work carried

out, where the worker is living as a member of the employer's family. Overseas nationals in the UK under the Au Pair scheme, who undertake light household work and various childcare duties, and are treated as members of the host families, clearly fall within this category.

Where au pairs, or any other worker, live in their employer's household and do not fully enjoy such benefits, the national minimum wage will still apply.

**Mr. Dismore:** To ask the Secretary of State for Trade and Industry what plans he has to issue guidance to those employing au pairs on the implications of the national minimum wage. [71971]

**Mr. Ian McCartney:** Detailed guidance on the application of the national minimum wage will be published shortly along with leaflets for employers and workers. It will be widely publicised and available from the helpline number—0845 8450 360.

### World Trade Organisation

**Mr. Chaytor:** To ask the Secretary of State for Trade and Industry if he will make a statement on the position of Her Majesty's Government following the joint statement by the European Commission and Japan calling for investment to be included in the Millennium Round of WTO negotiations. [72043]

**Mr. Wilson:** It is also the long-established position of the UK Government that investment should be included in any future Round of negotiations in the WTO.

### European Commission

**Mr. Chaytor:** To ask the Secretary of State for Trade and Industry if he will list the membership of the Article 113 Committee of Directorate-General I of the European Commission. [72042]

**Mr. Wilson:** The Article 113 Committee is an organ of the Council, not the Commission. It meets monthly at Full Member level, weekly at Deputy level, and on an ad-hoc basis at expert level. Each EU Member State is represented on the Committee as is the European Commission. Secretariat services are provided by the Council Secretariat.

**Mr. Chaytor:** To ask the Secretary of State for Trade and Industry if he will make a statement clarifying the *(a)* status and *(b)* decision-making process of Article 113 Committee of Directorate-General I of the European Commission. [72054]

**Mr. Wilson:** The Article 113 Committee is an organ of the Council of the EU. The Commission is required to conduct the Common Commercial Policy, in particular in negotiations with third countries and international organisations, in consultation with the Committee. It does not have a formal decision-making role.

### Postal Charges

**Mr. Burstow:** To ask the Secretary of State for Trade and Industry, pursuant to his answer of 16 February 1999, *Official Report*, column *662*, concerning postal charges, what representations he has received concerning the financial effects of the charges on the publishers of periodicals. [72596]

**Mr. Ian McCartney:** My right hon. Friend and I have received representations from a number of individual companies and from the Periodical Publishers Association on the effects of the proposed changes to postal tariffs on the publishers of periodicals, which we have carefully noted. Changes to postal tariffs are primarily a matter for the Post Office in consultation with the Post Office Users' National Council.

### Millennium Compliance

**Mr. David Atkinson:** To ask the Secretary of State for Trade and Industry if an internationally agreed standard for year 2000 compliance for computer systems has been agreed and published; and if he will make a statement. [72157]

**Mr. Wills:** I understand that a draft international standard ISO/IEC/16509 has been circulated by the International Organisation for Standardisation (ISO) and International Electrotechnical Commission (IEC) for balloting within their member bodies. National standards bodies have been asked to reply by 12 March 1999. The British Standards Institution (BSI) is presently formulating the United Kingdom response to the document.

### Tobacco

**Rev. Martin Smyth:** To ask the Secretary of State for Trade and Industry if he will make a statement on the development of global rules for tobacco marketing and on the resources he plans to commit to developing such rules. [70760]

**Ms Jowell:** I have been asked to reply.

I refer the hon. Member to my reply to my hon. Friend the Member for Ayr (Ms Osborne) on 15 December 1998, *Official Report*, column *456*.

### European Directives

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry if the simpler legislation for the Internal Market Initiative applies to single market legislation which does not take the form of European Community directives, and what measures exist to simplify legislation currently in force outside of the single market field. [72531]

**Mr. Kilfoyle:** I have been asked to reply.

Apart from EC Directives, the Simpler Legislation for the Internal Market (SLIM) initiative also covers EC Regulations—the other type of generally-applicable legally-binding EC instrument– in the Single Market field.

A Community simplification initiative that goes wider than the Single Market field is the work by the European Commission, European Parliament and Council of Ministers on codification of existing EC legislation. By providing official consolidated texts of legislative acts and their amendments it makes EC legislation more accessible and provides greater legal certainty. It covers all areas of EC legislation and has for example already been applied to legislation in the fields of agriculture, fisheries and social policy in addition to Single Market legislation.

### St. Kilda

**Mrs. Ray Michie:** To ask the Secretary of State for Trade and Industry if he has responded to the request from the UN for an explanation of the licensing of oil developments around St. Kilda; and if he will make a statement. [70868]

**Mr. Macdonald:** I have been asked to reply.

The United Nations Educational, Scientific and Cultural Organisation (UNESCO) has asked that we respond to the request by 15 April and we shall comply with that timetable.

## HOME DEPARTMENT

### Young Offenders

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will provide a breakdown for (i) persistent young offenders and (ii) all young offenders, for each of the past three years, of the time taken from *(a)* arrest to charge, *(b)* charge to first appearance, *(c)* first appearance to start of trial, *(d)* start of trial to verdict and *(e)* verdict to sentence. [70620]

**Mr. Boateng:** I shall write to the right hon. Member.

**Mr. Greenway:** To ask the Secretary of State for the Home Department how many young offenders appeared before youth courts and were convicted for the first time in the most recent year for which figures are available. [71086]

**Mr. Boateng:** The most recent estimate of the number of first time young offenders found guilty in magistrates' courts (both youth and adult magistrates' courts) sets the figure at around 37,000 in 1996. This figure rises to approximately 38,900 if cases heard in the Crown Court are included.

### Criminal Record Certificates

**Mr. Beith:** To ask the Secretary of State for the Home Department if he will ask the Active Community Unit to investigate the effect of the cost of criminal record certificates on the voluntary sector; and if he will make a statement. [71864]

**Mr. Boateng:** The Criminal Records Bureau is being established to enable checks to be carried out to help prevent unsuitable people from working with children or vulnerable adults. Costs will be kept to a minimum and the highest form of certificate should cost around £10 for those volunteers having substantial, largely unsupervised access to children or vulnerable adults.

Not all volunteers will require a certificate, and a certificate will not obviate the need for voluntary organisations to carry out their own checks and references as part of normal recruitment procedures. However, the over-riding consideration at all times must be the protection of the vulnerable, and the service to be provided by the Criminal Records Bureau will help to achieve this. We do not believe that volunteering will diminish with the introduction of these checks.

**Mr. Beith:** To ask the Secretary of State for the Home Department if he will list the categories of people he plans to exempt from charges for applications for *(a)* criminal conviction certificates and *(b)* criminal record certificates; and if he will make a statement. [71863]

**Mr. Boateng:** All applicants will have to pay for certificates from the Criminal Records Bureau. We considered very carefully whether there was any way in which free checks could be provided for any groups, especially volunteers. We have concluded that it will not be practicable to provide any free checks from the Criminal Records Bureau. We realise that this is unwelcome news but providing free checks would prove an unsustainable burden on the public purse and may increase demand for certificates from the Bureau to an uncontrollable extent. In addition, we do not consider it would be fair to allow one or two groups to have free certificates when there are other equally deserving groups.

### Asylum and Immigration Appeals

**Mr. Clappison:** To ask the Secretary of State for the Home Department if he will publish the number of (1) new instructions and (2) disposals in *(a)* asylum and *(b)* immigration appeals undertaken by (i) the Immigration Advisory Service and (ii) the Refugee Legal Centre for 1997-98 and the number of appeals in both categories disposed of by the Immigration Appellate Authority in the same period together with the unit cost in both categories. [70755]

**Mr. Mike O'Brien:** The information requested is shown in the table.

It should be noted that the figures for the Refugee Legal Centre and the Immigration Advisory Service are based on outcomes (those cases in which the appeal may or may not have finally been disposed). The cases dealt with by the Refugee Legal Centre based on outputs is 8,154. The Immigration Advisory Service do not have any comparable statistical information on outputs.

| 1997-98 | New instructions | | Appeals disposed of | | |
|---|---|---|---|---|---|
| | Asylum | Immigration | Asylum | Immigration | Unit cost (£) |
| Refugee Legal Centre | 6,123 | | 4,454 | | 796.38 |
| Immigration Advisory Service | 3,020 | 4,667 | 1,279 | 3,536 | 640.89 |
| Immigration Appellate Authority | | | 18,600 | 11,200 | |

Both rounded to the nearest 00.
Overall unit cost for asylum and immigration cases. Immigration cases may be more easily dealt with, which may affect the overall figure. Refugee Legal Centre normally deal with more complex asylum claims.

**Mr. Coleman:** To ask the Secretary of State for the Home Department how many persons claimed asylum *(a)* at the port of entry and *(b)* at his Department in each of the years 1993 to 1998, broken down by (i) successful application, (ii) unsuccessful application and (iii) application as yet undecided. [70731]

**Mr. Mike O'Brien:** This information is not available at present but I hope to receive it shortly. I will then write to my hon. Friend.

**Fiona Mactaggart:** To ask the Secretary of State for the Home Department what is the average length of time *(a)* European Union nationals and *(b)* non-European Union nationals who have not applied for asylum have spent on temporary admission in each year from 1993 to the latest date for which figures are available. [70747]

**Mr. Mike O'Brien:** Information is available only for non-European Union nationals granted temporary admission at the 12 largest ports in 1998 whose case has

been resolved. Such persons, excluding those who applied for asylum, spent an average of 11 days on temporary admission.

**Fiona Mactaggart:** To ask the Secretary of State for the Home Department what is the average length of time between lodging an out-of-country appeal against refusal of entry and removal from the UK and the date of hearing of the appeal in *(a)* asylum and *(b)* non-asylum cases, for those (i) removed on the latest convenient date and (ii) who had appeal hearings on the latest convenient date. [70746]

**Mr. Mike O'Brien:** The average length of time between the lodging of an out-of-country non-asylum appeal and the date of the appeal hearing date is 366 days. This information relates to data extracted on 15 February 1999, and covers the 12 largest ports (Heathrow (4 terminals), Gatwick (2 terminals), Manchester (2 terminals), Dover East, Harwich, Stansted and Waterloo.)

There are very few out-of-country asylum appeals recorded and, therefore, information on average times for these cases may not be representative.

## Police Contingency Reserves

**Mr. Beith:** To ask the Secretary of State for the Home Department if he will list the level of police contingency reserves in each police force on the last date for which figures are available; what is the level of reserves which the Chartered Institute of Public Finance and Accountancy recommends police forces should hold; and if he will make a statement. [71925]

**Mr. Boateng:** The level of unallocated balances held by each police authority at 31 March 1998 is shown in the table. In addition, police authorities hold earmarked reserves in respect of provisions, including pensions, insurances, and capital projects.

The Chartered Institute of Public Finance and Accountancy (CIPFA) has recently re-issued to police authorities advice in determining the appropriate level of reserves and balances. CIPFA recommends that the level of balances for a Police Authority should be around 2 per cent. to 5 per cent., depending on local circumstances.

*Police general balances at 31 August 1998*

£000

| *Force* | *Amount* |
|---|---|
| Avon & Somerset | 2,539 |
| Bedfordshire | 1,549 |
| Cambridgeshire | 1,757 |
| Cheshire | 6,162 |
| City of London | — |
| Cleveland | 1,563 |
| Cumbria | 198 |
| Derbyshire | 2,423 |
| Devon & Cornwall | 6,064 |
| Dorset | 1,227 |
| Durham | 1,524 |
| Dyfed-Powys | 527 |
| Essex | 2,148 |
| Gloucestershire | 3,320 |
| Greater Manchester | 8,552 |
| Gwent | 2,123 |
| Hampshire | 7,835 |

*Police general balances at 31 August 1998*

£000

| *Force* | *Amount* |
|---|---|
| Hertfordshire | 3,514 |
| Humberside | 319 |
| Kent | 5,538 |
| Lancashire | 7,421 |
| Leicestershire | 3,054 |
| Lincolnshire | 522 |
| Merseyside | 7,452 |
| Metropolitan Police | 26,495 |
| Norfolk | 2,735 |
| Northamptonshire | 5,106 |
| Northumbria | — |
| North Wales | 2,036 |
| North Yorkshire | 2,873 |
| Nottinghamshire | 3,335 |
| South Wales | 3,600 |
| South Yorkshire | 6,123 |
| Staffordshire | 6,996 |
| Suffolk | 2,002 |
| Surrey | 3,975 |
| Sussex | 8,919 |
| Thames Valley | 5,130 |
| Warwickshire | 1,750 |
| West Mercia | 2,880 |
| West Midlands | 5,010 |
| West Yorkshire | 3,881 |
| Wiltshire | 10,907 |
| Total | 181,082 |

## Prisoners

**Mr. Beith:** To ask the Secretary of State for the Home Department what was the average number of hours per day that prisoners were locked in their cells in each of the last three years, in each *(a)* Prison Service establishment, *(b)* privately managed prison and *(c)* in total; and if he will make a statement. [71924]

**Mr. George Howarth:** Information on the average number of hours per weekday that prisoners were locked in their cells for each of the last three calendar years is given in the table:

| *Prison name* | *1995–96* | *1996–97* | *1997–98* |
|---|---|---|---|
| *Public prisons* | | | |
| Acklington | 11.95 | 11.95 | 11.95 |
| Albany | 13.0 | 13.0 | 13.2 |
| Aldington | 12.2 | 12.8 | 12.5 |
| Ashwell | 8.5 | 8.5 | 8.5 |
| Askham Grange | 0.0 | 0.0 | 0.0 |
| Aylesbury | 14.8 | 15.5 | 14.6 |
| Bedford | 13.5 | 13.2 | 13.3 |
| Belmarsh | 14.1 | 15.8 | 15.0 |
| Birmingham | 17.2 | 18.2 | 18.5 |
| Blantyre House | 8.8 | 8.8 | 8.8 |
| Blundeston | 12.3 | 13.9 | 13.9 |
| Brinsford | 15.5 | 12.8 | 13.8 |
| Bristol | 12.4 | 14.2 | 13.8 |
| Brixton | 15.4 | 10.9 | 14.0 |
| Brockhill | 11.7 | 12.8 | 13.3 |
| Bullingdon | 12.9 | 14.4 | 13.9 |
| Bullwood Hall | 12.0 | 12.0 | 12.5 |
| Camp Hill | 11.9 | 12.0 | 12.0 |
| Canterbury | 12.7 | 13.8 | 13.3 |
| Cardiff | 12.1 | 12.7 | 12.1 |

| Prison name | 1995–96 | 1996–97 | 1997–98 |
|---|---|---|---|
| Castington | 14.6 | 14.2 | 14.1 |
| Channings Wood | 12.8 | 12.8 | 12.8 |
| Chelmsford | 16.0 | 13.9 | 14.8 |
| Coldingley | 10.5 | 10.9 | 10.7 |
| Cookham Wood | 13.5 | 15.1 | 13.9 |
| Dartmoor | 14.0 | 14.1 | 15.2 |
| Deerbolt | 13.3 | 13.5 | 13.6 |
| Dorchester | 13.6 | 13.6 | 15.6 |
| Dover | 14.8 | 14.8 | 14.8 |
| Downview | 12.5 | 12.5 | 12.7 |
| Drake Hall | 0.0 | 0.0 | 0.0 |
| Durham | 13.7 | 15.2 | 15.8 |
| East Sutton Park | 0.0 | 0.0 | 0.0 |
| Elmley | 13.5 | 13.8 | 14.0 |
| Erlestoke | 11.2 | 12.9 | 13.0 |
| Everthorpe | 12.9 | 15.1 | 14.9 |
| Exeter | 14.0 | 14.2 | 14.2 |
| Featherstone | 13.7 | 13.7 | 13.7 |
| Feltham | 16.1 | 16.0 | 16.0 |
| Ford | 10.8 | 10.8 | 10.6 |
| Frankland | 14.0 | 14.7 | 14.6 |
| Full Sutton | 13.5 | 14.2 | 14.5 |
| Garth | 14.9 | 14.7 | 14.0 |
| Gartree | 12.0 | 13.0 | 13.2 |
| Glen Parva | 14.9 | 14.8 | 14.8 |
| Gloucester | 14.5 | 14.5 | 14.5 |
| Grendon | 5.7 | 9.7 | 10.0 |
| Guys Marsh | 10.8 | 10.8 | 10.8 |
| Haslar | 11.8 | 12.0 | 12.0 |
| Hatfield | 10.8 | 10.8 | 10.8 |
| Haverigg | 11.5 | 11.2 | 11.2 |
| Hewell Grange | 0.0 | 0.0 | 0.0 |
| Highdown | 12.7 | 12.8 | 13.8 |
| Highpoint | 11.0 | 12.7 | 14.6 |
| Hindley | 15.6 | 16.7 | 15.3 |
| Hollesley Bay | 15.0 | 7.7 | 8.9 |
| Holloway | 14.4 | 14.1 | 13.5 |
| Holme House | 15.1 | 13.7 | 14.5 |
| Hull | 13.4 | 13.9 | 13.5 |
| Huntercombe | 12.0 | 13.0 | 13.0 |
| Kingston | 11.5 | 11.3 | 10.8 |
| Kirkham | 10.5 | 10.7 | 10.5 |
| Kirklevington | 0.0 | 0.0 | 0.4 |
| Lancaster | 12.3 | 12.7 | 13.3 |
| Lancaster Farms | 12.0 | 13.0 | 14.1 |
| Latchmere House | 0.0 | 0.0 | 2.1 |
| Leeds | 17.1 | 16.7 | 15.8 |
| Leicester | 12.6 | 13.1 | 12.5 |
| Lewes | 14.8 | 15.1 | 14.6 |
| Leyhill | 0.0 | 0.0 | 2.7 |
| Lincoln | 12.8 | 12.8 | 13.7 |
| Lindholme | 8.7 | 8.7 | 8.9 |
| Littlehey | 13.5 | 13.5 | 13.5 |
| Liverpool | 16.8 | 16.7 | 17.1 |
| Long Lartin | 13.3 | 13.6 | 14.5 |
| Low Newton | 14.8 | 14.8 | 14.5 |
| Maidstone | 12.6 | 12.6 | 13.4 |
| Manchester | 11.6 | 12.9 | 13.7 |
| Moorland | 12.1 | 12.0 | 11.5 |
| Morton Hall | 0.0 | 9.0 | 9.0 |
| Mount | 11.9 | 12.2 | 13.9 |
| New Hall | 12.0 | 12.0 | 12.4 |
| North Sea Camp | 7.5 | 7.5 | 7.6 |
| Northallerton | 13.8 | 13.8 | 13.8 |
| Norwich | 12.9 | 14.2 | 14.7 |
| Nottingham | 12.0 | 12.2 | 14.3 |
| Onley | 12.0 | 12.4 | 12.5 |
| Parkhurst | 13.0 | 13.1 | 13.7 |
| Pentonville | 13.9 | 15.2 | 15.0 |
| Portland | 13.3 | 13.4 | 13.3 |
| Preston | 15.2 | 14.8 | 15.8 |
| Ranby | 10.8 | 10.9 | 10.8 |
| Reading | 13.5 | 15.2 | 14.9 |
| Risley | 13.1 | 13.2 | 14.2 |
| Rochester | 12.3 | 11.7 | 12.3 |
| Send | 11.3 | 11.3 | 11.3 |
| Shepton Mallet | 12.0 | 12.0 | 12.0 |
| Shrewsbury | 14.1 | 10.0 | 10.6 |
| Stafford | 14.5 | 14.5 | 14.6 |
| Standford Hill | 9.5 | 9.3 | 8.1 |
| Stocken | 11.5 | 11.5 | 11.5 |
| Stoke Heath | 11.9 | 12.3 | 12.8 |
| Styal | 10.7 | 10.8 | 10.8 |
| Sudbury | 6.3 | 0.0 | 0.0 |
| Swaleside | 14.0 | 14.2 | 14.3 |
| Swansea | 13.3 | 14.7 | 16.7 |
| Swinfen Hall | 13.9 | 13.9 | 15.4 |
| Thorn Cross | 11.5 | 11.5 | 11.5 |
| Usk | 8.2 | 7.8 | 7.6 |
| Verne | 9.5 | 9.5 | 9.5 |
| Wakefield | 12.4 | 13.1 | 14.3 |
| Wandsworth | 14.1 | 14.5 | 15.8 |
| Wayland | 12.0 | 12.3 | 13.5 |
| Wealstun | 11.4 | 11.4 | 11.7 |
| Wellingborough | 12.0 | 12.0 | 12.7 |
| Werrington | 10.5 | 10.5 | 10.5 |
| Wetherby | 12.0 | 12.6 | 13.3 |
| Whatton | 11.3 | 11.3 | 11.3 |
| Whitemoor | 13.8 | 13.9 | 13.9 |
| Winchester | 15.5 | 13.5 | 15.6 |
| Woodhill | 12.1 | 12.5 | 13.1 |
| Wormwood Scrubs | 13.7 | 15.8 | 15.3 |
| Wymott | 10.8 | 11.7 | 11.8 |
| *Privately managed prisons* | | | |
| Blakenhurst | 10.7 | 13.3 | 13.3 |
| Buckley Hall | 10.7 | 11.5 | 10.9 |
| Doncaster | 11.9 | 12.5 | 12.9 |
| Wolds | 10.5 | 10.6 | 12.0 |
| Service Total | 11.8 | 12.0 | 12.2 |
| Altcourse | | | 1.1 |
| Lowdham Grange | | | 10.5 |
| Parc | | | 1.0 |

These establishments began operating during the course of the year. The data are therefore only partial and so have not been included in the service totals.

## Home Detention Curfew

**Mr. Beith:** To ask the Secretary of State for the Home Department what level of probation supervision those offenders released under the Home Detention Curfew scheme will be subject to; and if he will make a statement. [171927]

**Mr. George Howarth:** Offenders sentenced to 12 months and over are subject on release to supervision by a probation officer in accordance with National Standards, which apply whether or not an offender qualifies for the home detention curfew scheme. These Standards lay down, amongst other things, minimum levels of contact. A copy of the Standards is in the Library. They are now being reviewed in consultation with interested bodies, but revisions will not come into effect before April 2000.

Offenders subject to shorter sentences are not liable to statutory probation service supervision, but may approach probation staff for advice or assistance.

No offenders are placed on home detention curfew scheme in the first place without a probation service assessment of suitability.

### Prisoners (Repatriation)

**Mr. Beith:** To ask the Secretary of State for the Home Department how many foreign nationals, excluding Irish nationals, serving prison sentences in the UK have *(a)* applied for repatriation to their home countries in the last two years to complete their sentences and *(b)* had their applications granted; and if he will make a statement. [71865]

**Mr. George Howarth:** The number of foreign national prisoners (excluding Irish nationals) in England and Wales who applied for repatriation to their home countries to complete their sentences were as follows:

1997: 90

1998: 112.

The number of foreign national prisoners (excluding Irish nationals) transferred from England and Wales to their home country over the same period were:

1997: 5

1998: 20.

Figures relating to Scotland and Northern Ireland are the responsibility of the Secretaries of State for Scotland and for Northern Ireland respectively.

These figures do not necessarily relate to applications made in the same period.

### Violence (NHS and School Staff)

**Mr. Beith:** To ask the Secretary of State for the Home Department if he will list for each of the last three years for which figures are available, how many incidents of violence were recorded *(a)* against NHS staff, *(b)* against school staff and *(c)* in total; and if he will make a statement. [71862]

**Mr. Boateng:** The information requested for NHS and schools staff is not collected centrally. The total numbers of violent crimes notified to the Home Office in the last three financial years, which includes offences of violence against the person, robbery and sexual offences, are as follows:

| | *Number of offences* |
|---|---|
| 1995-96 | 319,675 |
| 1996-97 | 348,032 |
| 1997-98 | 352,873 |

### Bookmakers

**Mr. Nigel Jones:** To ask the Secretary of State for the Home Department what representations he has received regarding the proposed changes to the Bookmakers Committee. [70991]

**Mr. George Howarth:** We issued a consultation letter to interested organisations seeking comments by 8 February. We have received representations from Tyndallwoods solicitors (on behalf of the British Betting Office Association, the National Association of Bookmakers and the Scottish Independent Bookmakers' Association), the Betting Office Licensees Association, William Hill, Coral, Ladbroke and Stanley Leisure.

**Mr. Nigel Jones:** To ask the Secretary of State for the Home Department what assessment he has made of the impact on the competitiveness of small and independent bookmakers of replacing the existing scheme by an increased flat percentage rate of levy payable on each bookmaking shop. [70992]

**Mr. George Howarth:** The Government have made no such assessment. The structure and rates of levy are matters for the Horserace Betting Levy Board.

### Civil Servants (Misconduct)

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70785]

**Mr. Straw:** I refer the right hon. Member to the reply given to him by my right hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 1999, *Official Report*, column 570.

### Airside Transit Visas

**Fiona Mactaggart:** To ask the Secretary of State for the Home Department (1) how many people of which nationalities holding airside transit visas were *(a)* permitted to transit at a UK airport and *(b)* refused entry to the UK in (i) 1996, (ii) 1997 and (iii) 1998; [70739]

(2) how many people of which nationalities arriving in the UK holding airside transit visas did not leave the UK as required and how many of these *(a)* applied for asylum, *(b)* were recognised as refugees, *(c)* were granted exceptional leave and *(d)* were refused entry to the UK in (i) 1996, (ii) 1997 and (iii) 1998. [70738]

**Mr. Mike O'Brien:** Information is available only on holders of airside transit visas refused entry at the 12 largest ports, and is given in the table. Only 2 of these persons applied for asylum, both in 1996—a Ghanaian who made a voluntary departure from the United Kingdom before a decision was reached on the application, and a Nigerian whose application was refused.

| | *Number* |
|---|---|
| *1996* | |
| China | 2 |
| Ghana | 2 |
| Iran | 1 |
| Iraq | 1 |
| Nigeria | 3 |
| Somalia | 1 |
| Total | 10 |
| *1997* | |
| Afghanistan | 1 |
| China | 1 |
| Ethiopia | 1 |
| Ghana | 1 |

| | Number |
|---|---|
| Iran | 4 |
| Sri Lanka | 2 |
| Uganda | 1 |
| Total | 11 |
| *1998* | |
| China | 1 |
| Ghana | 1 |
| Iran | 3 |
| Iraq | 2 |
| Slovakia | 2 |
| Sri Lanka | 2 |
| Yugoslavia | 2 |
| Total | 13 |

Data cover Heathrow (4 terminals), Gatwick (2), Manchester (2), Dover East, Harwich, Stansted, Waterloo.

### Serious Assaults

**Mr. Blunt:** To ask the Secretary of State for the Home Department what proportion of serious assaults reported to the police in England and Wales in 1998 resulted in charges being laid against the alleged perpetrators. [72022]

**Mr. Boateng:** These data are not collected centrally. For 1997 the proportion of all crimes of violence against the person, recorded by the police in England and Wales, which was cleared up by a charge or summons was 39 per cent.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Secretary of State for the Home Department if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71849]

**Mr. Straw:** In common with other Departments, the work of press officers in my Department includes responding to any misinformed allegations concerning Government policy or activity which are published in the media. They are supported in this work by other officials as necessary.

Because this is a routine part of a Department's work and it is not separately recorded from other tasks, to provide the further information requested would involve disproportionate cost.

### Mr. Nigel Locke

**Mr. Lock:** To ask the Secretary of State for the Home Department when Mr. Nigel Locke of Vine Street, Kidderminster, can expect to receive compensation for the hand guns he has surrendered as required by law; and if he will make a statement concerning the reason for the delay in making payment to Mr. Locke. [72367]

**Mr. Boateng:** Compensation was paid under Option A of the statutory surrender scheme for small-calibre pistols on 25 November 1998 and under Option C of the scheme on 17 February 1999. The more complicated Option C claims, based on individual evidence of value, are dealt with at a second stage in the interests of efficiency and to smooth the payment process. I outlined the measures we are taking to speed the processing of these compensation claims in my reply to the hon. Member for Tewkesbury (Mr. Robertson) on 28 October 1998, *Official Report*, columns *179–80*.

### Asylum Seekers

**Fiona Mactaggart:** To ask the Secretary of State for the Home Department what research he has *(a)* commissioned and *(b)* evaluated on the implications for access to the social security benefits system of where asylum seekers seek refuge. [72019]

**Mr. Mike O'Brien:** Whilst I have not commissioned any independent research, Home Office officials have examined this issue and have provided advice for Ministers.

### Review of Sex Offences

**Mr. Robathan:** To ask the Secretary of State for the Home Department (1) which *(a)* (i) religious and (ii) other bodies and *(b)* individuals have been invited to take part in the Review of Sex Offences; [72343]

(2) if he will list those *(a)* bodies and *(b)* individuals who have been invited to meet regularly with his Department's officials as part of the Review of Sex Offences. [72350]

**Mr. Boateng:** The following organisations and individuals form part of the steering group and external reference group of the review of sex offences under the chairmanship of the Home Office:

*(a)(i) Religious bodies*

CARE (Christian Action, Research and Education)
Kairos in Soho
Board of Deputies of British Jews

*(a) (ii) Other bodies*

NSPCC
The Law Society
Metropolitan Stipendiary Magistrates
Association of Chief Police Officers
Victim Support
The Bar Council
Barnardo's
The Children's Society
NCH Action for Children
Blackliners
Campaign to End Rape
Rape Crisis Federation
Stonewell
St. Mary's Sexual Assault Referral Centre
British Medical Association
Women's National Commission
MIND
MENCAP
Lord Chancellor's Department
Legal Secretariat to the Law Officers
Cabinet Office Women's Unit
Department of Health
Department of the Environment, Transport and the Regions
Department for Employment and Education
Northern Ireland Office

Welsh Office

Scottish Office

Crown Prosecution Service

Her Majesty's Treasury

Department for Culture, Media and Sport

*(b) Individuals*

Yasmin Alibhai-Brown

Martin Bowley QC

The Reverend Canon Donald Gray CBE TD PhD

Reverend Chris Russell

Dan Lambeth

Professor Jennifer Temkin

Dr Liz Kelly

No other bodies or individuals have been asked to meet regularly with my officials but there will be consultation conferences and seminars where other organisations and individuals will be able to contribute their views.

**Mr. Robathan:** To ask the Secretary of State for the Home Department (1) if the closure date for submissions to the Review of Sex Offences is likely to be extended; [72349]

(2) which *(a)* bodies and *(b)* individuals have been consulted to date as part of the Review of Sex Offences; [72346]

(3) if *(a)* bodies and *(b)* individuals who have not been invited to meet regularly with his Department's officials as part of the Review of Sex Offences will have any further opportunity to contribute to the Review after the closure date for submissions. [72348]

**Mr. Boateng:** The review of sex offences is being carried out in an open and inclusive manner. The terms of reference were set out in a consultation leaflet issued on 25 January. The leaflet "A Review of Sex Offences" invites views on how the criminal law should apply in the area of sex offences, and asks for responses by 19 March 1999. Some 4,000 copies of the leaflet have been sent out to a wide cross-section of organisations and individuals concerned with criminal justice and social policy. The leaflet is also available on the Internet.

There are no plans formally to extend the period of this initial consultation which is intended to enable people to put their views on the present law in at the beginning so that they can contribute directly to the work of the review at an early stage. The review would however like to continue to receive views as its work progresses.

This initial consultation exercise will be followed by a series of conferences and seminars on particular aspects of sex offences, which will enable bodies and individuals who are not on the steering group or external review group to contribute to the work of the review.

The recommendations of the review will form the basis of further public consultation exercise on the proposals that emerge.

**Mr. Robathan:** To ask the Secretary of State for the Home Department if the Review of Sex Offences will be considering raising the ages of consent for sexual activity. [72347]

**Mr. Boateng:** The review will be considering the whole framework of sex offences, which would include whether the ages of consent should be raised. We have already made it absolutely clear that this Government will not accept any reduction in the age of consent below that of 16 years.

## Buggery

**Mr. Robathan:** To ask the Secretary of State for the Home Department for each of the years 1987 to 1997 of those convicted of the offence of buggery (1) in how many cases the victim or other party to the offence was aged *(a)* under 14, *(b)* 14 to 17, *(c)* 18 to 20, *(d)* 21 to 40, *(e)* 41 to 64 and *(f)* 65 years and over, giving in each age group the number who were (1) male and (2) female; [72345]

(2) of those convicted of *(a)* indecent assault on a male, *(b)* indecency between males and *(c)* buggery in each of the years 1987 to 1997, for each of the age groups (i) under 14, (ii) 14 to 17, (iii) 18 to 20, (iv) 21 to 40, (v) 41 to 64 and (vi) 65 years and over, how many were sentenced to immediate custody; [72342]

(3) for each of the years 1987 to 1997, what were the numbers of *(a)* prosecutions, *(b)* convictions and *(c)* cautions for (1) indecency between males and (2) buggery; and in each of the categories what were the numbers of those persons who were aged (i) under 14, (ii) 14 to 17, (iii) 18 to 20, (iv) 21 to 40, (v) 41 to 64 and (vi) 65 years and over. [72338]

**Mr. Boateng:** Available information is given in the tables. The Home Office Court Proceedings Database cannot identify the ages of victims to the detail required.

*Table A. Number of persons convicted at all courts of buggery offences by type of offence, England and Wales, 1987–97*

| *Offence description* | *1987* | *1988* | *1989* | *1990* | *1991* | *1992* | *1993* | *1994* | *1995* | *1996* | *1997* |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Buggery with a boy under the age of sixteen or with a woman or animal | 195 | 232 | 183 | 189 | 168 | 163 | 136 | 135 | 86 | 5 | |
| Buggery by a man with a male of the age of 16 or over without consent | 14 | 18 | 15 | 13 | 14 | 15 | 17 | 23 | 8 | 2 | |
| Buggery by a man of the age of 21 or over with another male under the age of 21 with consent | 10 | 20 | 12 | 9 | 10 | 12 | 4 | 7 | 1 | | |
| Buggery by a man with another male other than above | 6 | 15 | 3 | 4 | 5 | 3 | 5 | 1 | 2 | | |
| Male member of staff of hospital or mental nursing home committing buggery or act of gross indecency with a male patient | | | 1 | | 1 | | 1 | | | | |
| Man committing buggery or an act of gross indecency with mentally disordered male patient who is subject to his care | 2 | | | | | 1 | | | | | |
| Attempt to commit buggery with a boy under the age of 16 or with a woman or an animal | 20 | 31 | 26 | 18 | 26 | 17 | 20 | 16 | 14 | 2 | |
| Attempt by a man to commit buggery with a male of the age of 16 or over without consent | 3 | 5 | 2 | 2 | 2 | 2 | 2 | 1 | 2 | | |

*Table A: Number of persons convicted at all courts of buggery offences by type of offence, England and Wales, 1987–97*

| *Offence description* | *1987* | *1988* | *1989* | *1990* | *1991* | *1992* | *1993* | *1994* | *1995* | *1996* | *1997* |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Attempt by a man of the age of 21 or over to commit buggery with another male under the age of 16 or over without consent | 3 | 4 | 5 | — | — | — | — | 2 | — | — | — |
| Attempt by a man to commit buggery with another male other than above | — | 2 | 1 | 1 | — | — | — | 1 | — | — | — |
| Assault with attempt to commit buggery | 4 | 1 | 6 | 5 | 3 | — | 2 | 2 | 1 | — | 5 |
| *Buggery and attempted buggery offences under S12 Sexual Offences Act 1956, as amended by S143 Criminal Justice and Public Order Act 1994* | | | | | | | | | | | |
| Buggery or attempted buggery by a male of a male under 16 | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | 29 | 66 | 70 |
| Buggery or attempted buggery by a male aged 21 or over with a male aged 16 or 17 | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | 2 | 3 | 6 |
| Buggery by a male aged 18–20 with a male aged 16 or 17 | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | — | — | 1 |
| Buggery or attempted buggery by a male aged 16 or 17 with a male aged 16 or over | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | — | — | — |
| Buggery or attempted buggery by a male with another male not included above | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | 7 | 2 | 9 |
| Buggery or attempted buggery by a male with a female under 16 | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | 7 | 17 | 21 |
| Buggery or attempted buggery by a male aged 21 or over with a female aged 16 or 17 | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | 2 | 2 | — |
| Buggery or attempted buggery by a male aged 18–20 with a female aged 16 or 17 | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | 1 | — | — |
| Buggery or attempted buggery by a male with a female not included above | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | 7 | 10 | 7 |
| Buggery or attempted buggery with an animal | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | [1]— | — | 4 | 1 |
| Other buggery offences | — | — | — | — | 4 | — | — | 1 | — | — | — |
| Total buggery offences | 257 | 328 | 254 | 241 | 233 | 213 | 187 | 189 | 169 | 113 | 120 |

[1] Not applicable

*Table B: Number of persons cautioned, prosecuted at magistrates' courts and convicted at all courts for offences of (a) indecency between males and (b) buggery by age—1987–97, England and Wales*

| *Offence and age* | *1987* | *1988* | *1989* | *1990* | *1991* | *1992* | *1993* | *1994* | *1995* | *1996* | *1997* |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *(a) Indecency between males* | | | | | | | | | | | |
| *Age 10–13* | | | | | | | | | | | |
| Cautioned | 5 | 4 | 5 | 9 | 6 | 2 | 3 | — | 1 | 2 | 2 |
| Prosecuted | — | — | 1 | — | 1 | — | — | — | — | — | — |
| Convicted | — | — | 1 | — | — | — | — | — | — | — | — |
| *Age 14–17* | | | | | | | | | | | |
| Cautioned | 22 | 24 | 36 | 36 | 13 | 22 | 10 | 10 | 8 | 11 | 5 |
| Prosecuted | 10 | 15 | 20 | 20 | 6 | 7 | 2 | 6 | 6 | 1 | 1 |
| Convicted | 9 | 12 | 15 | 14 | 5 | 3 | — | 4 | 3 | 2 | — |
| *Age 18–20* | | | | | | | | | | | |
| Cautioned | 20 | 19 | 24 | 19 | 22 | 30 | 22 | 8 | 8 | 6 | 13 |
| Prosecuted | 45 | 58 | 54 | 53 | 31 | 26 | 11 | 11 | 8 | 7 | 11 |
| Convicted | 42 | 52 | 46 | 36 | 15 | 20 | 6 | 8 | 3 | 4 | 3 |
| *Age 21–40* | | | | | | | | | | | |
| Cautioned | 60 | 63 | 77 | 121 | 180 | 239 | 259 | 265 | 176 | 156 | 183 |
| Prosecuted | 577 | 770 | 877 | 673 | 455 | 401 | 283 | 289 | 246 | 135 | 154 |
| Convicted | 523 | 645 | 772 | 534 | 349 | 299 | 192 | 226 | 203 | 108 | 112 |
| *Age 41–64* | | | | | | | | | | | |
| Cautioned | 28 | 32 | 43 | 47 | 82 | 161 | 145 | 128 | 133 | 106 | 90 |
| Prosecuted | 395 | 612 | 695 | 534 | 285 | 304 | 209 | 280 | 202 | 124 | 132 |
| Convicted | 353 | 553 | 606 | 427 | 232 | 230 | 169 | 226 | 176 | 97 | 105 |
| *Age 65+* | | | | | | | | | | | |
| Cautioned | 20 | 21 | 30 | 18 | 24 | 22 | 34 | 26 | 21 | 23 | 15 |
| Prosecuted | 32 | 80 | 70 | 46 | 37 | 38 | 35 | 22 | 32 | 16 | 20 |
| Convicted | 24 | 71 | 63 | 37 | 26 | 27 | 22 | 16 | 25 | 8 | 17 |
| *All ages* | | | | | | | | | | | |
| Cautioned | 155 | 163 | 215 | 250 | 327 | 476 | 473 | 437 | 347 | 304 | 308 |
| Prosecuted | 1,059 | 1,535 | 1,717 | 1,326 | 815 | 776 | 540 | 608 | 494 | 283 | 318 |
| Convicted | 951 | 1,333 | 1,503 | 1,048 | 627 | 579 | 389 | 480 | 410 | 219 | 237 |

*Table B: Number of persons cautioned, prosecuted at magistrates' courts and convicted at all courts for offences of (a) indecency between males and (b) buggery by age—1987–97, England and Wales*

| Offence and age | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *(b) Buggery offences* | | | | | | | | | | | |
| *Age 10–13* | | | | | | | | | | | |
| Cautioned | 5 | 7 | 10 | 13 | 6 | 4 | 9 | 8 | 6 | 5 | 1 |
| Prosecuted | 1 | 1 | — | 2 | 1 | 1 | — | 4 | 3 | 1 | 1 |
| Convicted | 1 | — | 1 | 1 | 1 | — | — | 2 | 1 | — | — |
| *Age 14–17* | | | | | | | | | | | |
| Cautioned | 37 | 34 | 28 | 42 | 31 | 30 | 21 | 30 | 5 | 7 | 7 |
| Prosecuted | 22 | 38 | 28 | 41 | 41 | 27 | 25 | 37 | 15 | 9 | 7 |
| Convicted | 17 | 26 | 17 | 24 | 15 | 16 | 10 | 17 | 7 | 3 | 3 |
| *Age 18–20* | | | | | | | | | | | |
| Cautioned | 12 | 14 | 11 | 6 | 7 | 4 | 9 | 2 | 1 | — | 3 |
| Prosecuted | 27 | 34 | 27 | 20 | 27 | 24 | 24 | 18 | 7 | 2 | 7 |
| Convicted | 21 | 30 | 20 | 17 | 14 | 20 | 10 | 11 | 9 | 4 | 4 |
| *Age 21–40* | | | | | | | | | | | |
| Cautioned | 15 | 18 | 19 | 21 | 20 | 18 | 12 | 14 | 6 | 4 | 3 |
| Prosecuted | 178 | 209 | 182 | 197 | 192 | 203 | 184 | 191 | 108 | 47 | 51 |
| Convicted | 131 | 158 | 135 | 109 | 119 | 95 | 90 | 100 | 81 | 45 | 46 |
| *Age 41–64* | | | | | | | | | | | |
| Cautioned | 6 | 7 | 10 | 7 | 3 | 7 | 7 | 5 | 3 | 2 | 1 |
| Prosecuted | 97 | 136 | 126 | 140 | 130 | 163 | 129 | 153 | 103 | 73 | 86 |
| Convicted | 85 | 109 | 74 | 88 | 78 | 72 | 71 | 52 | 67 | 54 | 54 |
| *Age 65+* | | | | | | | | | | | |
| Cautioned | — | 4 | 3 | 6 | 2 | 1 | — | 2 | 1 | 1 | 2 |
| Prosecuted | 4 | 5 | 13 | 13 | 11 | 8 | 9 | 7 | 9 | 8 | 25 |
| Convicted | 2 | 5 | 7 | 2 | 6 | 10 | 6 | 7 | 4 | 7 | 13 |
| *All ages* | | | | | | | | | | | |
| Cautioned | 75 | 84 | 81 | 95 | 69 | 64 | 58 | 61 | 22 | 19 | 17 |
| Prosecuted | 329 | 423 | 376 | 413 | 402 | 426 | 371 | 410 | 245 | 140 | 177 |
| Convicted | 257 | 328 | 254 | 241 | 233 | 213 | 187 | 189 | 169 | 113 | 120 |

*Table C: Number of persons sentenced at all courts to immediate custody for offences of (a) indecent assault on a male, (b) indecency between males and (c) buggery by age-group, England and Wales, 1987–97*

| Offence and age group | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *(a) Indecent assault on a male* | | | | | | | | | | | |
| *Age 10–13* | | | | | | | | | | | |
| Total sentenced | 4 | 3 | 3 | 2 | 2 | 1 | 4 | 6 | — | 2 | 5 |
| *Age 14–17* | | | | | | | | | | | |
| Immediate custody | 2 | 3 | 2 | 2 | 2 | 2 | 4 | 1 | 3 | 5 | 3 |
| Total sentenced | 34 | 37 | 32 | 32 | 24 | 30 | 22 | 28 | 34 | 41 | 45 |
| *Age 18–20* | | | | | | | | | | | |
| Immediate custody | 9 | 6 | 11 | 10 | 5 | 4 | 8 | 8 | 8 | 10 | 3 |
| Total sentenced | 28 | 32 | 45 | 35 | 26 | 23 | 23 | 22 | 18 | 22 | 14 |
| *Age 21–40* | | | | | | | | | | | |
| Immediate custody | 107 | 108 | 85 | 103 | 88 | 77 | 92 | 93 | 84 | 109 | 107 |
| Total sentenced | 240 | 253 | 205 | 259 | 199 | 191 | 175 | 168 | 180 | 176 | 167 |
| *Age 41–64* | | | | | | | | | | | |
| Immediate custody | 93 | 87 | 83 | 73 | 84 | 86 | 92 | 97 | 151 | 141 | 141 |
| Total sentenced | 178 | 193 | 194 | 209 | 185 | 197 | 158 | 166 | 229 | 205 | 216 |
| *Age 65 and* | | | | | | | | | | | |
| Immediate cust | 8 | 11 | 10 | 9 | 7 | 5 | 9 | 7 | 14 | 15 | 10 |
| Total sentenced | 26 | 30 | 27 | 34 | 29 | 22 | 30 | 20 | 25 | 29 | 20 |
| *All ages* | | | | | | | | | | | |
| Immediate custody | 219 | 215 | 191 | 197 | 186 | 174 | 205 | 206 | 260 | 280 | 264 |
| Total sentenced | 510 | 548 | 506 | 571 | 465 | 464 | 412 | 410 | 486 | 475 | 467 |
| *(b) Indecency between males* | | | | | | | | | | | |
| *Age 10–13* | | | | | | | | | | | |
| Total sentenced | — | — | 1 | — | — | — | — | — | — | — | — |
| *Age 14–17* | | | | | | | | | | | |
| Immediate custody | 1 | — | 2 | — | — | 1 | — | — | — | — | — |
| Total sentenced | 9 | 12 | 15 | 14 | 5 | 3 | — | 4 | 3 | 2 | — |
| *Age 18–20* | | | | | | | | | | | |
| Immediate custody | — | | 1 | — | — | — | — | — | — | — | — |
| Total sentenced | 42 | 52 | 46 | 36 | 15 | 20 | 6 | 8 | 3 | 4 | 3 |
| *Age 21–40* | | | | | | | | | | | |
| Immediate custody | 19 | 8 | 13 | 6 | 5 | 4 | 4 | 3 | 5 | 3 | 3 |
| Total sentenced | 522 | 645 | 772 | 532 | 349 | 299 | 191 | 226 | 203 | 108 | 112 |

*Table C: Number of persons sentenced at all courts to immediate custody for offences of (a) indecent assault on a male, (b) indecency between males and (c) buggery by age-group, England and Wales, 1987–97*

| *Offence and age group* | *1987* | *1988* | *1989* | *1990* | *1991* | *1992* | *1993* | *1994* | *1995* | *1996* | *1997* |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Age 41–64* | | | | | | | | | | | |
| Immediate custody | 11 | 12 | 7 | 5 | 6 | 3 | 2 | 4 | 12 | 1 | 3 |
| Total sentenced | 353 | 553 | 605 | 429 | 231 | 231 | 169 | 226 | 176 | 97 | 104 |
| *Age 65 and over* | | | | | | | | | | | |
| Immediate custody | — | — | — | — | — | — | — | 1 | 1 | — | — |
| Total sentenced | 24 | 71 | 63 | 37 | 26 | 27 | 21 | 16 | 25 | 8 | 17 |
| *All ages* | | | | | | | | | | | |
| Immediate custody | 31 | 20 | 23 | 11 | 11 | 8 | 6 | 8 | 18 | 4 | 6 |
| Total sentenced | 950 | 1,333 | 1,502 | 1,048 | 626 | 580 | 387 | 480 | 410 | 219 | 236 |
| *(c) Buggery offences* | | | | | | | | | | | |
| *Age 10–13* | | | | | | | | | | | |
| Total sentenced | 1 | | 1 | 1 | 1 | — | — | 2 | 1 | — | — |
| *Age 14–17* | | | | | | | | | | | |
| Immediate custody | 4 | 3 | | 2 | 8 | 1 | 2 | 1 | 3 | — | — |
| Total sentenced | 17 | 26 | 17 | 23 | 16 | 16 | 10 | 17 | 7 | 3 | 3 |
| *Age 18–20* | | | | | | | | | | | |
| Immediate custody | 11 | 13 | 11 | 7 | 10 | 8 | 6 | 7 | 6 | 2 | 1 |
| Total sentenced | 21 | 30 | 20 | 17 | 15 | 20 | 10 | 11 | 9 | 4 | 4 |
| *Age 21–40* | | | | | | | | | | | |
| Immediate custody | 108 | 117 | 105 | 79 | 93 | 75 | 65 | 68 | 68 | 40 | 39 |
| Total sentenced | 131 | 158 | 135 | 109 | 119 | 95 | 90 | 100 | 81 | 45 | 46 |
| *Age 41–64* | | | | | | | | | | | |
| Immediate custody | 73 | 95 | 65 | 81 | 71 | 55 | 61 | 50 | 59 | 50 | 50 |
| Total sentenced | 85 | 109 | 74 | 88 | 78 | 72 | 71 | 52 | 67 | 54 | 54 |
| *Age 65 and over* | | | | | | | | | | | |
| Immediate custody | 2 | 5 | 7 | 2 | 5 | 8 | 5 | 4 | 4 | 7 | 12 |
| Total sentenced | 2 | 5 | 7 | 2 | 6 | 10 | 6 | 7 | 4 | 7 | 13 |
| *All ages* | | | | | | | | | | | |
| Immediate custody | 198 | 233 | 188 | 171 | 187 | 147 | 139 | 130 | 140 | 99 | 102 |
| Total sentenced | 257 | 328 | 254 | 240 | 235 | 213 | 187 | 189 | 169 | 113 | 120 |

## Indecency Offences (Males)

**Mr. Robathan:** To ask the Secretary of State for the Home Department for each of years 1987 to 1997 what was the number of notifications for the offence of indecency between males. [72344]

**Mr. Boateng:** The numbers of recorded offences of indecency between males from 1987 to 1997 in England and Wales are as listed.

| *Year* | *Number* |
|---|---|
| 1987 | 1,127 |
| 1988 | 1,306 |
| 1989 | 2,022 |
| 1990 | 1,159 |
| 1991 | 965 |
| 1992 | 892 |
| 1993 | 671 |
| 1994 | 683 |
| 1995 | 727 |
| 1996 | 553 |
| 1997 | 520 |

## KPMG

**Mr. Ruffley:** To ask the Secretary of State for the Home Department if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72010]

**Mr. Straw:** Services performed by KPMG for my Department and the estimated remuneration made in each case are as follows:

*(a) From 1 May 1997 to date (ie 20 months)*

| *Service* | *Amount (£)* |
|---|---|
| Management Consultancy Services | 181,784 |
| Training/Personnel services | 123,445 |
| Project Management/Participation | 2,382,012 |
| Audit Services | 144,279 |
| Benchmarking Services | 102,385 |
| Financial Advice | 122,385 |
| Total | 3,056,290 |

*(b) From 1 November 1995 to 30 April 1997 (ie 20 months prior to 1 May 1997)*

| *Service* | *Amount (£)* |
|---|---|
| Management Consultancy Services | 7,984 |
| Training/Personnel services | 8,216 |
| Project Management/Participation | 40,537 |
| Audit Services | 3,000 |
| Benchmarking Services | — |
| Financial Services | — |
| Total | 59,737 |

The information does not include data for the Prison Service for the period 1 November 1995 to 31 March 1996, as records were not kept before April 1996.

### Crime (Victims and Witnesses)

**Ms Christine Russell:** To ask the Secretary of State for the Home Department what plans he has to improve services for victims of crime and witnesses. [72146]

**Mr. Boateng:** I will be announcing very shortly how we intend to improve services for victims and witnesses at magistrates' courts and the enhanced level of funding we shall be making available to Victim Support.

### Ministerial Meetings (US Ministers)

**Mr. Matthew Taylor:** To ask the Secretary of State for the Home Department how many times Ministers in his Department have met their counterparts in the US Administration since 1 June 1998, indicating the dates and locations of each meeting, the Ministers involved, and the name of the US counterpart. [71964]

**Mr. Straw:** I am in regular contact with Janet Reno, the United States Attorney General, and have had a number of meetings with her. In the period covered by the question, I also chaired a meeting of G8 counterparts, on 16 December 1998, which was conducted by video conference, at the request of Janet Reno.

Since June 1998, there have been no other meetings between Ministers in my Department and their United States counterparts.

### CS Aerosol Incapacitants

**Mr. Matthew Taylor:** To ask the Secretary of State for the Home Department if he will place in the Library the guidelines for the police on the use of personal issue, hand-held CS aerosol incapacitants. [71963]

**Mr. Boateng:** Copies of the guidelines issued by the Association of Chief Police Officers (ACPO) were placed in the Library on 17 April 1996, in response to a question from my hon. Friend the Member for Huddersfield (Mr. Sheerman). I understand that the guidelines are currently being reviewed by ACPO. No guidelines are issued by the Home Office.

### Railways (Trespassing)

**Mr. Cawsey:** To ask the Secretary of State for the Home Department which organisation has overall responsibility for prosecuting trespass on railways; and how many prosecutions for trespassing on railways have taken place in each year since 1996. [71531]

**Ms Glenda Jackson:** I have been asked to reply.

The initial decision to prosecute trespassers is taken by the British Transport Police but the final decision to continue a prosecution with a court hearing lies with the Crown Prosecution Service. The figures for prosecutions since 1996 are as follows:

| | *Prosecuted* | *Cautioned/warned* | *Total* |
|---|---|---|---|
| 1996 | 321 | 4,390 | 4,711 |
| 1997 | 589 | 4,751 | 5,340 |
| 1998 | 485 | 4,574 | 5,059 |
| Total | 1,395 | 13,685 | 15,080 |

**Mr. Cawsey:** To ask the Secretary of State for the Home Department on how many occasions since 1996 an individual identified by the police as causing a rail accident whilst trespassing on the railway has not subsequently been prosecuted. [71532]

**Ms Glenda Jackson:** I have been asked to reply.

The British Transport Police have no record of any occasion where an identified person who has caused a rail accident while trespassing on the railways has not been prosecuted.

**Mr. Cawsey:** To ask the Secretary of State for the Home Department if he will list *(a)* the hunts which have been investigated by the police for possible offences since 1996 and *(b)* the investigations which related to (i) trespassing on railways and (ii) causing road accidents. [71530]

**Mr. Boateng:** This information is not held centrally and could be obtained only at disproportionate cost.

### Domestic Violence

**Mrs. Gillan:** To ask the Secretary of State for the Home Department if he will estimate how many women reported domestic violence for the years *(a)* 1996-97 and *(b)* 1997-98, indicating the methodology used in his estimate. [71782]

**Mr. Boateng:** Recorded crime statistics relate to offence type, not to the relationship between offender and victim. There is, therefore, no definitive figure for the number of crimes which are domestic in nature.

Statistical returns submitted to Her Majesty's Inspectorate of Constabulary (HMIC) by police forces in England and Wales have included a figure on domestic violence incidents, but, until now, the definition of "domestic violence" has been interpreted very differently between forces. From April 1999, HMIC will be adopting a narrower, but common, definition.

The 1996 British Crime Survey included a new computerised self-completion questionnaire designed to give the most reliable findings to date on the extent of domestic violence in England and Wales.

The report on the findings of this questionnaire (Home Office Research Study 191) was published on 21 January 1999, and a copy has been placed in the Library. 4.2 per cent. of women said they had been physically assaulted by a current or former partner in the last year. The police were told of 9 per cent. of incidents against women who reported one or two attacks, and 22 per cent. of incidents against women who reported three or more attacks. Medical staff were the next most likely to hear of incidents.

### Drug Dealers

**Mr. Cox:** To ask the Secretary of State for the Home Department how many convicted drug dealers now serving prison sentences in England and Wales who have been convicted in the last five years, and were ordered by the trial judge to hand over financial assets thought to have been acquired as a result of dealing in drugs, have not done so to date; and if he will make a statement. [69806]

**Mr. Boateng:** The information requested is not collected centrally to the detail required.

The available information, taken from the Home Office Court Proceedings Database, shows that between 1993 to 1997, 22,959 offenders were sentenced to immediate custody at the Crown Court for drug trafficking offences. Out of these, a confiscation order was imposed on 5,322 (23 per cent.).

### Mediation UK

**Jackie Ballard:** To ask the Secretary of State for the Home Department if he will make a statement on the progress of discussions with Mediation UK for core funding for 1999–2000. [71542]

**Mr. Boateng:** Mediation UK does valuable work, which contributes to the policy objectives of a number of Government Departments. It has not previously been funded by the Home Office but I am meeting its Director, this week, to discuss possible ways of keeping the organisation in being while longer-term funding issues are considered.

### Legal Services

**Mr. Ruffley:** To ask the Secretary of State for the Home Department if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70033]

**Mr. Straw** *[holding answer 8 February 1999]*: The information sought could be supplied only at disproportionate cost.

My right hon. and learned Friend the Attorney-General appointed Philip Sales as First Junior Counsel (Common Law) and Jonathan Crow as First Junior Treasury Counsel (Chancery) to advise and represent the Government in their important civil cases. In addition, the Attorney-General maintains at present two London panels of junior Counsel whom Departments are expected to use for the rest of the Government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers. The Attorney-General's individual nomination is required before a barrister who is not on one of the approved panels can be instructed to appear for the Government in litigation.

Departments may use firms of solicitors in addition to the Treasury Solicitor and their departmental legal advisers, for example, where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

### Disabled People

**Mr. Berry:** To ask the Secretary of State for the Home Department what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71287]

**Mr. Straw:** It is not possible to identify the amounts in my Department's budget which can be specifically attributed to spending on people with disabilities. Such spending is contained within wider budgets allocated to different parts of my Department.

### South Devon Hunt

**Mr. Cawsey:** To ask the Secretary of State for the Home Department if he will make a statement about the progress of the investigation by Devon and Cornwall Police into the road accidents on the A38 near Ashburton in December 1998 involving the South Devon Hunt. [71590]

**Mr. Boateng:** I understand from the Devon and Cornwall Constabulary that the investigation into the two accidents is nearing completion and that they will be writing to those involved in the near future.

### Mink-keeping Licences

**Maria Eagle:** To ask the Secretary of State for the Home Department how many *(a)* prosecutions have been brought and *(b)* convictions have been secured against individuals in connection with protests against establishments holding a mink-keeping licence in the last five years. [71312]

**Mr. Boateng:** Protesters would not be prosecuted unless they were committing an offence, for example, aggravated trespass, criminal damage, or breach of the peace, or breaking conditions which may be imposed on processions and assemblies by the police under the Public Order Act 1986. The Home Office Court Proceedings Database does not identify the circumstances of an offence to the detail required.

### Criminal Cases Review Commission

**Mrs. Ellman:** To ask the Secretary of State for the Home Department what assessment he has made of the operation of the Criminal Cases Review Commission; and if he will make a statement. [71359]

**Kate Hoey:** My right hon. Friend the Home Secretary's view on the performance and effectiveness of the Commission was set out in a recent note for the Home Affairs Select Committee, a copy of which has been placed in the Library.

**Mrs. Ellman:** To ask the Secretary of State for the Home Department for how long the Criminal Cases Review Commission has been considering the case of Mr. John Kamara; and when he expects them to reach a decision. [71360]

**Kate Hoey:** I understand that the Commission began work on Mr. Kamara's application in July 1997, and that the case is due to be considered next month by a case committee of three Commission members, which may either decide whether or not to refer the case to the Court of Appeal, or that further investigation is required.

### Trespass (Prosecutions)

**Mr. Gill:** To ask the Secretary of State for the Home Department how many cases of trespass onto private property have resulted in prosecution in each of the past 10 years. [71526]

**Mr. Boateng:** Information given in the table is for criminal prosecutions under sections 61 and 68 to 71 of the Criminal Justice and Public Order Act 1994.

In the past, the police and courts had dealt with trespass situations covered by the Criminal Justice and Public Order Act using pre-existing powers and offences. These included sections of the Public Order Act 1986, common law breach of the peace, public nuisance and criminal damage. Information on the Home Office Court Proceedings Database does not identify the circumstances of such offences.

*Number of defendants prosecuted for criminal trespass offences under sections 61, 68 and 69 of the Criminal Justice and Public Order Act 1994, England and Wales, 1995–97*

| *Offence description* | *1995* | *1996* | *1997* |
|---|---|---|---|
| S61 Power to remove trespassers on land | 4 | 4 | 15 |
| S68 Offence of aggravated trespass | 111 | 359 | 160 |
| S69 Powers to remove persons committing or participating in aggravated trespass | 15 | 27 | 25 |
| S70(pp) Take part in prohibited assembly | | | |
| S70(pp) Inciting another to take part in a prohibited assembly | 2 | 2 | |
| S70(pp) Inciting another to take part in a prohibited trespassory assembly | 1 | 2 | |
| S71 Ignoring a directive not to proceed in the direction of the assembly (trespassory) | | 1 | |

As added to Part II S14A and 14B of Public Order Act 1986
As added to Part II S14C of Public Order Act 1986

### Road Policing

**Mr. Kidney:** To ask the Secretary of State for the Home Department what actions he is taking to ensure greater consistency among police forces in road policing. [71479]

**Mr. Boateng:** In the Crime and Disorder Act 1998, we provided the means to tackle local road policing issues. In August 1998 we set new overarching aims and objectives for the police. The importance of road policing is emphasised in both the objective of improving road safety and the objective of reducing crime and the fear of crime. In November, in his letter to forces about his new development priorities, my right hon. Friend the Home Secretary specifically emphasised the importance of road policing.

The recent thematic inspection of road policing by Her Majesty's Inspector of Constabulary concluded that not enough attention had previously been given to road policing and its recommendations seek the proper integration of the function which would lead to greater consistency of approach across forces.

### National Insurance Numbers and Passports

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will estimate how many illegally obtained *(a)* National Insurance numbers and *(b)* UK passports are currently held by non-UK nationals. [71097]

**Mr. Mike O'Brien:** There are no figures available on illegally obtained United Kingdom passports currently in the possession of non-United Kingdom nationals. The Passport Agency keeps records of the numbers of fraudulent passport applications detected. The level of abuse detected in 1998 was 1,368 applications, amounting to under 0.03 per cent. of total passport issues. The vast majority of these abuses related to fraudulent applications detected before a passport was issued.

The Home Office has no responsibility for National Insurance numbers; but the Department of Social Security has indicated that they have no figures relating to non-United Kingdom nationals and illegally obtained National Insurance numbers.

### Speed Cameras

**Mr. McLoughlin:** To ask the Secretary of State for the Home Department how many speed cameras are situated in each county police force area. [71438]

**Mr. Boateng:** This information is not available centrally. The enforcement of road traffic law is an operational matter for each individual chief officer and they decide whether to deploy such technology in the light of their local conditions and policing priorities.

### Cyclists

**Mr. Syms:** To ask the Secretary of State for the Home Department how many cyclists have been convicted of riding on pedestrian footpaths in *(a)* 1996, *(b)* 1997 and *(c)* 1998. [71550]

**Mr. Boateng:** Available information for the years 1995 to 1997 (latest available) is given in the table. 1998 data will begin to become available in the Spring of this year.

*Number of persons cautioned and convicted for cycling on footpaths , England and Wales, 1995–1997*

| *Disposal* | *1995* | *1996* | *1997* |
|---|---|---|---|
| Cautioned | 204 | 268 | 270 |
| Convicted | 282 | 383 | 594 |

Offences under Highways Act 1835 S72 (as amended by Local Government Act 1888 s85(1); the Statute Law Revision (no2) Act 1888; Highways Act 1959 Sch25; Criminal Justice Act 1967 3rd Sch; Criminal Justice Act 1982 ss39 and 46 and Sch3); Metropolitan Police Act 1839 s54(7); and Bylaws.

### Au Pairs

**Mr. Chope:** To ask the Secretary of State for the Home Department what plans he has to alter his Department's recommendation of £35 to £40 as a reasonable weekly allowance for au pairs working a maximum of 25 hours under rule 88 of the Immigration Rules. [71735]

**Mr. Mike O'Brien** [*pursuant to his reply, 16 February 1999, c. 654*]: Work undertaken by nationals living in the United Kingdom under the au pair scheme will not be subject to the National Minimum Wage provisions. The recommended weekly allowance will be kept under review.

### Drugs and Driving

**Mr. Sheerman:** To ask the Secretary of State for the Home Department what steps he is taking to reduce the incidence of driving while under the influence of illegal drugs. [69111]

**Mr. Boateng:** We are working closely with the Department of Environment, Transport and the Regions (DETR) and Association of Chief Police Officers. The Home Office Police Scientific Development Branch is researching into the possible development of roadside drugs screening technology and we support the Association of Chief Police Officers in its work to ensure that officers have the appropriate training to enforce the

current legislation as effectively as possible. We will consider possible changes in legislation in the light of the results of the DETR research into the incidence of drugs in road fatalities.

## HEALTH

### Minimum Wage and Working Time Regulations

**Mr. Boswell:** To ask the Secretary of State for Health what estimate he has made of the annual cost to the NHS of *(a)* the national minimum wage and *(b)* the working time regulations. [69762]

**Mr. Denham** *[holding answer 8 February 1999]:* There are no national rates of pay for adult staff working in the National Health Service at or below the national Minimum Wage level of £3.60 per hour.

Responsibility for implementing the Working Time Regulations is for local National Health Service employers. Information on the cost of implementing the regulations is not available centrally.

**Mr. Ottaway:** To ask the Secretary of State for Health what estimate he has made of the annual additional cost to the NHS resulting from the European working time directive. [69741]

**Mr. Denham:** I refer the hon. Member to the reply given today to the hon. Member for Daventry (Mr. Boswell), *Official Report*, columns *127*.

### Legal Services

**Mr. Ruffley:** To ask the Secretary of State for Health if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70032]

**Mr. Denham** *[holding answer 8 February 1999]:* The information could be obtained only at disproportionate cost.

My right hon. and learned Friend the Attorney-General appointed Philip Sales as First Junior Treasury Counsel (Common Law) and Jonathon Crowe as First Junior Treasury Counsel (Chancery) to advise and represent the Government in their important civil cases. In addition, the Attorney-General maintains at present two London panels of junior Counsel whom departments are expected to use for the rest of the government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers.

The Attorney-General's individual nomination is required before a barrister who is not one of the approved panels can be instructed to appear for the government in litigation.

Departments may use firms of solicitors in addition to Her Majesty's Treasury Solicitor and their departmental legal advisers, for example, where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

The Department of Health Headquarters (being the Departmental offices other than the NHS Executive regional offices) has not used London solicitors during the time under consideration.

As part of an arrangement made with the regional health authorities prior to their absorption into the Department as regional offices of the NHS Executive on 1 April 1996, the Department have continued to use outside solicitors (not all in London) for litigation that was already underway and for land transactions. However, identifying each firm of solicitors and specifying the amount paid to them would involve disproportionate cost.

### Blood

**Mr. Dismore:** To ask the Secretary of State for Health if he will make a statement on the Government's plans to ensure a sufficient supply of blood, plasma and other blood products within the National Blood Service over the millennium fortnight. [70168]

**Mr. Hutton:** The National Health Service Executive is working closely with the National Blood Authority to ensure sufficient stocks and contingency arrangements are in place. At local level health authorities and NHS trusts will be working with blood centres to plan adequate supplies for transfusion. The National Blood Authority's Bio Products Laboratory will be manufacturing and issuing sufficient supplies of blood products, which have a longer shelf life.

### Health Technology Assessment

**Dr. Harris:** To ask the Secretary of State for Health if he will list his Department's expenditure on the health technology assessment for each year from 1992 to 1998. [69781]

**Ms Jowell:** Expenditure in the National Health Service Health Technology Assessment Programme from 1992 to 1998 was as follows:

| *Year* | *£ million* |
|---|---|
| 1992–93 | nil |
| 1993–94 | nil |
| 1994–95 | nil |
| 1995–96 | 1.8 |
| 1996–97 | 4.4 |
| 1997–98 | 3.8 |
| 1998–99 | 6.3 |

Estimate

Copies of the "Annual Report of the NHS Health Technology Assessment Programme 1998" will be placed in the Library. This report gives details of expenditure by project.

### Clinical Perfusionists

**Audrey Wise:** To ask the Secretary of State for Health (1) what reply his Department sent to the letter of 5 November 1998 to its Chief Scientific Officer from Her Majesty's Coroner for Inner South District, Greater London, following an inquest into the death of a baby, asking that urgent consideration be given to the early introduction of statutory regulation of clinical perfusionists; [70173]

(2) what progress has been made *(a)* towards state registration of clinical perfusionists and *(b)* in dealing with the danger to the public posed by unaccredited perfusionists. [70172]

**Mr. Denham:** My noble Friend the Baroness Hayman responded directly to Her Majesty's Coroner on 16 December 1998 indicating that we expect the employment of clinical perfusionists in the National Health Service to be confined to professionally accredited practitioners and are consulting the profession on the practical steps required to implement this effectively. We are also considering options for the regulation of the profession in the longer term.

## Public Bodies

**Dr. Tony Wright:** To ask the Secretary of State for Health which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement. [69958]

**Ms Jowell:** Of the Department's advisory non-departmental public bodies (NDPBs) none admits members of the public to all board or committee meetings.

Of the Department's advisory NDPBs the following hold public meetings:

The Advisory Committee on Genetic Testing

The Gene Therapy Advisory Committee

The United Kingdom Xenotransplantation Interim Regulatory Authority

In none of these cases is this under a statutory requirement.

Of the Department's advisory NDPBs the following have lay or consumer representatives on the boards:

The Advisory Committee on Dangerous Pathogens

The Advisory Committee on Distinction Awards

The Advisory Committee on Genetic Testing

The Advisory Committee on the Micro biological Safety of Food

The Committee of the Carcinogenicity of Chemicals in Food, Consumer Products and the Environment

The Committee on Medical Aspects of Food and Nutrition Policy

The Committee on the Safety of Medicines

The Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment

The Expert Advisory Group on AIDS

The Gene Therapy Advisory Committee

The Medicines Commission

The Standing Committee on Postgraduate Medical Education

The United Kingdom Advisory Panel for Health Care Workers Infected with Bloodborne Viruses

The United Kingdom Xenotransplantation Interim Regulatory Authority

The Unrelated Live Transport Regulatory Authority

In the case of the Advisory Committee on Genetic Testing and the Gene Therapy Advisory Committee this is under a statutory requirement.

## Chiropody Services

**Angela Smith:** To ask the Secretary of State for Health how many consultations there were per chiropodist in England in the latest year available, in each health authority, in terms of *(a)* all consultations, *(b)* initial contact and *(c)* number of people seen for the first time that year. [70340]

**Mr. Hutton:** The information available will be placed in the Library.

## ChildLine

**Mrs. Virginia Bottomley:** To ask the Secretary of State for Health how much financial assistance he has provided to ChildLine in the past three years; and how much he is making available to ChildLine for the next three years. [70712]

**Mr. Hutton:** ChildLine were awarded a grant under Section 64 of the Health Services and Public Health Act 1968 for a three year period in 1996-97. They received £183,000 in 1996-97, £173,000 in 1997-98, and £163,000 in 1998-99. ChildLine have also received a Section 64 Grant of £60,000 over the last three years for their special helpline for children in care.

We intend to award ChildLine a Renewal Core grant under the Section 64 Grant award scheme for the next three years. We will be making £187,500 available in 1999-2000, £180,000 in 2000-01 and £175,000 in 2001-02. In addition, we will be making £50,000 a year available for the three financial years 1999-2000, 2000-01, and 2001-02 so that ChildLine may provide a helpline for looked after children.

## National Reference Cost Tables

**Mr. Gerrard:** To ask the Secretary of State for Health what sources of data are used in compiling the National Reference Cost tables for NHS trusts. [71064]

**Mr. Denham:** The National Schedule of Reference Costs, published in November 1998, is based on information supplied by National Health Service trusts. The information is based on the 1997-98 final accounts. The information is submitted to the NHS Executive by June 30 each year, on the same timescales as the final accounts information and is therefore retrospective in nature.

## Dental Services (Herefordshire)

**Mr. Keetch:** To ask the Secretary of State for Health if he will make a statement on the provision of dental services in Herefordshire by the National Health Service. [70742]

**Mr. Denham:** There are 70 dentists treating patients under National Health Service provisions in Herefordshire. The Community Dental Service and an emergency dental service also provide NHS treatment. We have approved two applications under *Investing in Dentistry*, together intended to allow 4,000 new patients to receive NHS treatment.

## Medical Records (Access)

**Mr. Paul Marsden:** To ask the Secretary of State for Health if he will abolish charges for patients to access their medical records; and if he will make a statement. [70945]

**Mr. Denham:** We are considering the issue of access charges in the light of the Data Protection Act 1998 but no decision has yet been made.

## Carers

**Ms Kelly:** To ask the Secretary of State for Health (1) if he will estimate the number of carers who are currently pursuing (i) part-time and (ii) full-time courses of further or higher education in *(a)* Bolton, *(b)* the North West and *(c)* England; [70793]

(2) what is his estimate of the number of carers in *(a)* Bolton, *(b)* the North West and *(c)* England; [70791]

(3) what is his estimate of the number of carers over the age of 25 years in *(a)* Bolton, *(b)* the North West and *(c)* England. [70792]

**Mr. Hutton:** There are an estimated 4.9 million carers in England, of whom 4.6 million are over the age of 25 years. Of these, around 900,000 (800,000 of whom are aged over 25) are in the North West. This information comes from the General Household Survey for 1995 and cannot be used reliably to estimate the numbers of carers in individual cities or local authority areas. The General Household Survey also suggests that around 2 per cent. of carers are in full-time education in England. The numbers in the survey are too small to allow estimates to be made for the North West or for Bolton. There is no information on part-time students in the General Household Survey.

**Ms Kelly:** To ask the Secretary of State for Health (1) what assessment he has made of the factors which prevent those carers who wish to enter further or higher education from so doing; [70801]

(2) what plans he has to enable carers to pay for substitute care when pursuing a course of further or higher education. [70800]

**Mr. Hutton:** Carers may be prevented from entering further or higher education by the extent of their caring responsibilities, particularly if they are providing care for a large number of hours each week. Other factors which may have an effect include the availability of substitute care and the effects of caring on the carer's own health and wellbeing. Our National Strategy for Carers, "Caring about Carers", copies of which are in the Library, sets out proposals to meet carers' needs better than in the past. The availability of substitute care, to give carers a break from their caring responsibilities, will be enhanced by additional funding of £140 million over the next three years for England.

**Mr. Page:** To ask the Secretary of State for Health if the extra moneys for carers announced on 8 February 1999, *Official Report*, columns 21-33, will be paid *(a)* through local authorities, *(b)* direct to carers or *(c)* by other means. [70894]

**Mr. Hutton:** The additional £140 million to help carers to have a break from their caring responsibilities will be paid as a special grant and included in allocations to local authorities. The draft special grant report will be published shortly.

**Mr. Page:** To ask the Secretary of State for Health how much per carer for years *(a)* 1999-2000, *(b)* 2000-01 and *(c)* 2001-02 will be provided by the £140 million additional funding for England announced on 8 February 1999, *Official Report*, columns 21-33, *(a)* in England, *(b)* in south-west Hertfordshire and *(c)* in Hertfordshire. [70895]

**Mr. Hutton:** Local authorities, together with their health authority partners, will be responsible for assessing the needs of carers in their area for services to allow them to have a break from their caring responsibilities, for establishing whether current services meet carers' needs and for extending the range of services provided where this appears necessary. They will also be responsible for deciding who is eligible to receive services. In assessing how to use the additional funding, local authorities will take account of their current expenditure on respite care.

## Allergies

**Mr. Kirkwood:** To ask the Secretary of State for Health (1) if he will commission further research into the causes of the increasing incidence of hay fever, eczema, asthma and similar allergies; [65327]

(2) what evidence his Department has identified linking asthma, eczema and similar allergies to chemical by-products from *(a)* home heating systems and *(b)* car exhaust fumes. [65328]

**Ms Jowell** *[holding answer 21 January 1999]:* The Department has carried out detailed investigations into the possible links between air pollution and asthma. The Department's Committee on the Medical Effects of Air Pollutants published an extensive report on the subject, "Asthma and Outdoor Air Pollution", in 1995. The report made it clear that, while asthma and other atopy based diseases, such as hay fever and eczema, had increased considerably in many western countries over the past thirty years, this increase was unlikely to be caused by air pollution. The report acknowledged that exposure to some air pollutants could adversely affect individuals already suffering from asthma and trigger attacks.

Since then, evidence that air pollutants, including nitrogen dioxide (an indoor as well as an outdoor air pollutant) and diesel particles, may enhance the body's biological response to allergens has strengthened. There does not appear to be any convincing evidence that eczema is related to exposure to air pollution.

The prevention and treatment of asthma and allergic conditions are high priority topics within the Department's research programmes, including the £4 million National Health Service asthma management programme. The Department also funds a number of research projects as part of its joint air pollution research programme with the Department of the Environment, Transport and the Regions and the Medical Research Council, which are examining the impact of air pollutants on asthma sufferers as well as a separate joint programme on indoor air pollutants and damp in the home. In addition to this, the Medical Research Council also funds a substantial Government programme of basic research into asthma and allergies amounting to over £2 million in 1997-98.

## Disabled People

**Mr. Berry:** To ask the Secretary of State for Health what amounts in his Department's budget for 1998-99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71290]

**Mr. Hutton:** The money allocated by the Department each year to health authorities is not differentiated according to the patient groups for whom services are to be provided. At the local level, most service agreements between health authorities and National Health Service trusts and other provider bodies for hospital and community health services relate to general service areas or to specific medical and surgical specialties, which will cover disabled people like others. The same is true of expenditure on family health services.

### Disability Discrimination Act 1999

**Mr. Berry:** To ask the Secretary of State for Health what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71276]

**Mr. Hutton:** The National Health Service Executive appointed "Disability Matters", a specialist consultancy, to develop a proposed action programme for the implementation of Section 21 of the Disability Discrimination Act 1995 across the NHS. We plan to issue guidance, based on the report submitted by "Disability Matters" later this year.

It is for individual social services authorities to assess the impact on them of the implementation of the goods and services provisions of the Disability Discrimination Act 1995 from October 1999. All social services authorities in England were included in the consultation carried out by the Department for Education and Employment on the implementation of the new requirements. The vast majority of social services departments were aware of what their new duties entailed, and were content with the proposals.

### Ministerial Visits

**Mr. Gray:** To ask the Secretary of State for Health if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71342]

**Ms Jowell** *[holding answer 15 February 1999]*: My right hon. Friend the Secretary of State for Health has made the following official visits between 1 January 1998 and 11 February 1999:

Airedale Hospital, Keighley; Huddersfield Royal Infirmary, Huddersfield; Queen Elizabeth Hospital, Birmingham; Selly Park General Practitioner Commissioning Group, Birmingham; Moseley Hall Hospital, Birmingham; Hartlepool General Hospital, Hartlepool; North Tees General Hospital, Stockton; Leicester Royal Infirmary, Leicester; Glaxo Wellcome, Stevenage; Halton General Hospital, Runcorn; Homerton Hospital, London; Holly St Hackney Development, Hackney; Whipps Cross Hospital, London; United Leeds Teaching Hospital, Leeds; South Buckinghamshires Ground Breaking Ceremony, High Wycombe; Minor Surgery Unit, Slough; St Cross Hospital, Rugby; Shipley Community Hospital, Bradford; Neptune Health Park, Tipton; Jagonari Womens Centre, London; Gloucester Royal Infirmary, Gloucester; GP Surgery, Pontypridd; West Derby St, Liverpool; Queen Mary's Hospital, Sidcup; Ladywell Unit, Lewisham; North Middlesex Hospital, London; Bart's WRVS Shop, St. Bartholomew's Hospital, London; Hebden Bridge Health Centre, Hebden Bridge; Royal Free Hospital, London; NW Region GP Practice, Preesall, Lancashire; Trafford General Hospital, Trafford; Queen Elizabeth Hospital, Greenwich; St Bartholomew's Hospital, London; Indian Senior Citizens Centre, Whalley Range, Manchester; Carlisle Private Finance Initiative Ceremony, Carlisle; Workington Health Action Zone, Workington; Equal Opportunities Commission, Manchester; SMA Medical Centre, Leyton; Norfolk Mental Health Care Trust, Norwich; University of Nottingham, Nottingham; Wythenshawe Hospital, Manchester; National Records Monument Centre, Swindon; Princess Margaret Hospital, Swindon; Swindon Health Centre, Swindon; Norwich Research Park, Norwich; Norfolk and Norwich Healthcare Trust, Norwich; Halifax General Hospital, Halifax; Calderdale Healthcare NHS Trust, Halifax; Middleton Lodge Practice, New Ollerton; Queen Elizabeth II Hospital, Welwyn Garden City; Women & Childrens Centre, Deptford; Royal Lancaster Hospital, Lancaster; Blackpool Victoria Hospital, Blackpool; Preston Acute Services, Preston; Red Cross Exhibition, Brighton; Royal London Hospital, Whitechapel; Birmingham Childrens Hospital, Birmingham; Southern Grove, Tower Hamlets, London; University of Central Lancashire, Preston; East Lancashire Health Authority, Nelson; GP Premises, Blackford House, Bury; Bury and Rochdale Health Authority, Bury; New Cross Hospital, Wolverhampton; Bromley PFI Ceremony, Orpington; Scarborough Hospital, Scarborough; Amber Project, Plaistow; Meadowfields Medical Practice, Chalferton, Derby; Mary Seacole Research Centre, Leicester; Royal London Hospital, London; London Ambulance Service, London; Community Integrated Care Team, London; Whittington Hospital, London; Abbey Road Health Centre, London; Hodgson Medical Centre, Peterborough; Bedford Hospital NHS Trust, Bedford

The Department does not hold records of official visits on a constituency basis and this information could be provided only at disproportionate cost.

### Incontinence

**Mr. Grogan:** To ask the Secretary of State for Health when he intends to publish the report of the working party on the problems of incontinence. [71702]

**Mr. Hutton:** On 2 September 1998, we announced the details of the review of continence policy which involves representatives from the health service, social services and voluntary organisations. This review will lead to updated guidance on continence services which we plan to issue in the spring.

### Departmental Reviews

**Mr. Maclean:** To ask the Secretary of State for Health what *(a)* reviews, *(b)* task forces and *(c)* advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71508]

**Ms Jowell:** The reviews and taskforces, established since 1 May 1997, which have published their final reports are:

Review of the law relating to surrogacy

Review of evidence relating to silicon breast implants

Review of the breast screening programme in Devon and the implications for the breast screening programme as a whole

Strategic review of Health Services in London

Review of the latest information available on inequalities in Health

Independent review of proposals for the transfer of bulk blood processing and testing from Liverpool to Manchester

Review of NHS Charter

Ministerial task force on the Government's response to the Children's Safeguards Review

The reviews and taskforces, established since the 1 May 1997, which have yet to publish reports are:

Mental Health Act Review

Thoracic Surgical Services Review

United Kingdom Transplant Support Service Authority Review

Review of general anaesthesia and sedation with dental treatment

Review of the wheelchair voucher scheme and the provision of electrical and indoor wheelchairs

Eight regional task forces to support the Waiting List Action Team

NHS efficiency task force

NHS task force on staff involvement

Information on advisory groups and on the costs incurred by reviews and taskforces could be provided only at disproportionate cost.

### Learning Disabilities

**Mr. Todd:** To ask the Secretary of State for Health what steps are followed in resolving differences of preference between authorities and individual patients as to their transfer from a learning disability hospital to alternative care; how many patients have been moved against their express wish over the last three years; and with what medical consequences for the patients involved. [71487]

**Mr. Hutton:** The move of patients from hospital to alternative care is the responsibility of local statutory authorities, taking into account the needs and wishes of people with learning disabilities, their carers and/or their families.

Guidance has been issued to local authorities and health authorities stressing the importance of joint working between relevant agencies, providers and professionals which involve users and carers, in providing a well co-ordinated range of services to meet the diverse needs of this client group.

However, we do not have any centrally available information about the number of patients moved from learning disability hospitals against their wishes in the last 3 years.

**Mr. Todd:** To ask the Secretary of State for Health how many people are currently accommodated within hospitals for learning disabilities. [71488]

**Mr. Hutton:** This information is not held centrally. However, it is estimated that there were 8,400 in-patients in hospitals under the care of a mental handicap consultant at 31 March 1998.

### Mental Health Service (Leeds)

**Mr. Truswell:** To ask the Secretary of State for Health when his Department plans to submit the business case for mental health service provision in Leeds to the Treasury. [71553]

**Mr. Hutton:** The National Health Service Executive has been actively evaluating the full business case submitted by the Leeds Community and Mental Health Services National Health Service Trust in November 1998. The trust and Bradford and Northern Housing Association, the private finance initiative partner, are being advised on the further work that needs to be done before the full business case can be submitted to Her Majesty's Treasury for approval.

### Family Health Services Drugs Expenditure

**Mr. Peter Bradley:** To ask the Secretary of State for Health how many health authorities overspent their Family Health Services drugs allocations in 1997–98; and in those health authorities which overspent the allocation by over £1 million, what proportion of practices were *(a)* dispensing and *(b)* prescribing; what proportion of the overspend was attributable to each type of practice; and in each case what was the expenditure on branded drugs where a generic equivalent exists. [71574]

**Mr. Denham** *[holding answer 16 February 1999]*: Seventy-eight Health Authorities overspent their family health services drugs allocations in 1997–98. The total net overspend was £69 million. Of these overspending health authorities, forty four overspent their allocation by less than £1 million. For the thirty four health authorities which overspent their allocation by greater than £1 million, the available information is provided in the table. Data for expenditure on branded drugs where a generic equivalent exists are not available.

*Percentage*

| | *Distribution of practices* | | *Proportion of overspend attributable to each type of practice* | |
|---|---|---|---|---|
| *£1m+ overspenders* | *Dispensing* | *Prescribing* | *Dispensing* | *Prescribing* |
| Bury and Rochdale | 0 | 100 | 0 | 100 |
| Calderdale and Kirklees | 4 | 96 | 0 | 100 |
| Cambridge and Huntington | 57 | 43 | 66 | 34 |
| Cornwall and Isles of Scilly | 49 | 51 | 57 | 43 |
| East and North Hertfordshire | 13 | 87 | 12 | 88 |
| East Kent | 22 | 79 | 16 | 84 |
| East Lancashire | 6 | 94 | 9 | 91 |
| East London and the City | 0 | 100 | 0 | 100 |
| East Riding | 19 | 81 | 17 | 83 |
| East Sussex, Brighton and Hove | 12 | 88 | 8 | 92 |
| Enfield and Haringey | 0 | 100 | 0 | 100 |
| Gloucestershire | 33 | 67 | 45 | 55 |
| Leeds | 7 | 93 | 5 | 95 |
| Leicestershire | 15 | 85 | 24 | 76 |
| Lincolnshire | 58 | 42 | 87 | 13 |
| Liverpool | 0 | 100 | 0 | 100 |

*Percentage*

| *Ulm+ overspenders* | *Distribution of practices* | | *Proportion of overspend attributable to each type of practice* | |
|---|---|---|---|---|
| | *Dispensing* | *Prescribing* | *Dispensing* | *Prescribing* |
| Manchester | 0 | 100 | 0 | 100 |
| North Essex | 38 | 62 | 34 | 66 |
| North West Anglia | 48 | 53 | 58 | 42 |
| Portsmouth and South-East Hampshire | 5 | 95 | 6 | 94 |
| Salford and Trafford | 0 | 100 | 0 | 100 |
| Shropshire | 32 | 68 | 28 | 72 |
| South Cheshire | 17 | 83 | 17 | 83 |
| South Essex | 6 | 94 | 12 | 88 |
| South Staffordshire | 20 | 80 | 37 | 63 |
| Southampton and South-West Hampshire | 8 | 92 | 5 | 95 |
| St Helens and Knowsley | 0 | 100 | 0 | 100 |
| Stockport | 0 | 100 | 0 | 100 |
| Suffolk | 47 | 53 | 51 | 49 |
| West Kent | 23 | 77 | 27 | 73 |
| West Pennine | 0 | 100 | 0 | 100 |
| West Sussex | 19 | 81 | 20 | 80 |
| Wigan and Bolton | 0 | 100 | 0 | 100 |
| Wiltshire | 24 | 76 | 39 | 61 |

Source: Allocations from EL(96) 107 and outturns from PPA PACT data
Source: PPA
Source: PPA, HA Prescribing Annual Returns Statement

**Mr. Peter Bradley:** To ask the Secretary of State for Health what percentage of the overall Family Health Service drugs expenditure is accounted for by dispensing general practitioner practices. [72622]

**Mr. Denham:** In 1997–98, 15 per cent. of Family Health Services drugs expenditure was accounted for by dispensing general practitioner practices.

## Complementary Medicine

**Mr. Paul Marsden:** To ask the Secretary of State for Health if he will publish a cost benefit analysis of *(a)* the use of complementary medicine in the NHS and *(b)* the use of drugs; and if he will make a statement. [71921]

**Ms Jowell:** Given the wide range of treatments available both through orthodox and complementary medicine, it would be very difficult to draw any meaningful conclusions about their relative cost/benefits as a whole. The National Research Register includes details of projects which have examined the clinical and cost effectiveness of certain types of treatment or intervention for individual conditions, including complementary therapies. The Register is available in the Library and most medical libraries on CD Rom, and on the Internet at: http://www.doh.gov.uk/nrr.htm.

**Mr. Paul Marsden:** To ask the Secretary of State for Health if he will list for each health authority the spending on holistic therapy projects for each year since 1992; and if he will make a statement. [71918]

**Ms Jowell:** The amount spent by each health authority on holistic therapy projects of any sort is not recorded centrally, and the funding of research projects is handled separately. A report published in 1995 by the Medical Care Research Unit of Sheffield University showed that some 40 per cent. of general practitioner partnerships in England provided some form of complementary therapy for their National Health Service patients.

Project details of work directly funded by the Department or supported through the NHS research and development levy can be found on the National Research Register (NRR). This is available in the Library and most medical libraries on CD Rom, and on the Internet: http://www.doh.gov.uk/nrr.htm. The NRR also contains many details of projects funded by the MRC and other funders.

## Osteopathy

**Mr. Paul Marsden:** To ask the Secretary of State for Health what plans he has to make osteopathy treatment available on the National Health Service; and if he will make a statement. [71920]

**Ms Jowell:** The availability of osteopathy within the National Health Service, as with any other forms of treatment, reflects decisions taken locally by health authorities and general practitioners about the clinical and cost effectiveness of such services and the priority given to their provision in the light of competing demands for the resources. A report published in 1995 by the Medical Care Research Unit of Sheffield University showed that some 40 per cent. of general practitioner partnerships in England provided some form of complementary therapy for their NHS patients.

## Adoption

**Mr. Chaytor:** To ask the Secretary of State for Health what plans he has to amend family law to give birth relatives access to information about adopted members of their family. [72041]

**Mr. Hutton:** There are no plans at present to amend the Adoption Act 1976 to change the provision enabling birth relatives to have information on adopted relatives.

### Mid-Essex Hospital NHS Trust

**Mr. Burns:** To ask the Secretary of State for Health how many patients in the Mid-Essex Hospital NHS Trust area have been waiting *(a)* 13 to 25 weeks and *(b)* more than 26 weeks to see a consultant at the latest date for which figures are available. [72154]

**Mr. Denham:** I refer the hon. Member to the reply I gave him on 21 January 1999, *Official Report*, column *185*. This provides the latest published figures for outpatient waiting times. Figures for the end of December 1998 will be available from 25 February.

### Beta-interferon

**Mr. Burstow:** To ask the Secretary of State for Health (1) if, in considering the cost effectiveness of beta-interferon, the National Institute for Clinical Excellence will be allowed to consider social care and social security costs and lost tax revenues as well as health-related costs; [72567]

(2) what time-scale he will expect the National Institute for Clinical Excellence to work to in drawing up advice on the role of beta-interferon. [72566]

**Mr. Denham:** We are currently consulting on a discussion paper, *Faster access to modern treatment*, which sets out its detailed proposals for how the National Institute for Clinical Excellence (NICE) will carry out appraisals of the clinical and cost effectiveness of individual health treatments. Until responses have been received and considered by Ministers, no firm decisions will be taken either on the topics to be referred to NICE, or on the precise methods of appraisal to be used.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Secretary of State for Health if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71850]

**Ms Jowell:** The Department's communications planning unit includes an officer whose job is to make more systematic and orderly the process of responding to criticism on Government policy, and, in particular to inaccurate or misleading allegations. This is in common with other departments, where the work of press office includes responding to misinformed allegations. The salary of that officer is £22,746.95. Three hundred and ninety-nine rebuttals have been issued since May 1997.

### KPMG

**Mr. Ruffley:** To ask the Secretary of State for Health if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72009]

**Ms Jowell:** Detailed information about the services provided for the Department by KPMG, and their costs, are not held centrally and can be provided only at disproportionate cost.

The total for all expenditure on services provided by KPMG is:

| *Year* | £ |
|---|---|
| 1995–96 | 471,767 |
| 1996–97 | 298,897 |
| 1997–98 | 331,058 |
| 1998–99 (until 9 February) | 115,068 |

plus £21,949 for work commissioned by the National Health Service Estates Agency between September 1995 and March 1997.

### Silicone Breast Implants

**Dr. Tonge:** To ask the Secretary of State for Health (1) what advice he has received from professional bodies on the use of silicone breast implants; [72523]

(2) what advice he has received from his scientific advisers on the long-term effects on the human body of silicone breast implants. [72524]

**Ms Jowell:** In response to continuing concerns expressed by some implanted women, an Independent Review Group was set up by the Chief Medical Officer in May 1997 to review the possible health issues associated with silicone gel breast implants and to examine the issues relating to pre-operative patient information. The members of the group were selected for their independent views, their knowledge and understanding of the issues and lack of any vested interest in the conclusions reached. The group reported back to the Chief Medical Officer in July 1998 and a copy of that report is available in the Library.

The Independent Review Group took evidence from various organisations and individuals, including a representative of the British Association of Plastic Surgeons and the British Association of Aesthetic Plastic Surgeons, and a representative of the British Association of Cosmetic Surgeons. Subsequent to the group's report, the Royal College of Surgeons has agreed to develop multidisciplinary clinical standards for breast implant surgery.

**Dr. Tonge:** To ask the Secretary of State for Health if he will make a statement on the safety of silicone breast implants. [72522]

**Ms Jowell:** In July 1998, the Independent Review Group on silicone gel breast implants concluded that, on the basis of the information available, silicone gel breast implants were not associated with any greater health risk than other surgical implants.

Copies of the group's full report are available in the Library.

## CABINET OFFICE

### Departmental Expenditure

**Mr. Don Foster:** To ask the Minister for the Cabinet Office, pursuant to his answer of 21 January 1999, *Official Report*, columns *576–77*, if he will list the expenditure not included in his answer incurred by *(a)* his agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for his Department. [71020]

**Mr. Kilfoyle** *[holding answer 15 February 1999]*: Expenditure by Cabinet Office non-departmental public bodies was included in my previous answer to the hon. Member. The table lists the expenditure since May 1997 by the Department's Executive Agencies, including own expenditure by Central Office of Information and the Buying Agency, which are Trading Funds.

£

| | *Public Opinion Research* | *Television, radio and newspaper advertising* | *Direct Mail* | *Publicity* |
|---|---|---|---|---|
| Central Computer Telecommunications Agency | nil | 1,620 | 19,066 | 486,259 |
| Central Office of Information | nil | nil | 31,329 | 50,362 |
| Civil Service College | nil | nil | 105,644 | 341,919 |
| Government Car and Despatch Agency | nil | nil | nil | 1,000 |
| Property Advisers to the Civil Estate | nil | nil | nil | 11,504 |
| Security and Facilities Division | nil | nil | nil | 35,649 |
| The Buying Agency | 551 | 10,649 | 12,843 | 662,434 |

Operated as Security and Facilities Executive Agency until July 1998.

## Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Minister for the Cabinet Office if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71854]

**Mr. Kilfoyle:** In common with other Departments, the work of press officers in my Department includes responding to any misinformed allegations concerning Government policy or activity which are published in the media. They are supported in this work by other officials as necessary.

This is a routine part of a Department's work and it is not recorded separately from other tasks.

## Women's Unit

**Mr. Berry:** To ask the Minister for the Cabinet Office if he will list the arrangements and mechanisms whereby the Women's Unit will ensure that women's interests are taken into account in the development and delivery of policies by all Government Departments in line with the performance targets. [71533]

**Ms Jowell:** I have been asked to reply.

"Policy Appraisal for Equal Treatment" was issued jointly by my right hon. and noble Friend the Minister for Women, my right hon. Friend the Home Secretary and my right hon. Friend the Secretary of State for Education and Employment in November 1998. These guidelines, which were placed in the Library on 5 November 1998, show how to ensure that both policy making and service design consider the impact upon women and other groups. They have been sent to all Departments and agencies under cover of a note from the Cabinet Secretary emphasising their importance. This updated previous guidelines issued in 1992.

As set out in the Cabinet Office Public Service Agreement (PSA) (published as part of the "Public Services for the Future" White Paper in December 1998), the Women's Unit will develop further guidance for policy makers by the end of the year on how to consider the needs and requirements of women. This will supplement the policy appraisal guidance. This will be circulated to all Government Departments and placed in the Library when complete.

The Women's Unit worked closely with Her Majesty's Treasury and other Departments in the development on PSAs which reflect women's interests. A performance target on tackling domestic violence against women has been included in the PSA for the Home Office and on the National Childcare Strategy in the PSA for the Department for Education and Employment. My right hon. and noble Friend the Minister for Women sits on the relevant Cabinet Committee which will be monitoring Departments' performance. Monitoring will cover the handling of cross-cutting issues, including women's interests.

The Women's Unit convenes a women's policy group of senior officials from Departments across Whitehall with responsibility for women's issues in their Departments. This group maintains an overview of activity to ensure that women's interests are taken into account coherently and consistently.

The Director of the Women's Unit is also responsible for the Women's National Commission (WNC), the advisory non-departmental public body on women. The WNC represents some 50 organisations with around 8 million members, and provides advice and comment on all aspects of Government policy.

# SCOTLAND

## Consultancies

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland if he will estimate his Department's expenditure on (i) internal and (ii) external consultancy in *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, *(d)* 2000–01 and *(e)* 2001–02. [69250]

**Mr. Dewar** *[holding answer 4 February 1999]*: It is not possible to provide the information for the Scottish Office and its Agencies in the time available. I shall write to the hon. Member as soon as possible, placing a copy of my letter in the Library.

From 1 July, this will be a matter for the Scottish Parliament.

### Departmental Advisers

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland what estimate he has made of the *(a)* salary costs and *(b)* other costs of special advisers in his Department in (i) 1996–97, (ii) 1997–98, (iii) 1998–99 and (iv) 1999–2000; and if he will make a statement. [69264]

**Mr. Dewar** *[holding answer 8 February 1999]:* Special Advisers' salaries are negotiated individually within the three-band range announced to the House by my right hon. Friend the Minister for the Cabinet Office on 16 November 1998, *Official Report*, column *354*. Individual salaries and pension contributions are confidential. Other costs of the Special Advisers in my Department since I took up office amounted to around £35,000 in 1997–98 and are estimated to amount to £57,000 in 1998–99. It is not possible to predict the costs for 1999–2000.

### NHS Staff (Pay)

**Mrs. Ewing:** To ask the Secretary of State for Scotland what estimate he has made of the cost of paying the proposed salary rises for NHS staff in Scotland, *(a)* in total and *(b)* by category; if he will estimate the additional cost of an additional 0.5 per cent. increase (i) in total and (ii) by category; how much extra each grade of Scottish nurse would receive if given the same percentage increase as the equivalent grade in London; and if he will make a statement. [69853]

**Mr. Galbraith** *[holding answer 8 February 1999]:* The total cost of the awards is £89 million. Details of cost for particular categories are as follows:

| | *£ million* |
|---|---|
| Nurses and Midwives | 49 |
| PAMs | 7 |
| Hospital Doctors and Dentists | 13 |
| Ophthalmic Practitioners | 1 |
| General Medical Practitioners | 15 |
| General Dental Practitioners | 4 |

The estimated additional cost of an 0.5 per cent. increase in total by category would be as follows:

| | *£ million* |
|---|---|
| Nurses and Midwives | 4.5 |
| PAMs | 0.6 |
| Hospital Doctors and Dentists | 1.7 |
| Ophthalmic Practitioners | 0.2 |
| General Medical Practitioners | 1.2 |
| General Dental Practitioners | 0.6 |
| Total | 8.8 |

Each grade of Scottish nurse would receive between £398 and £750 per annum extra if given the same percentage increase as the equivalent grade in London.

From 1 July, this will be a matter for the Scottish Parliament.

### Deer

**Mr. Maclennan:** To ask the Secretary of State for Scotland if he will take steps to safeguard the public in West Sutherland from increased numbers of straying deer. [69597]

**Mr. Macdonald** *[holding answer 8 February 1999]:* The Deer Commission for Scotland is encouraging Deer Management Groups and estate owners to take measures as appropriate to reduce the numbers of deer straying onto roads or feeding on roadside verges, for example by introducing supplementary feeding as a method of drawing deer away from public highways. The Commission is also continuing to discuss with the roads authorities and the police matters such as road design, installation of warning signs, and use of wildlife roadside reflectors or fencing. These authorities also have discretion to introduce lower speed limits in certain circumstances.

Although deer numbers in the area have not increased, there is evidence to suggest that deer are spending more time on lower ground.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Public Bodies

**Dr. Tony Wright:** To ask the Secretary of State for Scotland which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69954]

**Mr. Dewar:** The information requested is as follows:

*a) The following bodies publish minutes of meetings:*

National Board for Nursing, Midwifery and Health Visiting for Scotland

National Museums of Scotland

Royal Botanic Garden

Scottish Arts Council

Scottish Conveyancing and Executry Services Board

Scottish Environment Protection Agency

Scottish Sports Council

Scottish Water and Sewerage Customers Council

All do so voluntarily and not under a statutory requirement.

*b) The following bodies publish the agendas of meetings and documents for those meetings:*

National Board for Nursing, Midwifery and Health Visiting for Scotland

National Museums of Scotland

Scottish Arts Council

Scottish Conveyancing and Executry Services Board

Scottish Environment Protection Agency

Scottish Water and Sewerage Customers Council

All do so voluntarily and not under a statutory requirement.

*c) The following bodies publish a register of members' interests:*

Accounts Commission for Scotland

Hannah Research Institute*

Highlands and Islands Enterprise

Macaulay Land Use Research Institute*

Moredun Research Institute*

National Board for Nursing, Midwifery and Health Visiting of Scotland

National Galleries of Scotland

National Library of Scotland

National Museums of Scotland

Rowett Research Institute*

Royal Botanic Garden

Royal Commission on the Ancient and Historical Monuments in Scotland

Scottish Arts Council*

Scottish Conveyancing and Executory Services Board

Scottish Council for Educational Technology*

Scottish Crop Research Institute*

Scottish Enterprise

Scottish Environment Protection Agency

Scottish Further Education Unit

Scottish Higher Education Funding Council

Scottish Homes

Scottish Natural Heritage

Scottish Sports Council

Scottish Tourist Board

Scottish Water and Sewerage Customers Council

Those marked * do so under a statutory requirement; the other voluntarily.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Dr. Tony Wright:** To ask the Secretary of State for Scotland which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69987]

**Mr. Dewar:** The information requested is as follows:

*a) The following bodies admit members of the public to all board and committee meetings:*

National Board for Nursing, Midwifery and Health Visiting for Scotland

Scottish Conveyancing and Executry Services Board

Scottish Environment Protection Agency

Scottish Water and Sewerage Customers Council

All do so voluntarily and not under a statutory requirement.

*b) The following bodies hold public meetings:*

Crofters Commission*

Deer Commission for Scotland

Highlands and Islands Enterprise

Moredun Research Institute

National Board for Nursing, Midwifery and Health Visiting for Scotland

Royal Botanic Garden

Scottish Arts Council

Scottish Community Education Council

Scottish Conveyancing and Executry Services Board*

Scottish Council for Educational Technology

Scottish Enterprise

Scottish Environment Protection Agency

Scottish Higher Education Funding Council

Scottish Homes

Scottish Natural Heritage

Scottish Screen

Scottish Sports Council

Those marked * do so under a statutory requirement; the others voluntarily.

*c) The following bodies have lay or consumer representatives on their boards:*

Accounts Commission for Scotland

Crofters Commission

Hannah Research Institute

Macaulay Land Use Research Institute

Moredun Research Institute

Parole Board for Scotland

Rowett Research Institute

Royal Botanic Garden

Royal Commission on the Ancient and Historical Monuments of Scotland

Scottish Arts Council

Scottish Conveyancing and Executry Services Board*

Scottish Council for Educational Technology

Scottish Crop Research Institute

Scottish Environment Protection Agency

Scottish Further Education Unit

Scottish Higher Education Funding Council

Scottish Homes

Scottish Legal Aid Board

Scottish Medical Practices Committee*

Scottish Screen

Scottish Water and Sewerage Customers Council*

Those marked * do so under a statutory requirement; the others voluntarily.

*d) The following bodies operate some form of appeal or complaints procedure:*

Accounts Commission for Scotland

Crofters Commission

Deer Commission for Scotland

Highlands and Islands Enterprise

National Board for Nursing, Midwifery and Health Visiting for Scotland*

National Galleries of Scotland

National Library of Scotland

National Museums of Scotland

Royal Botanic Garden

Royal Commission on the Ancient and Historical Monuments of Scotland

Scottish Arts Council

Scottish Children's Reporter Administration

Scottish Community Education Council*

Scottish Conveyancing and Executry Services Board

Scottish Council for Educational Technology

Scottish Enterprise

Scottish Environment Protection Agency

Scottish Higher Education Funding Council

Scottish Homes

Scottish Legal Aid Board

Scottish Natural Heritage*

Scottish Qualifications Authority

Scottish Screen

Scottish Sports Council

Scottish Water and Sewerage Customers Council

Those marked * do so under a statutory requirement; the others voluntarily.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Dr. Tony Wright:** To ask the Secretary of State for Scotland which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement. [69969]

**Mr. Dewar:** The information requested is as follows:

*a)* The General Teaching Council for Scotland voluntarily admits members of the public to all board or committee meetings.

*b)* The following bodies hold public meetings:

Extra Parliamentary Panel

General Teaching Council for Scotland

Historic Buildings Council for Scotland

Royal Fine Art Commission for Scotland

Scottish Consultative Council on the Curriculum

All do so voluntarily except for Extra Parliamentary Panel which is subject to a statutory requirement.

*c)* The following bodies have lay or consumer representatives on their boards:

Ancient Monuments Board for Scotland

Building Standards Advisory Committee

Central Advisory Committee on Justices of the Peace

General Teaching Council for Scotland

Health Appointments Advisory Committee

Justices of the Peace Advisory Committees

Scottish Advisory Committee on Drug Misuse

Scottish Childcare Board

Scottish Consultative Council on the Curriculum

Secretary of State's Advisory Committee on Scotland's Travelling People

All do so voluntarily except the General Teaching Council for Scotland which is subject to a statutory requirement.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Dr. Tony Wright:** To ask the Secretary of State for Scotland which of the advisory non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69941]

**Mr. Dewar:** The information requested is as follows:

*(a)* The following bodies publish the minutes of meetings:

Advisory Committee on Dental Establishments*

Extra Parliamentary Panel*

General Teaching Council for Scotland

Parliamentary Boundary Commission for Scotland

Royal Fine Art Commission for Scotland

Scottish Advisory Committee on the Medical Workforce*

Scottish Consultative Council on the Curriculum

Those marked * do so under a statutory requirement; the others voluntarily.

*(b)* The following bodies publish the agendas of meetings and documents for those meetings:

Advisory Committee on Dental Establishment*

General Teaching Council for Scotland

Parliamentary Boundary Commission for Scotland

Scottish Advisory Committee on the Medical Workforce*

Those marked * do so under a statutory requirement; the others voluntarily.

*(c)* The following bodies publish a register of members' interests:

Ancient Monuments Board for Scotland

Scottish Childcare Board

Scottish Consultative Council on the Curriculum

Secretary of State's (Electricity) Fisheries Committee

Secretary of State's Advisory Committee on Scotland's Travelling People

All do so voluntarily and not under a statutory requirement.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Departmental Spending

**Mr. Swinney:** To ask the Secretary of State for Scotland if he will allow representatives of the Scottish National Party, Scottish Liberal Democrats and Scottish Conservative and Unionist Party access to view, on a confidential basis, papers relating to spending by his Department already allocated and contracts signed by his Department for the period after 1 July for spending within the control of the Scottish Parliament; and if he will make a statement. [69920]

**Mr. Dewar** *[holding answer 9 February 1999]:* The allocation of all of the resources which will, after 1 July 1999, be under the control of the Scottish Parliament is set out in the booklet 'Scotland's Supply Estimates 1999–2000, which was laid before the House on 4 February. There is no central record kept within the Department of the wide range of contracts and similar arrangements entered into throughout the year by the Scottish Office, its agencies and associated Departments.

### Civil Servants (Misconduct)

**Mr. Maclean:** To ask the Secretary of State for Scotland if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70779]

**Mr. Dewar:** I refer the right hon. Member to the answer given by my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 1999, *Official Report*, column *570*.

### Fisheries

**Mr. Maclennan:** To ask the Secretary of State for Scotland if he will list the selection criteria and priorities of the Financial Instrument for Fisheries Guidance scheme against which projects are selected. [70713]

**Mr. Macdonald:** Guidance notes for applicants, which are widely available, provide information on selection criteria and priorities of the scheme. Copies of the guidance notes have been placed in the House of Commons Library.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Hunting

**Mr. Paul Marsden:** To ask the Secretary of State for Scotland when the Forestry Commission met Mr. Roger Harris to discuss hunting; and what action is to be taken as a result of this meeting. [70926]

**Mr. Macdonald:** Some of the Forestry Commissioners met Dr. Harris on 29 January to discuss the Joint Universities Study on deer hunting. The Commissioners will formally consider the findings of the study once it has been published and subjected to peer review.

### New Deal

**Mr. Alexander:** To ask the Secretary of State for Scotland how many people his Department is committed to employing during 1999 under the subsidised job option of the New Deal programme. [71433]

**Mr. Dewar:** The Scottish Office is offering a total of 50 places under the subsidised job option of the New Deal programme.

### City Status

**Mr. Alexander:** To ask the Secretary of State for Scotland what arrangements his Department proposes to make in order to select candidates to propose for City Status. [71430]

**Mr. McLeish:** Awards of city status are made by Her Majesty The Queen acting under the Royal Prerogative, on the advice of the Government of the day. Her Majesty has expressed the intention of making awards in 2000 and 2002. Towns which have indicated an interest in city status will be contacted in May and invited to submit a formal application.

### Disabled People

**Mr. Berry:** To ask the Secretary of State for Scotland what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71282]

**Mr. Galbraith:** Elements of the expenditure on a wide range of services within my right hon. Friend's budget, including social work, health, housing, education and transport, are of benefit to disabled people. It is not possible to identify these separately.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Colleges (European Funding)

**Mr. Gorrie:** To ask the Secretary of State for Scotland (1) how much of the funding allocated to colleges under European funding schemes is currently outstanding; [71362]

(2) how many bids by Scottish colleges for European funding have been successful; and what has been the average length of time between the initial approval of the scheme and the receipt by the college of the first and the final payments. [71363]

**Mr. Macdonald:** The information requested could not be identified except at disproportionate cost. Further Education colleges in Scotland secure from the European Social Fund assistance amounting to over £20 million per year for over 400 projects per year. Payments are made as soon as possible following the receipt of valid claims.

The administration of the European Structural Funds in Scotland will, from 1 July 1999, be a matter for the Scottish Parliament.

### Prisoners (Employment)

**Sir Robert Smith:** To ask the Secretary of State for Scotland what was the average daily number of prisoners employed and the percentage of prisoners involved in vocational training by *(a)* quarter and *(b)* month in 1998. [71646]

**Mr. McLeish:** The information requested is not available at this time in the detail sought, as figures for prisoners in employment are collated centrally for the full period required by the Scottish Prison Service Annual Report and Accounts, that is, from April to March each year. The numbers involved in vocational training are collected separately. Provisional figures for the number of prisoners engaged in vocational training for 1998 are as follows.

| *Month* | *Average daily number of prisoners* |
|---|---|
| January | 292 |
| February | 289 |
| March | 297 |
| April | 281 |
| May | 286 |
| June | 310 |
| July | 316 |
| August | 109 |
| September | 310 |
| October | 316 |
| November | 322 |
| December | 273 |

The Scottish Prison Service is developing a computerised management information system for regime activity to support continuous improvement in prisoner programmes and other opportunities, and data collection.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Education Expenditure

**Mr. Swinney:** To ask the Secretary of State for Scotland if he will estimate the total spending on education for Scotland across all categories of education expenditure for each year from 1994–95 to 2000–01 in (i) current and (ii) constant 1998–99 prices. [71776]

**Mrs. Liddell:** The information is as follows:

£ million

| Year | Cash terms | 1998–99 Prices |
|---|---|---|
| 1994–95 | 3,485 | 3,894 |
| 1995–96 | 3,534 | 3,837 |
| 1996–97 | 3,590 | 3,781 |
| 1997–98 | 3,596 | 3,695 |
| 1998–99 | 3,758 | 3,758 |
| 1999–2000 | 4,036 | 3,938 |
| 2000–01 | 4,351 | 4,141 |

As from July 1999, this will be a matter for the Scottish Parliament.

**Mr. Swinney:** To ask the Secretary of State for Scotland if he will estimate the spending on education in each of the current local government areas and for Scotland as a whole for *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99, *(d)* 1999–2000 and *(e)* 2000–01 in (i) current and (ii) constant 1998–99 prices. [71775]

**Mrs. Liddell:** The available information is given in the following table. Final outturn figures for any year are generally higher than the budget estimates.

From 1 July 1999, this will be a matter for the Scottish Parliament.

*Local authority education spending*

£000

| Councils | 1996–97 Final outturn in cash terms | 1996–97 Final outturn at 1998–99 prices | 1997–98 Provisional outturn in cash terms | 1997–98 Provisional outturn at 1998–99 prices | 1998–99 Budget estimates |
|---|---|---|---|---|---|
| Aberdeen, City | 87,162 | 91,798 | 86,437 | 88,814 | 88,210 |
| Aberdeenshire | 109,686 | 115,520 | 112,025 | 115,106 | 111,739 |
| Angus | 48,012 | 50,566 | 48,192 | 49,517 | 49,866 |
| Argyll and Bute | 49,507 | 52,140 | 47,188 | 48,486 | 49,095 |
| Clackmannanshire | 24,084 | 25,365 | 24,458 | 25,131 | 25,198 |
| Dumfries and Galloway | 67,532 | 71,124 | 69,214 | 71,117 | 70,643 |
| Dundee | 70,320 | 74,060 | 69,074 | 70,974 | 69,168 |
| East Ayrshire | 59,089 | 62,232 | 58,104 | 59,702 | 60,657 |
| East Dunbartonshire | 53,343 | 56,180 | 51,531 | 52,948 | 53,922 |
| East Lothian | 37,557 | 39,555 | 36,970 | 37,987 | 37,881 |
| East Renfrewshire | 42,645 | 44,913 | 41,980 | 43,134 | 44,144 |
| Edinburgh, City | 159,099 | 167,561 | 159,859 | 164,255 | 164,035 |
| Eilean Siar | 23,591 | 24,846 | 23,523 | 24,170 | 24,604 |
| Falkirk | 62,762 | 66,100 | 61,704 | 63,401 | 64,222 |
| Fife | 167,748 | 176,670 | 164,946 | 169,482 | 167,128 |
| Glasgow City | 290,555 | 306,009 | 273,361 | 280,878 | 288,201 |
| Highland | 114,011 | 120,075 | 113,125 | 116,236 | 115,812 |
| Inverclyde | 42,823 | 45,101 | 42,884 | 44,063 | 45,504 |
| Midlothian | 40,623 | 42,784 | 40,721 | 41,841 | 41,236 |
| Moray | 41,888 | 44,116 | 39,903 | 41,000 | 41,716 |
| North Ayrshire | 65,239 | 68,709 | 67,212 | 69,060 | 68,906 |
| North Lanarkshire | 161,135 | 169,705 | 159,380 | 163,763 | 165,241 |
| Orkney | 15,372 | 16,190 | 14,980 | 15,392 | 15,358 |
| Perth and Kinross | 56,188 | 59,176 | 56,677 | 58,236 | 58,795 |
| Renfrewshire | 82,644 | 87,040 | 82,199 | 84,459 | 84,651 |
| Scottish Boarders | 48,314 | 50,884 | 46,928 | 48,219 | 47,702 |
| Shetland | 23,886 | 25,156 | 23,384 | 24,027 | 23,821 |
| South Ayrshire | 52,534 | 55,328 | 50,656 | 52,049 | 47,151 |
| South Lanarkshire | 145,592 | 153,336 | 143,589 | 147,538 | 140,775 |
| Stirling | 40,639 | 42,800 | 36,802 | 37,814 | 39,536 |
| West Dunbartonshire | 49,655 | 52,296 | 50,439 | 51,826 | 53,287 |
| West Lothian | 83,209 | 87,635 | 77,700 | 79,837 | 79,355 |
| Scotland | 2,416,444 | 2,544,698 | 2,375,145 | 2,440,461 | 2,437,559 |

*Notes:*
1. All figures are net current expenditure excluding loan and leasing charges as returned by the individual local authorities to the Scottish Office, adjusted, where necessary, to 1998–99 prices using the GDP deflator.
2. The provisional outturn figures for 1998–99 and the budget estimates for 1999–2000 and 2000–01 are not yet available.

## Housing Expenditure

**Mr. Swinney:** To ask the Secretary of State for Scotland (1) if he will estimate the spending on housing in Scotland as a whole for *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99, *(d)* 1999–2000 and *(e)* 2000–01 in (i) current and (ii) constant 1998–99 prices; [71777]

(2) if he will estimate the total spending on housing for Scotland across all categories of housing expenditure for each year from 1994–95 to 2000–01 in (i) current and (ii) constant 1998–99 prices. [71778]

**Mr. Macdonald:** The table shows outturn and planned housing expenditure from the Scottish Office budget for

the years 1994–95 to 2000–01. From 1 July 1999, this will be a matter for the Scottish Parliament.

*Housing programme*

*£ million*

| | *Cash terms* | *Real terms (1998–99 prices)* |
|---|---|---|
| *Outturn* | | |
| 1994–95 | 533 | 595 |
| 1995–96 | 499 | 542 |
| 1996–97 | 484 | 510 |
| 1997–98 | 470 | 483 |
| *Plans* | | |
| 1998–99 | 488 | 488 |
| 1999–2000 | 512 | 500 |
| 2000–01 | 622 | 592 |

*Notes:*

1. Expenditure by the 5 New Town Development Corporations (which were dissolved by 31 March 1997) is excluded.
2. The figures exclude non-HRA resources which were included in the single non-housing capital allocation from 1996–97.
3. The figures for 1995–96 and 1996–97 exclude additional allocations to local authorities of £109 million and £57 million respectively for the purchase of New Towns' stock.
4. The figure for 1997–98 excludes additional grant of £46 million for Scottish Homes redemption of debt.

### Health Expenditure

**Mr. Swinney:** To ask the Secretary of State for Scotland (1) if he will estimate the spending on health for Scotland as a whole for *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99, *(d)* 1999–2000 and *(e)* 2000–01 in (i) current and (ii) constant 1998–99 prices; [71779]

(2) if he will estimate the total spending on health for Scotland across all categories of health expenditure for each year from 1994–95 to 2000–01 in (i) current and (ii) constant 1998–99 prices. [71780]

**Mr. Galbraith:** The information requested is as follows:

*£ million*

| | *Current prices* | *Constant 1998–99 prices* |
|---|---|---|
| 1994–95[1] | 3,948 | 4,411 |
| 1995–96[1] | 4,092 | 4,442 |
| 1996–97[1] | 4,237 | 4,462 |
| 1997–98[1] | 4,354 | 4,474 |
| 1998–99[2] | 4,642 | 4,642 |
| 1999–2000[3] | 4,924 | 4,804 |
| 2000–01[3] | 5,214 | 4,963 |

[1] Outturn
[2] Estimated outturn
[3] Plan

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Rough Sleepers Initiative

**Mrs. Laing:** To ask the Secretary of State for Scotland when the extra funding for the Rough Sleepers Initiative announced on 16 December 1998 will be spent. [70318]

**Mr. Macdonald** *[holding answer 16 February 1999]:* The intention is that the additional funding announced for the Rough Sleepers Initiative on 16 December 1998 should be spent in the financial years 2000–01 and 2001–02.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Carers

**Mr. Burstow:** To ask the Secretary of State for Scotland if he will list for each local authority *(a)* the amount of grant that will be payable in each year to support the National Carers Strategy, *(b)* the estimated number of carers and *(c)* the product of dividing *(a)* by (b). [71102]

**Mr. Galbraith:** Local authorities have been allocated £1.1 billion for social work services in Scotland in 1999–2000. Although not ring-fenced, at least £5.1 million is for carers and respite care. Also £5 million of the total has been specifically allocated to encourage local authorities to implement the Community Care Action Plan, a key theme of which is support for carers. Information on the numbers of carers is not held centrally. It is for each authority to determine how much of its total resources to allocate to assisting carers.

From 1 July, this will be a matter for the Scottish Parliament.

### Fixed Penalties

**Mrs. Laing:** To ask the Secretary of State for Scotland how many people in *(a)* Scotland and *(b)* each individual sheriffdom last year were charged with (i) one to three, (ii) four to five, (iii) five to 10 and (iv) more than 10 fixed penalty offences. [71874]

**Mr. McLeish:** Procurators Fiscal are empowered to make a conditional offer of a fixed penalty (fiscal fine) in relation to any offence in respect of which an alleged offender could competently be tried before the district court. The police or the Procurator Fiscal may also make a conditional offer of a fixed penalty in respect of certain road traffic offences.

Information collected since 1996 indicates that 92 per cent. of fiscal fines accepted involved one fine, 7 per cent. involved 2 fines, 1 per cent. involved 3 fines and 0.4 per cent. 4–8 fines.

From 1 July, Procurator Fiscal conditional offers (fiscal fines) will be a matter for the Scottish Parliament. Police and Procurator Fiscal fixed penalties for road traffic offences will be reserved.

### Local Government Boundary Commission

**Mrs. Laing:** To ask the Secretary of State for Scotland with reference to the Local Government Boundary Commission for Scotland's report to him on the Second Statutory Review of Electoral Arrangements, in how many local authorities *(a)* detailed counter-proposals were lodged against the Commission's draft proposals, by (i) political parties, (ii) individuals and (iii) community groups; *(b)* the Commission agreed to hold a local hearing; and *(c)* the Commission's draft proposals were amended subject to local hearings. [71890]

**Mr. McLeish:** The Local Government Boundary Commission for Scotland advises me that its records are not held in a form from which this information could be quickly extracted. I am asking the Commission to write to the hon. Member, and shall arrange for a copy of the reply to be placed in the Library.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Mrs. Laing:** To ask the Secretary of State for Scotland with reference to the Local Government Boundary Commission for Scotland's report to the Secretary of State for Scotland on the Second Statutory Review of Electoral Arrangements, how many local authorities' amendments to the draft proposals of the Commission were incorporated in the Commission's final recommendations to the Secretary of State. [71885]

**Mr. McLeish:** In the case of every authority, amendments to the draft proposals of the Commission were incorporated in the Commission's final recommendations to the Secretary of State. From 1 July 1999, this will be a matter for the Scottish Parliament.

### Solicitors (Payments)

**Mr. Maclennan:** To ask the Secretary of State for Scotland what representations he has received from the Scottish Legal Aid Board about the number of solicitors who will continue to register for criminal legal aid work in Caithness following the introduction of fixed fees for summary criminal legal aid cases. [71861]

**Mr. McLeish:** The Scottish Legal Aid Board have made no representations. From 1 July 1999, this will be a matter for the Scottish Parliament.

### Rowett Institute

**Mr. Baker:** To ask the Secretary of State for Scotland on what date he received information from Dr. Pusztai in respect of work he had been undertaking at the Rowett Institute in Aberdeen involving experiments with rats and genetically modified potatoes; and if he will place a copy of it in the Library. [72570]

**Mr. Macdonald:** A copy of the report produced by Dr. Pusztai in response to the report of the Audit Committee was received by the Scottish Office on 26 October 1998. A copy of the report, together with the Audit Committee's response to the report, has been placed in the House of Commons Library.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Mr. Nigel Griffiths:** To ask the Secretary of State for Scotland if he will place in the Library the papers relating to Dr. Pusztai's research released by the Rowett Research Institute. [72362]

**Mr. Macdonald:** A copy of the Audit Committee Report and the Press Release issued by the Rowett Research Institute; Dr. Pusztai's Report in response to the Audit Committee; and the Audit Committee's response to that report and the accompanying Press Release, have been placed in the House of Commons Library.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Mr. Baker:** To ask the Secretary of State for Scotland if he will require the instruction to say nothing, given to Dr. Pusztai by his superiors at the Rowett Institute in Aberdeen, to be lifted forthwith. [72576]

**Mr. Macdonald:** I have been asked to reply as responsibility for this subject lies with the Scottish Office.

The restriction was lifted by the Director of the Rowett Research Institute on 16 February 1999.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Housing

**Dr. Moonie:** To ask the Secretary of State for Scotland when he plans to publish the Green Paper on housing in Scotland; and if he will make a statement. [71994]

**Mr. Dewar:** I am publishing the Green Paper "Investing in Modernisation—An Agenda for Scotland's Housing" today, and have arranged for copies to be placed in the Library of the House.

The Government's firm belief is that every household should be able to live in a decent, secure and affordable home, and the Green Paper sets out a range of ideas and proposals for achieving this objective. We have already made substantial progress towards this goal, for example, by providing an additional £300 million of investment for housing; by developing new programmes through the Warm Deal, Empty Homes, and Rough Sleepers initiatives; by establishing New Housing Partnerships to lever in private finance; and by putting community regeneration and tenant empowerment at the centre of our strategy. The publication of "Investing in Modernisation"—the first Scottish Housing Green Paper in twenty years—is further evidence of the importance which this Government attach to improving housing in Scotland.

The Green Paper seeks views on a wide-range of issues and proposals, some forty in all. It emphasises the need for a long-term strategy which recognises the links with health, employment, and environmental policies and the role that housing can play in promoting social inclusion. It addresses all housing tenures, and places particular emphasis on the housing needs of the most vulnerable members of our society—rough sleepers and the homeless, community care users and families in cold and damp homes. "Investing in Modernisation" sets out the Government's ideas for revitalising public housing through the promotion of community ownership, which offers the prospect of fundamental and radical change which should bring major benefits to tenants, local authorities and communities. The Green Paper also highlights the importance of local authorities developing a strategic role in respect of housing in their areas, and it assesses the current activities of Scottish Homes and seeks views on how these might best be carried out in future.

"Investing in Modernisation" is a consultative document which is intended to stimulate debate and discussion about the long-term housing policies and strategies which are most relevant to Scotland's

distinctive needs and circumstances. The closing date for responses to the Green Paper is 31 May 1999. Responses will be made available to the Scottish Parliament and Executive, who will have responsibility for determining, after 1 July, whether these proposals should be taken forward.

### Skye Bridge

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland if he will estimate the annual cost of abolishing the tolls on the Skye Bridge and paying a shadow toll to Skye Bridge Ltd. for the remaining years of the contract; and if he will make a statement. [69246]

**Mr. Macdonald** *[holding answer 4 February 1999]*: The terms of the contract with the concessionaire are that any changes to the concession agreement must have the consent of the concessionaire. Accordingly, it is not possible to estimate the final cost of shadow tolling. However, as my right hon. Friend said in his written answer of 4 July 1997, *Official Report*, columns *288–90*, the idea of removing tolls completely through 100 per cent. shadow tolls is not less expensive than buying out the contract nor in public expenditure terms does it have the effect of spreading the cost over a number of years, as people have tended to assume. The full cost of the project would be a public expenditure charge immediately because of the absence of the transfer of risk to the private sector, which is what justifies the phased public expenditure cost for DBFO roads contracts entered into before construction has begun. The cost of buying out the contract is estimated to be at least £25m, but the final figure would depend upon the outcome of negotiations with the concessionaire. Hence, full shadow tolling is not considered an affordable option given the other competing pressures upon the roads budget.

From 1 July 1999, this will be a matter for the Scottish Parliament.

## SOCIAL SECURITY

### Disabled People

**Mr. Berry:** To ask the Secretary of State for Social Security what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71288]

**Mr. Bayley:** Expenditure on those people with a long term illness or disability is estimated to be £24.8 billion in 1998–99. This represents approximately 25 per cent. of total Social Security expenditure.

### Child Support Agency

**Mr. Field:** To ask the Secretary of State for Social Security if he will estimate the total savings to the social security budget, for the past five years, resulting from maintenance paid to families through the Child Support Agency. [71099]

**Angela Eagle:** The information is in the table.

*A breakdown of total savings to the Social Security budget from maintenance paid through the Child Support Agency*

*£ million*

| *Year* | *Benefit savings* |
|---|---|
| 1993–94 | 418 |
| 1994–95 | 479 |
| 1995–96 | 493 |
| 1996–97 | 469 |
| 1997–98 | 464 |
| 1998–99 | 314 |
| Total | 2,637 |

up to 31 December 1998

*Note:*

The figures include maintenance, collected or arranged which directly offsets benefit expenditure, together with estimated savings where a claim for Income Support ceases as a result of action by the Agency.

### Transfer of Functions

**Mr. Field:** To ask the Secretary of State for Social Security if he will make a statement on plans for the division of responsibilities between the Treasury and the Department of Social Security with respect to *(a)* answering parliamentary questions and *(b)* appearances before Select Committees following the implementation of the Social Security Contributions (Transfer of Functions, Etc.) Bill *[Lords]*. [71124]

**Mr. Timms:** My right hon. Friend the Secretary of State for Social Security, announced to the House on 8 February 1999, *Official Report*, columns *35–45*, that Treasury Ministers would take on responsibility for policy on National Insurance on 1 April 1999. The Social Security Contributions (Transfer of Functions, Etc. Bill currently before Parliament transfers operational responsibility for National Insurance contributions, Statutory Sick Pay, Statutory Maternity pay and contracting out matters, together with control and management of the National Insurance Fund, to the Board of the Inland Revenue. It also transfers responsibility for policy on National Insurance contributions from my right hon. Friend the Secretary of State to Treasury Ministers.

Policy responsibility for Statutory Sick Pay, Statutory Maternity Pay, contracting out, credits, Home Responsibilities Protection and the security of the National Insurance Number system remains with my right hon. Friend the Secretary of State for Social Security. He will also continue to be responsible for benefits. Ministers and, where appropriate, officials will be accountable to Parliament on the areas for which they are responsible. Treasury Ministers will answer questions relating to the Inland Revenue including those responsibilities transferred to it by the Bill. It is for the House to decide on the areas of responsibility for Select Committees.

### Guaranteed Minimum Pension

**Dr. Lynne Jones:** To ask the Secretary of State for Social Security what estimate he has made of the additional annual cost of the introduction of the guaranteed minimum pension. [71373]

**Mr. Timms:** The information is in the table.

*The estimated additional cost from April 1999 to 2002 (the period covered by the comprehensive spending review settlement) of providing a minimum income guarantee for pensioners*

£ million

| | 1999–2000 | 2000–01 | 2001–02 |
|---|---|---|---|
| Cost of introducing the minimum income guarantee | 495 | 6[1] | 840 |

*Note:*
The costs include the effect on Housing Benefit and Council Tax Benefit arising from increasing the rates in line with Income Support, and the additional numbers qualifying for full HB as a result of becoming entitled to the Minimum Income Guarantee.

**Dr. Lynne Jones:** To ask the Secretary of State for Social Security what estimate he has made of the additional annual cost of increasing the state retirement pension to the same level as the guaranteed minimum pension. [71374]

**Mr. Timms:** I refer my hon. Friend to the written answer my right hon. Friend, the then Minister of State for Social Security, gave my hon. Friend the Member for Newport, West (Mr. Flynn) on 18 November 1998, *Official Report*, columns *624–25*.

## Asylum Seekers (Fraud)

**Mr. Maclean:** To ask the Secretary of State for Social Security what plans he has to investigate the level of social security fraud committed by asylum seekers. [71096]

**Mr. Timms:** Our estimates of fraud levels do not identify asylum seekers as a distinct group. However, we investigate fraud wherever it is alleged to occur, regardless of the category of the claimant involved.

## Stakeholder Pensions

**Mr. Webb:** To ask the Secretary of State for Social Security where an employee takes out a stakeholder pension through the access given by his employer and then changes job, what arrangements will ensure continued access to the same stakeholder pension. [71174]

**Mr. Timms:** The Green Paper "Partnership in Pensions" indicated that the requirement on employers to provide access to stakeholder pension schemes, including the deduction of contributions from pay, would initially apply only to a single scheme nominated by the employer. An employee who moved to a new employer with a different nominated scheme and who wished to remain in his or her current scheme would be able to do so, but would need to make his or her own arrangements for passing contributions to the scheme, unless the new employer agreed to pass on contributions on a voluntary basis.

We believe it would be desirable in the longer term to move to a position where employers would be required to pass employees' contributions to any stakeholder scheme. Before doing so, we would want to ensure that such a requirement did not impose an undue administrative burden on employers. The Green Paper indicates that we plan to consult further on the idea of a clearing house for contributions, which could be helpful in reducing the cost to employers of passing contributions to a number of different schemes.

## Pensioners

**Mr. Webb:** To ask the Secretary of State for Social Security how many non-married pensioners with income below £80 per week are *(a)* men and *(b)* women who are (i) 65 to 69, (ii) 70 to 74, (iii) 75 to 79 and (iv) 80 years or above; and if he will list separately the figures in each case for those who are (1) widows/widowers, (2) divorced or separated and (3) never married. [71176]

**Mr. Timms:** The information is in the table.

*Non-married pensioners in Great Britain with income below £80 per week, by status—All non-married (non-cohabiting) pensioners*

| Age band | Men | Women | Total |
|---|---|---|---|
| 65 to 69 | 30,000 | 100,000 | 130,000 |
| 70 to 74 | 20,000 | 180,000 | 200,000 |
| 75 to 79 | 40,000 | 190,000 | 220,000 |
| 80 or above | 60,000 | 270,000 | 330,000 |
| All 65 or above | 150,000 | 730,000 | 880,000 |

*Widow/widower pensioners*

| Age band | Men | Women | Total |
|---|---|---|---|
| 65 to 69 | 10,000 | 70,000 | 80,000 |
| 70 to 74 | 10,000 | 140,000 | 150,000 |
| 75 to 79 | 30,000 | 160,000 | 190,000 |
| 80 or above | 50,000 | 230,000 | 290,000 |
| All 65 or above | 100,000 | 600,000 | 710,000 |

*Divorced or separated pensioners*

| Age band | Men | Women | Total |
|---|---|---|---|
| 65 to 69 | 10,000 | 20,000 | 30,000 |
| 70 to 74 | 10,000 | 20,000 | 20,000 |
| 75 to 79 | [2] | 10,000 | 20,000 |
| 80 or above | [2] | 10,000 | 10,000 |
| All 65 or above | 20,000 | 60,000 | 80,000 |

*Never-married pensioners*

| Age band | Men | Women | Total |
|---|---|---|---|
| 65 to 69 | 10,000 | 10,000 | 20,000 |
| 70 to 74 | [2] | 20,000 | 20,000 |
| 75 to 79 | 10,000 | 20,000 | 20,000 |
| 80 or above | 10,000 | 20,000 | 30,000 |
| All 65 or above | 20,000 | 70,000 | 90,000 |

[2] Estimates of fewer than 5,000 pensioners

*Notes:*
1. Estimates are given to the nearest 10,000 pensioners, although they are not necessarily accurate to that degree. Components may not sum to totals due to rounding.
2. Estimates, particularly those for 'divorced or separated', 'never married' and male widowed pensioners, should be treated with caution since they are based on small sample sizes.
3. Income is defined as net income before housing costs at July 1996 prices.
4. Non-married pensioners who are currently cohabiting are excluded from the analysis.

*Source:*
Family Resources Survey, 1996–97

**Mr. Field:** To ask the Secretary of State for Social Security if he will estimate from the PENSIM simulation the numbers of pensioners eligible for the minimum

income guarantee *(a)* under current arrangements and *(b)* if the Government's proposals on pensions are implemented in (i) 2000, (ii) 2010, (iii) 2020, (iv) 2030 and (v) 2040. [72192]

**Mr. Timms:** The information is not available in the form requested. Such information as is available is given in the table.

*Proportion of pensioners receiving the minimum income guarantee*

| | *2000* | *2025* | *2050* |
|---|---|---|---|
| Current arrangements | 1 in 5 | 1 in 5 | 1 in 3 |
| After implementation of proposals (excluding effect of behavioural change) | 1 in 5 | 1 in 5 | 1 in 4 |

*Notes:*

1. The estimates of the numbers in receipt of the Minimum Income Guarantee under current arrangements are based on our intention, over the long-term and as resources permit, to uprate the Minimum Income Guarantee in line with average earnings.

2. Projections forward to the year 2050 are subject to a high degree of uncertainty, given the number of assumptions that need to be made in making these estimates. The estimates have been made by extrapolating estimates from the PENSIM model, but these can only give a broad indication of the likely order of magnitude of figures so far into the future.

## Income Support

**Mr. Webb:** To ask the Secretary of State for Social Security, pursuant to his answer of 13 January 1999, *Official Report*, columns *222–23*, on income support, what assessment he has made of the gender breakdown of the one in four pensioners whom he expects to be on income support in 2050. [71437]

**Angela Eagle:** The information is not available. Projections forward to 2050 are subject to a high degree of uncertainty, given the number of assumptions that need to be made in making these estimates. Estimates have been made by extrapolating estimates from the PENSIM model, but these can only give a broad indication of the likely order of magnitude of figures so far into the future.

**Mr. Webb:** To ask the Secretary of State for Social Security what estimate he has made of the effects of his over-indexation of income support rates for pensioners on the number of pensioners receiving *(a)* housing benefit and *(b)* council tax benefit in 1999–2000. [71957]

**Mr. Timms:** It is estimated that, as a result of increasing the Income Support rates for pensioners above price indexation in April 1999, an additional 5,000 pensioners will become entitled to Housing Benefit and an additional 10,000 cases will become entitled to Council Tax Benefit.

*Notes:*

1. The estimates are based on the 1995–6 Family Resources Survey and have been adjusted by administrative data. Figures are uprated to 1999–2000 prices and benefit levels and rounded to the nearest 5,000 cases.

2. Pensioners are defined as pensioner benefit units at and above State pension age, (at least one of SPA or above), rather than individual Pensioners.

3. The two figures do not sum. Pensioners entitled to Housing Benefit will also be entitled to Council Tax Benefit, but not all Council Tax Benefit recipients will be receiving Housing Benefit.

## Widows

**Mr. Webb:** To ask the Secretary of State for Social Security what will be the rights of women who are widowed *(a)* before and *(b)* after pension age in respect of their late husband's state second pension. [71177]

**Angela Eagle:** We intend that men and women widowed over State pension age will be able to inherit half the State second pension entitlement of their late spouse (subject to the overall maximum). In line with the proposals for bereavement benefits currently before Parliament, those with dependent children who are widowed before State pension age will also be able to inherit half their late spouse's State second pension entitlement as part of their Widowed Parent's Allowance. Those without dependent children will be able to inherit half their late spouse's State second pension entitlement when they reach State pension age (again subject to the overall maximum).

## LISA

**Mr. Webb:** To ask the Secretary of State for Social Security what assessment he has made of the current charging levels of unit trusts, with respect to the feasibility of incorporating lifetime individual savings accounts within the stakeholder pension framework. [71173]

**Mr. Timms:** The consultation paper "Helping to deliver stakeholder pensions" indicates that the proposed new investment mechanism could be used for all existing types of defined contribution pension scheme and, in due course, for stakeholder pension schemes.

Pooled investment schemes, including unit trusts, typically take most of their income from an annual percentage charge on the funds under management and should therefore be well placed to deliver flexible arrangements with charges that do not penalise individuals who stop paying in, or who wish to transfer their pension savings to another scheme. Details of the minimum standards that all stakeholder pension schemes will be required to meet, including those on charges, will be set out in due course.

## New Deal

**Mr. Maclean:** To ask the Secretary of State for Social Security if he will provide a breakdown of the types of benefit received by those leaving the New Deal for 18 to 24 year olds to transfer to other benefits. [71186]

**Angela Eagle:** Of the 82,600 young people who have left the New Deal up to November 1998 (the latest date for which figures are available) 10,150, 12 per cent. of all leavers, have claimed other benefits. Of these, 5,600 have claimed Incapacity Benefit, 1,700 have claimed Income Support and 2,850 have claimed other benefits for which no detailed breakdown by benefit is available.

*Source:*

New Deal Evaluation Database.

## NIRS2

**Mr. Cousins:** To ask the Secretary of State for Social Security how many extra staff have been recruited to compensate for the delays in the NIRS2 project; how many of these staff are *(a)* short-term and *(b)* part-time

workers; what has been the cost of employing these staff including employment on-costs; and how much of this cost is recoverable from Anderson Consulting. [71788]

**Mr. Timms:** I refer my hon. Friend to the reply I gave the hon. Member for Newbury (Mr. Rendel) on 15 February 1999, *Official Report*, column 556.

**Mr. Cousins:** To ask the Secretary of State for Social Security for which customers and from what dates the Contributions Agency has declined to accept national insurance contributions because of an inability to record those contributions; how many customers are affected; how much revenue has been lost; and how it will be recovered. [71784]

**Mr. Timms:** The Contributions Agency has never declined to accept National Insurance contributions from its customers or contributors because of an inability to record the contributions paid on the new National Insurance Recording System (NIRS2).

However, there have been some situations where the Department has been unable to register an individual to pay Class 2 self-employed contributions either by the Direct Debit or quarterly payment method as a consequence of the delays in introducing the NIRS2 on-line facilities.

The Department identified approximately 160,000 customers who were affected by the delays and provided them with information. Contingency arrangements were invoked where appropriate to minimise the impacts to customers.

Since the introduction of the on-line facility, the Agency has cleared approximately 31,000 cases from the 160,000 outstanding backlog cases. It is also continuing to action all new applications as they are received.

Collections of all outstanding Class 2 liabilities affected by the delays will be handled sensitively.

**Mr. Cousins:** To ask the Secretary of State for Social Security what are the objectives of the NIRS2 project; when the final decision was taken to implement the project; on what dates revisions of the objectives were approved; what has been the expenditure on this project to date; and if he will list the remaining implementation milestones to completion. [71770]

**Mr. Timms:** The objectives of the NIRS2 project were to develop a new computer system that would replace the ageing NIRS1 system and to support the legislative changes brought about by the Pensions Act 1995.

The original NIRS2 Agreement was to deliver the system in 3 releases between February 1997 and April 1999. A subsequent Deed of Agreement was agreed in July 1996, which allowed for a phased delivery of the first release. Although incorporating the original time frame, the phasing of delivery between those dates was significantly altered.

*Release 1a*

The agreement delivery date of 10 February 1997 was achieved.

*Release 1b*

The original agreement date of 27 October 1997 was not achieved. Delivery took place on the 28 January 1998.

*Release 1c*

The original agreement date of 6 April 1998 was not achieved. Part of the service was delivered on the 13 July 1998, and final acceptance took place on the 28 August 1998.

Release 2–3 is the remaining milestone. The agreed delivery date is the 6 April 1999, and this is still the current target. A maintenance release incorporating changes requested by the business is also planned for 6 April 1999.

As reported by the National Audit Office on 29 May 1997 the cost of implementing the NIRS2 computer system is likely to be around £134 million.

## Housing Benefit

**Mr. Cousins:** To ask the Secretary of State for Social Security what studies have been commissioned under the Housing Benefit Computing Strategy Study; when such studies were commissioned; what agencies are employed in the study; how much expenditure has been committed so far; and what are the implementation milestones to completion. [71786]

**Angela Eagle:** The Housing Benefit Computing Strategy (HBCS) study was announced on 5 March 1996 to explore the benefits of integrating local authority Housing Benefit and Council Tax Benefit (HB/CTB) computer systems with the next generation of departmental computer systems. A range of studies were commissioned in 1996. They included a national survey of local authorities (to establish details of their existing systems and their attitude towards a national computing system); an HB/CTB process mapping exercise (to baseline the business requirements of an integrated system) and a financial analysis (to model the costs and benefits for the department and local authorities of such a system).

Further analytical work has been undertaken during the course of 1997 and 1998. At present, only the Department is involved in continuing work, but local authority Housing Benefit practitioners and a number of consultancy firms have been involved in the past. Excluding civil service and local authority costs, expenditure of approximately £640,000 has been committed so far. The study into whether Departmental computer systems should take account of HB/CTB is continuing. Integration of local authority and Departmental computer systems is a major undertaking and progress is dependent on the implementation of the Department's overall information systems/information technology strategy. Final decisions on the outcome of the HBCS study and any future implementation plans will be dependent on this.

## Smartcard

**Mr. Cousins:** To ask the Secretary of State for Social Security if he will indicate the objectives of the benefits payments smartcard project; on what date the final decision was taken to implement the project; what has been the expenditure on the project so far; and if he will list the remaining implementation milestones to completion. [71764]

**Mr. Timms:** The Benefits Agency is involved, with Post Office Counters Ltd., in a Programme to automate post offices and benefit payments. The objectives of this Programme are:

To deliver a secure method of paying benefits at post offices;

To develop a system that meets recognised accountancy practices;

For automation to provide greater commercial opportunities enabling Post Office Counters Ltd. to improve competitiveness and increase efficiency;

To provide an improved level of service to all customers.

The project is being taken forward under the Private Finance Initiative and the contract was awarded to ICL Pathway on 15 May 1996.

To date, the Department's expenditure amounts to £241 million. This expenditure provides a range of services and an Information Technology infrastructure that will also support our wider programme of modernisation.

The Programme is presently undergoing a limited trial in the North East and South West of England using the Benefit Payment Service to pay Child Benefit and the Order Book Control Service to record bar coded order books. The remaining milestones consist of the completion of post office automation nationally, the introduction of card payment for all other benefits and the delivery of the remaining services; the Electronic Point of Sale Service which records post office product sales; and the Automated Payment Service that provides automated bill payment facilities.

### Child Benefit

**Mr. Cousins:** To ask the Secretary of State for Social Security if he requires customers receiving child benefit to distinguish between children of different relationships. [71709]

**Angela Eagle:** Generally, a person who is responsible for a child either because the child is living with them, or because they are contributing regularly towards the maintenance of the child, will be eligible for Child Benefit. The relationship between the child and the person claiming is immaterial.

Where competing claims are received in respect of the same child and both claimants live at the same address, a parent will have priority of title over a person who is not the child's parent. Step-parents and legally adoptive parents are treated as natural parents.

### Accord Project

**Mr. Cousins:** To ask the Secretary of State for Social Security what are the objectives of *(a)* the accord project and *(b)* the assist computerisation project; on what date the final decision was taken to implement the project; what was the expenditure on each project; and if he will list the remaining implementation milestones to completion. [71781]

**Mr. Timms:** The Access to Corporate Data (ACCORD) Procurement project was established to provide the Department with long term supply options to take forward the delivery of the new generation of Information Systems/Information Technology (IS/IT) needed to underpin the modernisation of the Welfare State. The procurement set out to establish Private Finance Initiative/Private Public Partnership arrangements with suitable service providers.

The announcement of the selected service providers (AFFINITY, ARCWAY and 1ACCORD) to take this work forward on behalf of the Department was made on 5 November 1998, *Official Report*, column *646*. Specific business allocations will be made to the service providers under the provision of an overarching IS/IT Services Agreement. Milestones for these individual projects will then be defined as part of the projects management activity.

The ACCORD Procurement Project team has, since its inception in 1996, cost in the order of £3.8 million. No payments have yet been made to any service provider as a result of the procurement project. Expenditure commitments will be linked to the business allocations made under the IS/IT Services Agreement.

The ASSIST (Analytical Services Statistical Information System) Project was established to produce a comprehensive statistical package to support statisticians and policy makers within the Department, with final approval for the implementation of the system given on 9 February 1998. The final milestone will be the roll out of the Data Repository to users in the Departments Analytical Services Division from 5 April 1999. Total expenditure from April 1995 to the end of the financial year 1998–99 is expected to be £6.2 million.

### Benefits Agency Offices (Closure)

**Dr. Harris:** To ask the Secretary of State for Social Security when he first assessed the advantages of closing the Benefits Agency offices in Abingdon and Wantage. [71688]

**Angela Eagle:** I refer the hon. Member to the written answer I gave him on 18 November 1998, *Official Report*, column *629*.

### Reviews and Task Forces

**Mr. Maclean:** To ask the Secretary of State for Social Security what *(a)* reviews, *(b)* task forces and *(c)* advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71512]

**Mr. Timms:** The information is in the table.

| *Review* | *Cost* | *Reports* |
|---|---|---|
| Review of the major components of the Social Security system | Costs are subsumed within the Department's ordinary running costs. | Green paper: "New Ambitions for Our Country: A new contract for welfare", published 26 March 1998. Decisions on support for disabled people, bereavement benefits and a single work-focused gateway to the benefits system for working age people will be taken forward in the Welfare Reform and Pensions Bill. Further announcements in due course. |

| *Review* | *Cost* | *Reports* |
|---|---|---|
| Review of Pensions | Costs are subsumed within the Department's ordinary running costs. | "Stakeholder Pensions: a Consultation Document" November 1997.<br>"A New Contract for Welfare: Partnership in Pensions" December 1998.<br>"Strengthening the Pensions framework: a Consultation Document" December 1998. |
| Review of Child Support | Costs are subsumed within the Department's ordinary running costs. | Green Paper "Children First: a new approach to child support" published July 1998.<br>We will shortly publish our detailed strategy for safeguarding Social Security. |
| Review of the evidence on which the Department's approach to the assessment of noise induced sensorineural hearing loss is based | Costs are subsumed within the Department's ordinary running costs but travel and subsistence for members was £2,100. | Outcome of the review was announced on 5 March 1998. |
| Housing Benefit Simplification and Improvement Project | Costs are subsumed within the Department's ordinary running costs. | Report will be published in due course. |
| *Task Forces* | | |
| Pensions Education Working Group | Costs are subsumed within the Department's ordinary running costs | "Getting to know about Pensions" – June 1998 |
| Pension Provision Group | Costs are subsumed within the Department's ordinary running costs | "We all need pensions—the prospects for pension provision"—June 1998 |
| *Advisory Groups* | | |
| Disability Benefits Forum | Costs are subsumed within the Department's ordinary running costs but travel and subsistence, hospitality and other miscellaneous services amount to £6,580 to date | None |
| Ad hoc Group of External Stakeholders—Decision Making and Appeals | Nil | No reports produced. It is a discussion group for consultation on regulations from Social Security Act 1998 and DMA implementation proposals. |
| Pension Sharing Consultation Panel | Nil | None |

### Invalid Care Allowance

**Mr. Webb:** To ask the Secretary of State for Social Security if he will estimate the cost of extending entitlement to invalid care allowance to those above state pension age. [71498]

**Mr. Bayley:** Extending eligibility for Invalid Care Allowance to people initially claiming aged 65 years or over would cost an estimated £30 million in terms of benefit expenditure in 1999–2000, including the cost of increased eligibility for carer premium within the income related benefits.

*Note:*

The expenditure estimate has been given at 1998–99 prices and is rounded to the nearest £5 million.

*Source:*

1996–97 Family Resources Survey. Due to limitations in the survey data the estimate should be treated with caution.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Secretary of State for Social Security if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71855]

**Mr. Timms:** In common with other Departments, the work of press officers in this Department includes responding to any misinformed allegations concerning Government policy or activity which are published in the media. They are supported in this work by other officials as necessary.

As this is a routine part of a Department's work and it is not separately recorded from other tasks, to provide the further information requested would involve disproportionate cost.

### "A New Contract for Welfare"

**Mr. Field:** To ask the Secretary of State for Social Security if he will list changes made to the proposals in the Green Paper, "A New Contract for Welfare: Support in Bereavement and Support for Disabled People", as a result of the consultations he undertook. [72187]

**Mr. Bayley:** An announcement will be made shortly.

### Back-to-work Bonuses

**Mr. Field:** To ask the Secretary of State for Social Security how many Back-to-Work bonuses have been paid in each year since the introduction of the scheme. [72186]

**Angela Eagle:** The information is in the table.

*Number of back to work bonuses made*

| | Number |
|---|---|
| 7 October–31 December 1996 | 1,374 |
| January–December 1997 | 41,353 |
| January–December 1998 | 45,542 |

*Note:*
Data based on information held on the Income Support Computer System (ISCS) and the Jobseeker's Allowance Payment System (JSAPS). No clerically processed claims included. Excludes JSAPS activity for November 1996.
*Source:*
Back to Work Bonus management information statistics.

## Incapacity Benefit

**Mr. Field:** To ask the Secretary of State for Social Security if he will estimate the numbers of individuals who will lose entitlement under his changes to incapacity benefit and the numbers who, as a result, will claim means-tested assistance. [72191]

**Mr. Bayley:** Most of the people who would be affected by the proposal to take some account of occupational and personal pensions over £50 a week will continue to receive Incapacity Benefit. The estimated reduction in the number of people on Incapacity Benefit as a result of the proposed change to the National Insurance contribution conditions is 30,000 in year one, 60,000 in year three and 120,000 in year ten. Approximately 70 per cent. of these people will already be receiving income-based Jobseeker's Allowance or Income Support when their claim for Incapacity Benefit is made and we would expect their entitlement to means-tested benefit to continue.

**Mr. Oaten:** To ask the Secretary of State for Social Security what is the change in the number of people claiming incapacity benefit *(a)* in the six pilot areas of the New Deal for Disabled People and *(b)* in control areas. [72356]

**Mr. Bayley:** We are piloting a Personal Adviser Service under the New Deal for Disabled People in 12 areas. The first six pilots were launched on 28 September, and pilots in the remaining six areas are expected to start in the Spring. The latest available information about Incapacity Benefit caseloads in the pilot areas relates to August 1998, before the pilots started. Data are collected quarterly, and information for the quarter ending November 1998 will be available at the end of March.

**Mr. Rendel:** To ask the Secretary of State for Social Security (1) how many widows currently receive incapacity benefit on the basis of their husband's contributions; what is the total cost of the payments; and what is the average payment received; [72354]

(2) how many widows and widowers he estimates will not be able to claim incapacity benefit on the basis of their spouses' contributions as result of the changes proposed in the Welfare Reform and Pensions Bill. [72353]

**Mr. Bayley:** Information is not available in the format requested. Such information as is available is as follows. It is estimated there may be up to 2,000 successful claims a year to Incapacity Benefit on the basis of a late spouse's contributions. We estimate that about 1,500 people will be affected in the first year and 5,000 in the long run by the proposed changes to the contribution conditions.

## Housing and Council Tax Benefits

**Mr. Field:** To ask the Secretary of State for Social Security how many people have claimed housing benefit and council tax benefit extension period for each year since the introduction of the concession. [72189]

**Angela Eagle:** The information is in the table.

*Housing benefit/council tax benefit extended payments*

| | *Housing benefit* | *Council tax benefit* |
|---|---|---|
| *1996–97* | | |
| Total extended payment applications | 110,000 | 100,000 |
| Number of successful applications | 87,000 | 85,000 |
| Percentage of successful applications | 82 | 83 |
| *1997–98 Provisional* | | |
| Total extended payment applications | 170,000 | 170,000 |
| Number of successful applications | 150,000 | 140,000 |
| Percentage of successful applications | 85 | 85 |

*Notes:*
1. Figures have been rounded to two significant figures.
2. Figures refer to a benefit unit, which may be a single person or a couple.
3. 1997–98 figures are provisional. Final figures will be released in HB/CTB Quarterly Summary.
4. Statistics—May 1998, on 25 February 1999.
*Source:*
Quarterly Administrative returns April 1996 to March 1998.

## SERPS

**Mr. Rendel:** To ask the Secretary of State for Social Security what estimate he has made of the number of men with SERPS entitlement who retired between 1986 and 1996. [72044]

**Mr. Timms:** We estimate that there are approximately 2 million male pensioners in Great Britain, who are aged between 68 and 78 and who have some entitlement to additional pension from SERPS.

*Source:*
5 per cent. sample of the Pensions Strategy Computer System (PSCS) drawn at January 1999.

**Mr. Rendel:** To ask the Secretary of State for Social Security how many of the men with SERPS entitlements who retired between 1986 and 1996 he estimates may have made financial arrangements on the basis of the incomplete information included in DSS leaflets NP45 and NP46 published between 1986 and spring 1996. [72045]

**Mr. Timms:** We estimate that there are approximately 2 million male pensioners in Great Britain who retired between 1986 and 1996 and who have some SERPS entitlement. They will have made their financial arrangements on the basis of various sources of information.

**Mr. Rendel:** To ask the Secretary of State for Social Security if he plans to write to all the men with SERPS entitlements who retired between 1986 and 1996 whose decisions may have been affected by the incomplete information provided in DSS leaflets NP45 and NP46 between 1986 and spring 1996; and if he will compensate all those who have been affected. [72046]

**Mr. Timms:** We are considering ways to heighten general awareness of the reduction from 100 per cent. to 50 per cent. in the amount of SERPS which can be inherited by a surviving spouse from 6 April 2000. Current widows and those widowed before 6 April 2000 will not be affected by this change. Existing compensation arrangements can offer redress to those who can show that their financial decisions have been affected to their detriment by misleading information provided by the Department.

## KPMG

**Mr. Ruffley:** To ask the Secretary of State for Social Security if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72012]

**Angela Eagle:** All of the business awarded to KPMG has been competitively tendered amongst a selection of suppliers, under the Computer and Related Services Framework Agreement, which has been in place since 1 June 1996. No records are available prior to this date.

This Framework is covered by the provisions of the EC Services Directive (92/50/EEC), which came into effect on 1 July 1993. This ensures that all tender exercises are compliant with EC Procurement legislation.

This Department spends in the order of £60 million per annum under the Computer and Related Services Framework Agreement on consultancy and contractor services, under 2 per cent. of which has been spent with KPMG during the whole period of the Framework. All contracts of over £10k are listed in the table, three other minor contracts below this value have been awarded.

| *Date* | *Service provided* | *Value (£)* |
|---|---|---|
| 7–31 May 1996 | Consultancy support for ITSA's Management Team review of lessons learnt from recent PFI and out sourcing exercises | 24,462 |
| 12–30 August 1996 | Review of Financial Systems that form part of the Accounting Requirement for Shared System Infrastructure—part of the emerging Corporate IS/IT strategy | 17,010 |
| 5 August 1996–22 November 1996 | Consultant to undertake pre-feasibility study of Programme Accounting Group (PAG) computer systems capabilities for debt management | 81,400 |
| 12 November 1996–31 December 1996 | Programme Accounting Group (PAG) systems development work on the Accounting Systems | 364,500 |
| 21 October 1996–24 January 1997 | Programme Accounting Group (PAG) Consultancy for Third Party Payment Purchasing study | 118,471.70 |
| 5–26 February 1997 | Independent review of Departmental Year 2000 Project | 17,745 |
| 10 February 1997–4 April 1997 | IS/IT Systems Support for Programme Accounting Groups (PAG) Computer System | 33,250 |
| 9 June 1997–3 October 1997 | Consultant to review/assess and analyse opportunities within ITSA's Customer Service Function | 53,025 |
| 14 July 1997–31 January 1998 | Program Accounting Group (PAG) Project Manager for Benefits Agency Financial System enhancements | 63,000 |
| 16 March 1998–30 September 1998 | Assisting Banking and Allocation Branch in the evaluation of ACCORD Proposals | 386,815 |
| 13 October 1997–12 October 1998 | Assisting Banking and Allocation Branch in defining the requirement for MIS, Financial control and accounting for the ACCORD project and Modern Service Programme | 437,400 |
| 25 November 1997–31 March 1999 | Assisting Banking Allocation Branch to further develop MIS and Financial Strand of Modern Service Programme work | 399,600 |
| Total | | 1,996,678.70 |

## Annuities

**Mr. Webb:** To ask the Secretary of State for Social Security if he will estimate on the basis of the figures provided by the Government Actuary the weekly income which could be purchased via an indexed annuity by *(a)* a man and *(b)* a woman, aged 65 years with an accumulated sum of £10,000 from a stakeholder pension if that annuity was intended to last (i) for a fixed period of 10 years and (ii) until death. [72182]

**Mr. Timms:** £10,000 would provide an annuity income of £730 per annum for a man and £630 per annum for a woman. Both of these are payable for life. The Inland Revenue's rules do not permit a retirement annuity to be payable for a fixed period of ten years.

## Benefit Integrity Project

**Mr. Oaten:** To ask the Secretary of State for Social Security when he expects to publish the final figures of cases under the Benefit Integrity Project following its conclusion on 31 March. [72355]

**Mr. Bayley:** Benefit Integrity Project (BIP) statistics for the period ending 31 March 1999 will be placed in the Libraries of both Houses by the end of April 1999. BIP cases being actioned on 31 March 1999 will continue to be processed. Statistical information will continue to be provided as these cases pass through all stages of adjudication, including review and appeal.

## Pensions

**Mr. Webb:** To ask the Secretary of State for Social Security, pursuant to his answer of 11 February 1999, *Official Report*, column *378*, on stakeholder pensioners, if he will provide corresponding estimates of income as a percentage of the minimum income guarantee for (i) 10 years and (ii) 15 years after retirement. [72183]

**Mr. Timms:** The information is in the table.

| Number of years after retirement | Pension as a proportion of the Minimum Income Guarantee (MIG) Earnings-indexed MIG (%) | Price-indexed MIG (%) |
|---|---|---|
| 0 | 110 | 240 |
| 10 | 90 | 200 |
| 15 | 80 | 175 |

*Notes:*
1. The hypothetical individual in this example is assumed to begin work at 16 years old in 2002; work for 49 years until retirement; and earn £10,000 per annum in 1998 earnings terms throughout their working life.
2. Only National Insurance rebates are paid into the stakeholder pension scheme.
3. Real earnings growth is assumed to be 1.5 per cent.
4. Percentages are rounded to the nearest 5 per cent.

**Mr. Webb:** To ask the Secretary of State for Social Security what data sources are available to him which would enable him to assess long-term trends in the living standard of widows over pension age relative to other groups of people over pension age. [71958]

**Angela Eagle:** Information on incomes of widows over pension age and other groups of people over pension age is available from the Family Expenditure Survey for selected years between 1979 and 1996–97. Such information is also available from the Family Resources Survey from 1994–95 to 1996–97. Reliable estimates may not be available from these sources for all years, or for certain subgroups of people over pension age, due to small sample sizes.

**Mr. Webb:** To ask the Secretary of State for Social Security, pursuant to his answer of 11 February 1999, *Official Report*, column *379*, on pensions, if he will provide a breakdown of the total package between (i) the minimum income guarantee, (ii) winter fuel payments, (iii) free eye tests and (iv) concessionary travel, and indicate in each case how the expenditure is phased over the three year period. [72040]

**Mr. Timms:** The information is in the table.

*Estimated DSS expenditure based on comprehensive spending review forecasts*

£ million

| Year | Mimimum Income Guarantee[1] | Winter Fuel Payments |
|---|---|---|
| 1999–2001 | 495 | 155 |
| 2000–01 | 670 | 160 |
| 2001–02 | 840 | 165 |

[1] This includes additional cost for Housing Benefit and Council Tax Benefit.

In addition, costs in the region of between £120 million and £150 million per annum (depending on take up) will be incurred by the Department of Health in respect of free eye tests for people aged 60 and over. the introduction of a national minimum scheme for pensioners on buses depends on the passage of primary legislation.

## Bereavement Allowance

**Mr. Rendel:** To ask the Secretary of State for Social Security how much he estimates it would cost to extend the payment of bereavement allowance from six months to *(a)* one year, *(b)* two years, *(c)* three years, *(d)* four years and *(e)* five years. [72282]

**Angela Eagle:** The following is the information:

*Additional cost of extending bereavement allowance*

£ million

| | 2001 | 2005 | 2020 |
|---|---|---|---|
| One year | 10 | 30 | 50 |
| Two years | 10 | 90 | 150 |
| Three years | 10 | 140 | 200 |
| Four years | 10 | 180 | 250 |
| Five years | 10 | 200 | 350 |

*Notes:*
1. Figures are in 1998–99 prices and are rounded to the nearest £10 million. Figures for year 2020–21 are rounded to the nearest £50 million. The estimates for 2020–21 are broad orders of magnitude and are provided for illustrative purposes only.
2. Estimates are presented net of means-tested benefit offsets, in line with those in the Welfare Reform and Pensions Bill. Means-tested benefit offsets were estimated using the 1995–96 Family Resources Survey and the Income Support Quarterly Statistical Enquiries. They assume a constant offset ratio for each year.

*Source:*
Gross costs were provided by the Government Actuary's Department

## Vouchers

**Dr. Gibson:** To ask the Secretary of State for Social Security if he will release the report of the Social Security Advisory Committee concerning luncheon vouchers and other vouchers. [72281]

**Mr. Timms:** We are considering the Social Security Advisory Committee's report on regulations to bring non-cash vouchers into line with the treatment of cash earnings for National Insurance contribution purposes. Where the Committee reports on a set of regulations, the Secretary of State is required to publish it, and the Government's response, when tabling the regulations. There is no requirement to publish the Committee's report where a decision is taken not to table the regulations. We shall make a further statement shortly.

## Benefit Claimants

**Mr. Field:** To ask the Secretary of State for Social Security if he will list for the latest available year the value of benefits paid by his Department to claimants in the *(a)* Liverpool and *(b)* Wirral areas. [72185]

**Angela Eagle:** The information is not available in the format requested. Such information as is available is in the tables. Where a benefit is paid centrally its value cannot be broken down to local figures, unless it is paid with a locally administered benefit such as Income Support.

*The value of benefit claims for the Financial Year 1997–98, period ending March 1998, for Liverpool and Wirral areas*

| Benefits | Liverpool | Wirral |
|---|---|---|
| Attendance Allowance[1] | 41,436,945 | 11,854,879 |
| Community Care Grants | 3,321,647 | 833,135 |
| Disability Living Allowance[1] | 25,840,578 | 6,324,555 |
| Funeral Payments | 94,884 | 22,665 |
| Incapacity Benefit | 210,017,961 | 66,275,699 |
| Income Support | 380,229,248 | 106,703,915 |
| Industrial Death Benefit | 868,650 | 533,175 |
| Industrial Injuries Benefit | 11,543,984 | 8,578,417 |
| Job Seekers Allowance | 105,322,360 | 29,589,854 |
| Maternity Allowance | 278,828 | 115,242 |

*The value of benefit claims for the Financial Year 1997–98, period ending March 1998, for Liverpool and Wirral areas*

| *Benefits* | *Liverpool* | *Wirral* |
|---|---|---|
| Maternity Expenses | 484,029 | 140,829 |
| Retirement Pension[1] | 382,241,952 | 140,576,855 |
| Severe Disablement Allowance | 22,899,682 | 7,067,890 |
| Widows Benefit | 13,987,575 | 4,675,006 |
| Winter Fuel Payments | 3,051,760 | 1,002,410 |
| Xmas Bonus | 1,737,431 | 608,596 |
| Other[2] | 43,961 | 23,244 |
| Total | 1,203,401,475 | 384,926,366 |

[1] The benefits marked are centrally paid benefits and the full value of these benefits paid in Liverpool and Wirral is not shown. The amounts shown are only the value of the benefit where it is combined with a locally paid benefit such as Income Support.

[2] The "other" figure consists of the remaining benefits whose value individually are small.

*Notes:*

1. Other centrally administered benefits that could not be shown in the table are: War Pensions, Family Credit, Child Benefit, Earnings Top-Up, Disabled Working Allowance, and Invalid Care Allowance.
2. Liverpool consists of Knowsley, Liverpool Mersey, Liverpool North and Sefton Districts. The BA local offices which make up these districts are: Liverpool Huyton, Liverpool Kirkby, Liverpool Belle Vale, Liverpool Edgehill, Liverpool Garston, Liverpool Toxteth, Liverpool Breckfield, Liverpool West Derby, Liverpool Bootle, Liverpool Crosby and Southport.
3. Wirral is one BA district with Birkenhead and Wallasey local offices.
4. Figures are provisional and subject to change.

*Source:*

Programme Accounting Computer System of the BA based at Norcross.

*The amount of Housing Benefit/Council Tax Benefit subsidy paid out by the Department for 1997–98*

| *Benefits* | *Liverpool* | *Wirral* |
|---|---|---|
| Housing Benefit Subsidy | 137,797,161 | 39,894,852 |
| Council Tax Benefit Subsidy | 80,723,071 | 19,439,489 |
| Total | 218,520,232 | 59,334,341 |

*Notes:*

1. Local Authorities included above are Knowsley, Liverpool, Sefton and Wirral.
2. The amounts for Housing Benefit/Council Tax Benefit represent the subsidies paid to Local Authorities by the Department as opposed to the actual amount of benefit paid to claimants by the Local Authorities.
3. Figures may be subject to change at audit.

*Source:*

The Local Authorities initial final claims for 1997–98.

### Asbestosis

**Mr. Ben Chapman:** To ask the Secretary of State for Social Security how many United Kingdom civilians employed in war-related work have received war pensions for asbestosis since 1969; and what factors led to their award. [72000]

**Mr. Bayley:** As at 31 December 1998, there were 3,183 civilians receiving a War Disablement Pension. However, information on how many of these pensions relate to asbestosis, how many pensions have been awarded since 1969 and what factors led to their award is not readily available and could be obtained only at disproportionate cost.

### Second Pension

**Dr. Lynne Jones:** To ask the Secretary of State for Social Security what estimate he has made of the additional annual cost of the second pension in *(a)* 10, *(b)* 15, *(c)* 20 and *(d)* 25 years' time. [71372]

**Mr. Timms:** The information is in the table.

*The estimated gross public expenditure costs of the state second pension*

*£ billion 1998–99 prices*

| *Year* | *SERPS* | *SSP* | *Difference, net of Income Related Benefit effects* |
|---|---|---|---|
| 2010 | 9.4 | 9.0 | –0.4 |
| 2015 | 11.0 | 10.7 | –0.4 |
| 2020 | 12.0 | 11.9 | –0.3 |
| 2025 | 13.2 | 13.8 | 0.0 |

*Notes:*

1. This shows the net public expenditure effects of the difference between the costs of SERPS and Second State Pension (SSP), taking into account the effects of income related benefits.
2. The SSP figures include all expenditure on State second-tier pensions, including SERPS pensions already in payment and pre-2002–03 SERPS accruals yet to come into payment.
3. These figures exclude the effect of the introduction of stakeholder pensions, which is expected to lead to higher levels of contracting out.

## WALES

### Millennium Celebrations

**Mr. Wigley:** To ask the Secretary of State for Wales if he will make additional funds available to the ambulance service and the fire service in Wales, above their normal revenue budgets, to meet the one-off costs associated with the millennium celebrations. [70308]

**Mr. Jon Owen Jones:** No additional funding is being made available to the ambulance or fire service in respect of the millennium celebrations.

Following the transfer of functions, this matter will be a responsibility of the National Assembly.

### Aricept

**Mr. Caton:** To ask the Secretary of State for Wales which area health authorities in Wales fund the prescription of the drug Donepezil Hydrochloride (Aricept) to treat Alzheimer's disease. [71486]

**Mr. Jon Owen Jones:** Generally, Health Authorities do not set aside funding for specific drugs, whether these are prescribed by GPs or by hospital doctors.

On 29 May 1998 the Chief Medical Officer circulated to clinicians and pharmacists in Wales the advice of the Standing Medical Advisory Committee that treatment with Donepezil should be initiated and supervised only by a specialist experienced in the management of dementia, that the benefit should be assessed at 12 weeks, and that treatment should continue only for those patients who have benefited from its use.

There is, therefore, no Departmental prohibition on the use of Donepezil in Wales but Health Authorities have to consider its use in the light of their locally determined priorities. The Dyfed Powys Health Authority has set up

a formal referral system and Iechyd Morgannwg Health have decided to treat patients within the protocol of a randomised control trial. The Gwent, North Wales and Bro Taf Health Authorities are reconsidering their position and are expected shortly to propose formal arrangements for the use of Donepezil in their areas.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Departmental Expenditure

**Mr. Maclean:** To ask the Secretary of State for Wales what reviews, task forces and advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71517]

**Mr. Michael:** I will write to the right hon. Member as soon as possible, and will place a copy of my reply in the Library of the House.

### Underground Spoil (Grovesend)

**Mr. Swayne:** To ask the Secretary of State for Wales what assessment he has made of the potential implications for *(a)* public health and *(b)* traffic on the M4 of the burning of underground spoil at Grovesend. [71295]

**Mr. Hain:** Responsibility for the health of the population of the area around Grovesend lies primarily with Morgannwg Health Authority. I understand that both the Health Authority and Swansea County Council have been monitoring and assessing the implications of underground burning of the tip at Grovesend.

The traffic position has been discussed with the police and local authorities in the area and resources have been made available to establish extra road signs, which will be erected shortly. A diversionary route has also been discussed and proposals for signing this have been put to the affected local authorities. It is considered that implications on traffic will diminish through the summer months but even with a start on works to address the problem in the near future, it will be some time before the position is substantially improved.

This is clearly a very serious problem. While others have primary responsibility for dealing with it, Welsh Office officials are working with the various interested parties to try to resolve the problem and I have called for regular reports on progress.

### Nurses

**Mr. Swayne:** To ask the Secretary of State for Wales how many whole time equivalent nurses were employed in Wales on 31 January. [71155]

**Mr. Jon Owen Jones:** Information on NHS staff is currently collected centrally on a quarterly basis. At 30 September 1998, the latest date for which information is available, there were 23,691 whole-time equivalent staff directly employed by the NHS in the nursing, midwifery and health visiting staff group.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### NHS Managers

**Mr. Swayne:** To ask the Secretary of State for Wales if he will list the number of managers in the NHS in Wales in each of the last five years. [71165]

**Mr. Jon Owen Jones:** Information on a comparable basis is available only for the last three years and is given in the following table. Prior to this the term "manager" was only applied to persons in the administrative and clerical grades. The whole-time equivalent number of managers in this group was 1,292 in 1994 and 1,350 in 1995.

*Managers directly employed by the NHS in Wales*

| *Staff group/grade* | *September 1996* | | *30 September 1997* | | *30 September 1998* | |
|---|---|---|---|---|---|---|
| | *Number* | *Wte* | *Number* | *Wte* | *Number* | *Wte* |
| *Ambulance Staff:* | | | | | | |
| Manager | 69 | 69 | 92 | 92 | 89 | 89 |
| *Administration and estate staff:* | | | | | | |
| Senior manager | 459 | 423 | 488 | 451 | 518 | 486 |
| Manager | 802 | 780 | 823 | 801 | 834 | 814 |
| *Nursing, midwifery and health visiting staff:* | | | | | | |
| Manager | 268 | 263 | 259 | 258 | 264 | 259 |
| *Scientific, therapeutic and technical staff:* | | | | | | |
| Manager | 124 | 121 | 137 | 135 | 136 | 132 |
| Total of above | 1,722 | 1,656 | 1,799 | 1,737 | 1,841 | 1,780 |

It should be noted that data may underestimate the true position as some non-medical staff (1.5 per cent. in 1995, 0.3 per cent. in 1997 and 0.2 per cent. in 1998) did not have a valid occupation code and have not, therefore, been assigned centrally to a staff group or grade.
Some staff in this group were erroneously included with administrative and estates staff during 1996.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Princess of Wales Hospital

**Mr. Swayne:** To ask the Secretary of State for Wales how many doctors are employed at the Princess of Wales Hospital in Bridgend; and how many were employed there in May 1997. [71169]

**Mr. Jon Owen Jones:** Information on hospital doctors is collected by the NHS Trust as at 30 September each year. At 30 September 1997, the latest date for which information is available, there were 180 hospital doctors employed in the Bridgend and District NHS Trust which related to a whole-time equivalent of 157.5.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Meningitis

**Mr. Evans:** To ask the Secretary of State for Wales what has been the cost to date of tackling the meningitis outbreak in the Bro Taf Health Authority area. [72258]

**Mr. Jon Owen Jones:** Details of the costs incurred by Bro Taf Health Authority during the recent outbreak are not held centrally. No additional funding has been sought from the Welsh Office and no additional costs have been incurred by my Department.

Following the transfer of functions, this issue will be a matter for the National Assembly.

**Mr. Evans:** To ask the Secretary of State for Wales if he will estimate the cost of advertising information relating to the meningitis outbreak to the public in Wales during the recent outbreak. [72253]

**Mr. Jon Owen Jones:** The Department has incurred no additional expenditure: all publicity material available has been produced as part of the Department's on-going meningitis awareness campaign.

Following the transfer of functions, this issue will be a matter for the National Assembly.

**Mr. Evans:** To ask the Secretary of State for Wales when he last had discussions with the National Meningitis Trust. [72260]

**Mr. Jon Owen Jones:** Welsh Office officials have had discussions with the National Meningitis Trust and that organisation has been invited to nominate a representative to join the group that I have set up to examine meningitis in Wales.

Following the transfer of functions, this issue will be a matter for the National Assembly.

**Mr. Evans:** To ask the Secretary of State for Wales what extra resources have been provided to the Bro Taf Health Authority to meet the cost of the meningitis outbreak. [72259]

**Mr. Jon Owen Jones:** No additional funding has been sought by, or provided to, Bro Taf Health Authority. Each Health Authority receives an element of discretionary funding in their annual resource allocation which is for the Health Authority to spend according to their priorities in their area.

Following the transfer of functions, this issue will be a matter for the National Assembly.

**Mr. Evans:** To ask the Secretary of State for Wales when he last had discussions with the Meningitis Research Foundation. [72261]

**Mr. Jon Owen Jones:** Welsh Office officials have had discussions with the Meningitis Research Foundation and that organisation has been asked to nominate a representative to join the group that I have set up to examine meningitis in Wales.

Following the transfer of functions, this issue will be a matter for the National Assembly.

**Mr. Evans:** To ask the Secretary of State for Wales what action is being taken to educate people in South Wales about meningitis. [72257]

**Mr. Jon Owen Jones:** A bilingual leaflet entitled "Knowing About Meningitis and Septicaemia", containing advice on recognising the signs and symptoms of meningitis, is widely available. This information is also included in the "The Guide to Childhood Immunisation" given to all new mothers.

There is also a successful yearly campaign "Look out for your mate" in universities and colleges.

Helplines and advice are made available to local people by Health Authorities when an outbreak occurs.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Ford Motor Company

**Mr. Evans:** To ask the Secretary of State for Wales if he will list the meetings he has had with representatives of the Ford Motor Company since he became Secretary of State; and if he will make a statement. [72256]

**Mr. Michael:** I have met representatives of the Ford Motor Company on two occasions:

23 November 1998 at the Welsh Office in London.

25 January on a visit to the Ford factory at Bridgend with my right hon. Friend the Chancellor of the Exchequer.

### Trade Unions (Meetings)

**Mr. Evans:** To ask the Secretary of State for Wales if he will list the meetings he has had with trade unions over the last six weeks in his official capacity. [72255]

**Mr. Michael:** Over the last six weeks I have met representatives of trade unions on two occasions:

*5 January*

Trade union side at Bronglais Hospital. During the course of this visit I also met members of the management of Ceredigion NHS Trust, Dyfed Powys Health Authority, and various other representatives.

*17 February*

UNISON about Sully Hospital.

I make it a matter of course to meet trade unions during the industrial visits I undertake, for instance Ford at Bridgend, and BAE and Raytheon at Broughton.

Over the same period, the Under-Secretary, my hon. Friend the Member for Neath (Mr. Hain) has also had two meetings with representatives of trade unions:

*1 February*

Unions at Lucas SEI;

*11 February*

NUT.

### National Assembly (Opening Ceremony)

**Mr. Evans:** To ask the Secretary of State for Wales if he will estimate the cost of the opening ceremony of the National Assembly for Wales. [72251]

**Mr. Michael:** I refer the hon. Member to the reply I gave to the hon. Member for New Forest, West (Mr. Swayne) on 16 February 1999, *Official Report*, column *683*.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Secretary of State for Wales if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71859]

**Mr. Michael:** Rebuttals of allegations in the media are made in my Department by individual press officers either through telephone calls to the organisation concerned, or through an appropriate letter signed by an official or a Minister. Generally, it is found that reporting of Welsh matters in the regional and national media is of a response nature, and the need for rebuttals is infrequent. For that reason, there is no special unit in the Department to handle rebuttals, and no record is kept centrally of the number or cost of rebuttals.

### Teacher Morale

**Mr. Barry Jones:** To ask the Secretary of State for Wales if he will make a statement on teacher morale. [72033]

**Mr. Hain:** Teaching is a demanding and vitally important profession. Our White Paper "Building Excellent Schools Together" (Cm 3701) acknowledged, however, that teachers' professionalism had been disdained all too often over the last decade; that morale had been badly damaged; and that this had to stop.

We have recently published our Green Paper "The Best for Teaching and Learning In Wales" on the future of the teaching profession in Wales. The Green Paper offers fundamental reform and the opportunity to give teachers the recognition and support they deserve. In return for a newly enhanced professionalism, greater individual accountability, more flexibility and still higher standards, its proposals set out measures that would offer teachers higher status, better prospects, a more rewarding career structure, less bureaucracy and more freedom to teach. We are undertaking a widespread consultation with all interested parties on these proposals

We have also undertaken to establish a General Teaching Council for Wales to maintain high professional standards in Wales and promote a positive image of teaching both within the teaching profession and to those outside.

Following the transfer of functions, these issues will be a matter for the National Assembly.

### Class Sizes

**Mr. Barry Jones:** To ask the Secretary of State for Wales if he will make a statement on class sizes in infant schools. [72030]

**Mr. Hain:** The January 1998 annual Schools' Census showed the following percentages of pupils in Wales were educated in classes of 30 or less:

| *Year group* | *Usual age of pupils* | *Percentage* |
|---|---|---|
| Reception | 5 | 74.3 |
| Year 1 | 6 | 66.4 |
| Year 2 | 7 | 62.5 |
| Other key stage 1 classes of mixed year groups | | 74.9 |

At January 1998, there were 30,734 pupils in Key Stage 1 classes of over 30 pupils.

In 1998–1999, £3.7 million in infant class size reduction grant has been allocated to local education authorities across Wales. It is estimated that more than 270 additional teachers have been taken on using this grant, with more than 700 classes being brought down to 30 pupils or less. This means that there are now 23,500 more Welsh infants in classes of less than 30 than there would have been without the grant. The 1999 Schools' Census will give the actual position.

In 1999–2000, £11.3 million will be available to local education authorities to continue funding existing measures and to make further progress in tackling the remainder of the problem. Local education authorities have submitted bids for 1999–2000 infant class size reduction grant and successful bids will be announced by end March. Eligible expenditure in the 1999–2000 round includes teachers' salaries, minor refurbishment works and the capital costs of new build classrooms and demountable classrooms.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Nursery Education

**Mr. Barry Jones:** To ask the Secretary of State for Wales if he will indicate *(a)* how many and *(b)* what percentage of nursery age children are in nursery education in Wales; and if he will make a statement. [72027]

**Mr. Hain:** In line with the Government's commitment to nursery education, a free, at least part-time education place has been available under local early years development plans from September 1998 to all four year olds whose parents want this, from the term following the fourth birthday. Local early years development partnerships can decide to secure and fund places in the maintained or non-maintained sector, provided they work within an agreed quality assurance framework.

There were 25,590 children in maintained nursery schools or nursery classes in maintained primary schools, as at January 1998. This is 35 per cent. of 3 and 4 year olds.

In addition, there were 29,346 children under 5 years old who attended ordinary or special classes in maintained schools. This represents a further 40 per cent. of 3 and 4 year olds.

Non-maintained settings also provide nursery education places for three and four year olds which are funded under local early years development plans. Information on the

number of such places is not yet available centrally but should be in late Spring when draft plans for school year 1999–2000 are submitted to the Secretary of State for approval.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Social Exclusion Unit

**Mr. Barry Jones:** To ask the Secretary of State for Wales if he will make a statement on the impact upon Wales of the Social Exclusion Unit. [72029]

**Mr. Hain:** I refer my hon. Friend to the answer I gave to my hon. Friend the hon. Member for Monmouth (Mr. Edwards) on 3 February 1999, *Official Report*, column *612*.

### New Deal

**Mr. Barry Jones:** To ask the Secretary of State for Wales how many employers are involved in the New Deal for the (i) young unemployed and (ii) long-term unemployed; and if he will make a statement. [72031]

**Mr. Hain:** The latest statistics produced by the Department for Education and Employment indicate that up to the end of December 1998, over 2,900 employers in Wales had signed up to provide subsidised jobs for the New Deal for 18–24 year olds or for the New Deal for the 25 plus.

I am very encouraged by these figures. From the outset we made it quite clear that the involvement of employers was crucial to the success of the New Deal in Wales. We have made an excellent start and I look forward to this continuing.

## AGRICULTURE, FISHERIES AND FOOD

### Date-based Export Scheme

**Mr. Luff:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received from the Federation of Fresh Meat Wholesalers about *(a)* their views on and *(b)* the willingness of their members to participate in, the date-based export scheme; and if he will make a statement. [70867]

**Mr. Rooker:** My right hon. Friend the Minister met the Federation of Fresh Meat Wholesalers on 12 January and I met them today. Officials have had a number of meetings with them about the Date-Based Export Scheme and the Federation wrote on 22 January responding to the consultation on our proposals for operating the scheme.

The Federation has expressed reservations about the attractiveness of the scheme to potential exporters. They see the requirement for plants to be dedicated to the slaughter of export eligible animals as a major drawback and have advised that their members are unwilling to commit to this requirement. They suggest that it will not be possible for the industry to export profitably under the scheme as it is currently planned to operate.

Nevertheless, the Federation recognises the importance of setting a date from which the UK is allowed to resume exports. I agree with them that the scheme rules are difficult and we expect the uptake to be low initially. But given the current climate of concern about BSE in other Member States, I believe then we could not have negotiated a more liberal scheme.

### Covent Garden

**Mr. Gordon Prentice:** To ask the Minister of Agriculture, Fisheries and Food if he intends to dispose of the fruit, flower and vegetable market at New Covent Garden. [70888]

**Mr. Rooker:** We intend to dispose of the assets of the Covent Garden Market Authority as soon as parliamentary time can be found for the necessary legislation.

### Meat Hygiene

**Mr. Todd:** To ask the Minister of Agriculture, Fisheries and Food (1) if he will list the meat hygiene costs borne by the livestock industry in England and Wales in *(a)* 1996–97 and *(b)* 1997–98; [70944]

(2) if he will list the meat hygiene *(a)* charges to and *(b)* costs borne by the (i) UK and (ii) EU member states' livestock industries which result from EU regulations; [70920]

(3) which meat hygiene costs in other member states of the EU are borne by *(a)* public authorities and *(b)* the relevant livestock industry; and in cases where costs are shared, if he will indicate the proportions paid. [70922]

**Mr. Rooker:** Council Directive 85/73/EEC (as amended) on the financing of veterinary inspections and controls requires Member States to recover the costs of those hygiene inspections conducted at licensed fresh meat plants in accordance with harmonised EC meat hygiene rules. The Directive sets standard charges (in ECU) applicable in all Member States for hygiene inspections of red meat, poultry meat and game meat, with rates varying depending on the species and size of animals being slaughtered. Subject to meeting specified criteria, such as the efficiency of operations at individual plants, the Directive provides for the standard charge to be abated by up to 55 per cent. Conversely, where the actual cost of inspection exceeds the standard charge, the Directive provides for actual costs to be charged. Similar principles apply in respect of charges in licensed cutting plants.

The total cost to the meat industry of hygiene inspections carried out in Great Britain by the Meat Hygiene Service in 1996–97 was £26.0 million and in 1997–98 was £29.8 million.

The actual level of hygiene inspection charges levied on individual meat plants in other Member States is set by the appropriate competent authority within the framework laid down by Directive 85/73/EEC. I am currently seeking information about the level of such charges, including the extent to which hygiene inspection costs are borne by public authorities. Once I have received this information I will write to my hon. Friend.

**Mr. Todd:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning methods of enforcement of meat hygiene regulations in other EU states as compared to enforcement in the United Kingdom and the impact of any differences on the competitiveness of UK products; and if he will make a statement. [71158]

**Mr. Rooker:** The European Commission's Food and Veterinary Office (FVO) is responsible for ensuring that individual EU member States comply with their Community public health obligations, including the enforcement of the EU meat hygiene Directive. The FVO carries out a regular programme of inspection visits to all Member States and publishes the reports of such visits on the Commission's website on the Internet (http://europa.eu.int/comm/dg24health/vi/reports). A list of the relevant reports also appears each month in MAFF's Meat Hygiene Enforcement Report and BSE Enforcement Bulletin.

**Mr. Drew:** To ask the Minister of Agriculture, Fisheries and Food what is the estimated cost to producers if the charges for Meat and Hygiene Service inspections are passed on to them. [68726]

**Mr. Rooker:** Meat Hygiene Service charges are levied on the occupiers of licensed fresh meat premises. It is a commercial decision for such operators whether they pass these costs onto their suppliers.

The total cost to the meat industry of meat inspection and hygiene supervision carried out in Great Britain by the Meat Hygiene Service was £29.8 million for 1997–98 and is forecast to be £33.1 million for 1998–99. Certain MHS enforcement costs, such as those for Specified Risk Material controls, were met by Government.

The MHS budget for 1999–2000 is currently being prepared. However, after careful consideration, my right hon. Friend the Minister announced on 14 January that the Government can no longer defer the introduction of charges to industry to cover the costs of SRM controls. It is proposed that these costs, estimated to be £21.5 million, should be transferred from the taxpayer to industry from 29 March 1999. We are currently considering the results of the consultation exercise on this matter.

## Genetically Modified Crops

**Mr. Llew Smith:** To ask the Minister of Agriculture, Fisheries and Food what research has been done by *(a)* his Department and *(b)* consultants to his Department into the possible effects of genetically modified crops or plants on (i) how insects pollinate and (ii) the quality of soil. [72527]

**Mr. Rooker:** All of the work within MAFF's research programme to assess the risks to the agricultural environment from the release of genetically modified crops is carried out by researchers under contract to the Ministry; none of the work is done in-house by the Ministry.

The Ministry has commissioned no research to date on possible effects of genetically modified crops on how insects pollinate, or on the quality of the soil.

**Mr. Baker:** To ask the Minister of Agriculture, Fisheries and Food if crops grown in genetically modified food trials will be allowed to enter the food chain. [71413]

**Mr. Rooker** *[holding answer 15 February 1999]:* Foods or food ingredients produced from GM crops may enter the food chain provided they have first passed a rigorous safety assessment and have been approved and labelled in accordance with the EC Novel Foods and Novel Food Ingredients Regulation.

## Food Standards (Schools)

**Mrs. May:** To ask the Minister of Agriculture, Fisheries and Food how many schools his Department estimates will be subject to the levy to fund the Food Standards Agency. [72238]

**Mr. Rooker:** It is proposed that the levy be applied to certain food premises required to register with the local authority under the Food Premises (Registration) Regulations 1991. Schools as such will not be required to pay. The requirement to pay the levy would depend on whether the premises concerned were required to register. Details of the number of registered food premises located in schools are not collected centrally and could be derived only at disproportionate cost.

**Mrs. May:** To ask the Minister of Agriculture, Fisheries and Food how many schools are currently registered under the Food Premises (Registration) Regulations 1991. [72236]

**Mr. Rooker:** Registers of food premises under these regulations are prepared and maintained by individual local authorities. Details of the number of food premises located in schools that are required to register are not collected centrally and could be derived only at disproportionate cost.

## Rights of Way

**Mr. Gordon Prentice:** To ask the Minister of Agriculture, Fisheries and Food if he will introduce cross-compliance measures which would prevent agricultural subsidies and other public money going to landowners who block public rights of way. [70889]

**Mr. Rooker:** The Commission's proposals on CAP reform would provide for Member States to apply cross-compliance measures to protect the environment. Access provisions could not be applied under this provision.

We will consider cross-compliance measures further in light of the terms of the eventual Agenda 2000 agreement and the responses to the current consultation exercise.

## Civil Servants (Misconduct)

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70776]

**Mr. Morley:** I refer the right hon. Member to the reply given by my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 1999, *Official Report*, columns *569–70*.

## Countryside

**Mr. Gordon Prentice:** To ask the Minister of Agriculture, Fisheries and Food how much land held by his Department he estimates would fall within the definition of open country as set out in the consultation document "Access to the Open Countryside" of February 1998. [71639]

**Mr. Morley:** It is estimated that of the 4,000 or so hectares of agricultural land held by my Department—approximately 1,150 hectares (28%)—would come within the definition of open country. This is part of a research farm in Northumberland which is partly freehold and partly leasehold and has been let to ADAS Consulting Ltd. for moorland research.

### Organic Cereal Production

**Mr. Alan Simpson:** To ask the Minister of Agriculture, Fisheries and Food what grants the Home Grown Cereals Authority has made for research into organic cereal production. [71534]

**Mr. Rooker:** To date the Authority has funded no research projects directed specifically at organic cereal production. The Authority is, however, currently in the process of revising its cereals R&D strategy. As part of this process, it has held formal discussions with a number of organisations representing the interests of organic producers.

### Pork Products

**Sir Alastair Goodlad:** To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received about a possible ban on the sale of pork products whose methods of production are illegal in the United Kingdom; and if he will make a statement. [71525]

**Mr. Rooker:** I and my Ministerial colleagues have received a large number of representations calling for a ban on the import of pork and pork products which do not match British production standards. It remains the case, however, that Single Market Legislation and European Court of Justice Rulings protect the free circulation of goods in the EU. In areas where there is a common market, such as pigmeat, if products conform to EU requirements, individual member states cannot introduce a unilateral ban.

### Departmental Expenditure

**Mr. Don Foster:** To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 12 January 1999, *Official Report*, columns *160–61*, if he will list the expenditure not included in his answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if he will list the bodies which incurred the expenditure, [71025]

**(2) pursuant to his answer of 12 January 1999,** *Official Report*, columns *160–61*, if he will list the expenditure not included in his answer incurred by *(a)* his agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for his Department; [71024]

(3) if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70978]

**Mr. Morley** *[holding answer 15 February 1999]:* The information asked for is not all held centrally. I will write to the hon. Member when it has been gathered together.

### Exchange Rates

**Mr. Mitchell:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the effects of the decline of the euro against sterling on the green pound. [70617]

**Mr. Rooker:** As from 1 January 1999, "green" rates ceased to exist, because the agrimonetary system, which converts amounts under the Common Agricultural Policy and the Common Fisheries Policy into national currency, has been completely overhauled. Daily market exchange rates are now used to convert from euros into sterling.

Overall, sterling has strengthened slightly against the euro since 1 January 1999, but it is too soon to predict long term trends. Compensation may be available if the sterling value of direct payments or market support payments is adversely affected by a decline in the euro.

### Synthetic Pyrethroid

**Jackie Ballard:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the impact of synthetic pyrethroid sheep dips on water courses. [71540]

**Mr. Rooker:** The Veterinary Products Committee (VPC) reported to Ministers on the use of synthetic pyrethroid and other non-OP sheep dips in January 1998. The Committee's recommendations, which included the extension of the Certificate of Competence Scheme to non-OP dips with effect from 31 December 1998, are being implemented. Applications for Marketing Authorisations for all veterinary medicinal products must satisfy the statutory criteria of safety, quality and efficacy. Safety includes the safety of the environment. Environmental pollution incidents involving sheep dips should be reported to the Environment Agency or the Scottish Environment Protection Agency. Officials of the Veterinary Medicines Directorate (VMD) liaise closely with the environment agencies and all suspected adverse reactions to veterinary medicinal products, including those affecting the environment, should also be reported to the VMD.

### Beef Imports

**Miss McIntosh:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received on the importation of hormone-treated beef from the United States of America; and if he will make a statement. [71537]

**Mr. Rooker:** We have received a number of representations on the importation of hormone-treated beef from the United States of America. In each case we

have provided the assurance that, in line with the European Union (EU) ban on the use of hormone growth promoters in food producing animals, any third country which permits the use of these substances is required to guarantee that no animal, and no meat coming from animals, to which they have been administered will be exported to the EU. Exports for the EU market must be certified accordingly and Commission inspectors verify compliance with all the requirements.

### Farm Land

**Mr. Garnier:** To ask the Minister of Agriculture, Fisheries and Food how many acres of farm land in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland have been bought in each of the last five years for which figures are available with funds released by roll-over relief. [71161]

**Mr. Rooker:** I regret that the information requested is not available. The data collected on agricultural land transactions do not identify the source of funding for land purchased. The estimated total area of agricultural land sold over the last five years for which figures are available are as follows:

*Hectare*

| | *England* | *Scotland* | *Wales* | *Northern Ireland* |
|---|---|---|---|---|
| 1993 | 146,032 | 30,639 | 16,811 | 4,721 |
| 1994 | 163,021 | 27,149 | 13,836 | 4,605 |
| 1995 | 156,785 | 17,202 | 10,735 | 4,050 |
| 1996 | 214,386 | 22,506 | 17,232 | 3,425 |
| 1997 | 200,695 | 33,795 | 12,824 | 2,912 |

In Great Britain sales of less than 5 hectares are excluded, and in Northern Ireland sales of less than 2 hectares are excluded. In Scotland the series excludes sales of whole estates and inter-family sales. For England, Wales and Northern Ireland there is a delay between the date of sale and the inclusion in the analysis whereas for Scotland the analysis is based on the date of sale and is subject to retrospective revision.

### Groundwater

**Miss McIntosh:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received on the EU Groundwater Directive and the cost of its implementation in the United Kingdom; and if he will make a statement. [71528]

**Mr. Rooker:** I have received a number of representations which refer to this Directive. As the Groundwater Directive is a matter for my right hon. Friend, the Minister for the Environment, they have been passed to his Department for an answer.

### Tobacco Subsidy

**Mrs. Lait:** To ask the Minister of Agriculture, Fisheries and Food how much the tobacco subsidy to EU growers cost in the last year for which figures are available; and when he expects the subsidy to be discussed next in the Council of Ministers. [70405]

**Mr. Rooker:** In 1998, the EU spent 868 million ecu (£583 million[1]) on subsidies under the EU tobacco regime.

In November last year the Commission issued a proposal for a Council Regulation amending Regulation 2075/92 and fixing the premiums and guarantee thresholds for leaf tobacco by variety group and Member State for the 1999, 2000, and 2001 harvests. This is likely to be discussed at the Agriculture Council soon, but no date has been specified.

[1]Using an exchange rate of £1 = 1.4887 ecu.

### Sniffer Dogs (Quarantine)

**Mr. Collins:** To ask the Minister of Agriculture, Fisheries and Food if the quarantine regulations will apply on their return to the sniffer dogs sent from the United Kingdom to assist in the search for survivors of the recent earthquake in Colombia. [71504]

**Mr. Rooker** *[holding answer 16 February 1999]:* Yes, the two dogs in question returned to the United Kingdom on 4 February and are currently undergoing six months quarantine.

### Creutzfeldt-Jakob Disease

**Mr. Jack:** To ask the Minister of Agriculture, Fisheries and Food what is the current statistical risk of dying from new variant CJD as a result of the consumption of beef on the bone *(a)* using 1999 data together with the SEAC published 1997 risk analysis formula and *(b)* provided to him by his Department. [70089]

**Mr. Rooker:** It has still not been established that nvCJD is caused by exposure to BSE infectivity in food, but the Government, based on expert scientific advice, have always proceeded on the assumption that it could be. There continues to be great uncertainty about the nature of new variant CJD and about how susceptible people may be to infection. It is, therefore, not possible to estimate the current statistical risk of dying from the disease as a result of consuming beef or beef products which had been cooked on the bone.

In its 1997 advice, the Spongiform Encephalopathy Advisory Committee (SEAC) quoted an estimate of a 1 in 20 chance of one case of nvCJD arising as a consequence of exposure to infectivity in dorsal root ganglia in 1998.

In November 1998, SEAC concluded that it was still not known how many people had become infected with nvCJD as a result of exposure to the BSE agent, nor how much BSE infectivity is needed to cause disease. Consequently predictions as to public health risks are very uncertain and SEAC did not quote specific levels of risk. However, the Committee was of the opinion that, in view of the continued decline in the BSE epidemic, the number of infected cows entering the human food chain would be less in November 1998 than in 1997.

On this basis, the Committee concluded that any risk from dorsal root ganglia and bone marrow in 1999 is less than it was 12 months previously. The pattern of experimental results obtained with bone marrow led the

Committee to conclude that the risk, if any, from that tissue is likely to be very small. With the Over Thirty Month Scheme in place, the Committee thought it likely that the risk from dorsal root ganglia is also very small and negligible in comparison to the possible risk earlier in the epidemic. Due to the uncertainty, neither SEAC nor Departmental officials has sought to quantify the risks numerically.

The decision to retain the controls on the sale, use and disposal of beef bones was made for the reasons explained to the House by my right hon. Friend the Minister on 4 February 1999, *Official Report*, columns 1077–82.

### Quality Standard Marks (Pigmeat)

**Mr. Paul Marsden:** To ask the Minister of Agriculture, Fisheries and Food what is the annual budget for the Meat and Livestock Commission's new quality standard mark for pigmeat; and if he will make a statement on how the success of the scheme will be measured. [71036]

**Mr. Rooker:** The funding of the British Quality Standard for Pigmeat and its measures of success are matters for the industry through the Meat and Livestock Commission's Pig Strategy Council.

**Mr. Paul Marsden:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the *(a)* timescale and *(b)* budget for extending the new Meat and Livestock Commission quality standard mark on pigmeat to other meat products. [70923]

**Mr. Rooker:** The British Quality Standard for Pigmeat was developed by the pigmeat industry itself through the Meat and Livestock Commissions Pig Strategy Council. The possible development of quality standard marks for lamb and beef are matters for the respective strategy councils for those products. The budget is to be set-aside for technical and promotional work of this nature is a matter for the MLC in consultation with the industry. Poultry meat is outside the remit of MLC.

**Mr. Paul Marsden:** To ask the Minister of Agriculture, Fisheries and Food what *(a)* plans he has for and *(b)* representations he has received on the incorporation of existing farm assurance schemes into the new Meat and Livestock Commission quality standard mark for pig meat. [70924]

**Mr. Rooker:** None; the British Quality Standard for Pigmeat and the various farm assurance and quality schemes in the pigmeat sector are all industry run and industry funded operations. The relationship between them is therefore a matter for the industry itself.

### Food Premises (Registration) Regulations 1991

**Mr. Chope:** To ask the Minister of Agriculture, Fisheries and Food if he will estimate how many food premises are exempt from the Food Premises (Registration) Regulations 1991 by reason of not being open for more than four days in any consecutive period of five weeks. [71365]

**Ms Jowell:** I have been asked to reply.

The information requested is not available.

## FOREIGN AND COMMONWEALTH AFFAIRS

### Rotherham Euro Experiment

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the nature of the involvement of (i) the Parliamentary Under-Secretary of State, the Baroness Simons and (ii) the hon. Member for Rotherham (Mr. MacShane) in the Rotherham Euro Experiment; if *(a)* ministerial transport and *(b)* departmental equipment were available to them over the period of their involvement; and what reports have been made by them subsequently. [70789]

**Ms Quin:** The Rotherham Euro Ready Week was organised by the local Chamber of Commerce Training and Enterprise Council, the *Rotherham Advertiser*, and other local public and private sector bodies. It was welcomed by HMG as making a significant contribution to the Government's campaign to raise awareness of the introduction of the Euro.

My noble Friend the Parliamentary Under-Secretary of State attended in her Ministerial capacity in support of HMG's public information campaign. She travelled by rail to Doncaster, her ticket paid for from public funds. The organisers kindly provided a car to take her from Doncaster to Rotherham. She had her usual departmental equipment with her.

My hon. Friend the Member for Rotherham (Mr. MacShane) was present in his constituency capacity. This Department did not provide him with transport or equipment.

### Civil Servants (Misconduct)

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70773]

**Mr. Tony Lloyd:** I refer the right hon. Member to the answer given by my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 1999, *Official Report*, columns *570*.

### Disabled People

**Mr. Berry:** To ask the Secretary of State for Foreign and Commonwealth Affairs what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71283]

**Mr. Fatchett:** So far in 1998–99, £37,523.58 of the Foreign and Commonwealth Office budget can be attributed to spending on people with disabilities. This represents 0.0036 per cent. of the total FCO departmental spending.

However, this does not represent a complete picture since spending on people with disabilities has, to date, been subsumed into a number of the FCO's general budgets. In addition, there is the general spend on items such as building repairs/improvements which benefits all staff, but which takes particular account of the needs of people with disabilities.

During the new financial year 1999–2000, budgets will have a sum allocated specifically for people with disabilities. This will enable us to form a more accurate picture of spending on people with disabilities.

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71269]

**Mr. Fatchett:** In the United Kingdom the Foreign and Commonwealth Office is responsible for the provision of Consular and Legalisation services to the public. We already ensure that where a customer has difficulty in accessing these services, by reason of a disability, alternative arrangements are made to ensure that person can access those services.

Consular Division of the FCO, which has responsibility for delivering these services, is to be relocated in 2000. A detailed disability access audit has already been carried out on the new site and the requirements of part III of the DDA have been fully incorporated into refurbishment plans.

Whilst the provision of goods and services by British Diplomatic Missions overseas is not covered by this legislation, our staff overseas will do all they can to adhere to the spirit of the Act in the provision of, for example, Commercial, Passport and Consular services to British Citizens, as well as entry clearance services to Citizens of other countries.

### Departmental Expenditure

**Mr. Don Foster:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70972]

**Mr. Fatchett** *[holding answer 15 February 1999]:* The following is the information:

£

| | *Set-up costs (including VAT)* | *Running costs (per annum)* |
|---|---|---|
| FCO website (http://www.fco.gov.uk) | 53,490 | 35,000 |
| FCO Publications Online (http://informationfrombritain.com) | 85,767 | 17,866 |
| Wilton Park Conference (http://www.wiltonpark.org.uk) | 10,780 | 506.04 |
| Planet Britain (http://www.planet-britain.org) | [1] — | 28,200 |
| British Council (http://www.britcoun.org) | 90,000 | 72,000 |
| Commonwealth Institute (http://www.comonwealth.org.uk) | 2,000 | 1,000 |
| GB China Centre (http://www/gbcc.org.uk) | 2,250 | 100 |
| Britain-Russia Centre (http://briteastwest.easynet.co.uk) | none | 143 |
| British Association for Central and Eastern Europe (http://ourwold.compuserve.com/homepages/BACEE/bacee.htm) | none | 90 |

[1] The Planet Britain website is an online version of a CD-ROM of the same name. Cable and Wireless provide free bandwidth and server space to host the site.

i) The main FCO website covers British policy and the work of the FCO. Average monthly hits are 3.8 million.

ii) The publications website is an online ordering catalogue for FCO publications. The site has registered 24,222 hits between its launch on 1 December 1998 to 5 February 1999.

iii) The Wilton Park website gives details of Wilton Park conferences. It registers an average of 6,000 hits per month.

iv) The Planet Britain website is aimed at a youth audience overseas and gives an overview of modern Britain (science, sport, culture, media etc.). It has registered 420,000 hits since May 1998 to date.

v) The British Council website promotes the work of the Council worldwide and receives an average of 4 million hits per month.

vi) The Commonwealth Institute website promotes the work of the Commonwealth in the UK and registers an average of 5–6,000 hits per month.

vii) The Great Britain-China Centre website covers the work of that organisation and provides links to other related organisations. It receives approximately 1,600 hits per month.

viii) The Britain-Russia Centre website covers the work of that organisation and receives approximately 250 hits per month.

ix) The British Association for Central and Eastern Europe (BACEE) website covers the work of that organisation. It was launched on 25 January 1999 and user statistics are not yet available.

Estimated running costs for these websites are expected to remain roughly the same over the next three years. The FCO Publications website hopes to recover some costs from the sale of publications and the Great Britain-China Centre website hopes to offset some costs by carrying advertising.

**Mr. Don Foster:** To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 17 December 1998, *Official Report*, column *721*, if he will list the expenditure not included in his answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if he will list the bodies which incurred the expenditure. [71013]

**Mr. Fatchett** *[holding answer 15 February 1999]:* Since May 1997 there has been no expenditure by task forces, review bodies or focus groups on public opinion research, television, radio and newspaper advertising, or direct mail. From centrally held funds there has been no expenditure on market research. £4,818,211 has been spent on publications and publicity commissioned through the Publications Section of the FCO's Information Department. This figure does not include publications for in-house communications purposes. It would involve disproportionate costs to establish what individual FCO posts may have spent on these activities from their devolved budgets.

**Mr. Don Foster:** To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 17 December 1998, *Official Report*, column *721*,

if he will list the expenditure not included in his answer incurred by *(a)* his agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for his Department. [71012]

**Mr. Fatchett** *[holding answer 15 February 1999]:* I am asking the Chief Executives of FCO Agencies and non-departmental public bodies to write directly to the hon. Member with information on expenditure on *(a)* public opinion research, *(b)* television, radio and newspaper advertising, and *(c)* direct mail since May 1997.

The COI undertakes work for the FCO on a contractual basis competing with other providers. All expenditure incurred by the COI on work carried out on behalf of the FCO is included in my previous answer.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* reviews, *(b)* task forces and *(c)* advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71507]

**Mr. Fatchett:** Since 1 May 1997 the Foreign and Commonwealth Office has established the following task forces, reviews and advisory groups:

Review of the Criteria Used in Considering Licence Applications for the Export of Conventional Arms.

The Secretary of State for Foreign and Commonwealth Affairs announced the new criteria on 28 July 1997, *Official Report*, columns *26–29*. There were no additional direct costs to this review.

Review of Policy Towards the Remaining UK Overseas Territories.

The Government intend to publish a White Paper soon. The direct cost of this review is £4,342 to date.

Panel 200 Advisory Group.

Panel 2000 published a consultation Document on 10 September 1998 which was laid before Parliament on the same date. The direct cost of this group is £49,519 to date.

The indirect office and staff costs of these reviews have been absorbed by the FCO.

## Spain

**Mr. Gill:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the amount of European funding allocated to Spain in each year since accession. [71697]

**Ms Quin:** The EC budget is not broken down by Member State. But in its report "Financing of the European Union" COM (98) 560, deposited in the House Library on 26 October 1998 (Batch list 121), the Commission show at Table F Annex 8 the total EU expenditure in all Member States from 1992–97. The table shows that between those years Spain received the following from the EC budget:

| | *Mecu* |
|---|---|
| 1992 | 7,536.0 |
| 1993 | 8,215.0 |
| 1994 | 7,889.7 |
| 1995 | 10,898.4 |
| 1996 | 10,661.5 |
| 1997 | 11,303.6 |

Information on Spain's receipts from accession to 1992 can be derived from the European Court of Auditors Annual Reports which provide a comprehensive breakdown of all EC expenditure.

**Mr. Gill:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the level of manpower and military assets Spain dedicates to the NATO alliance. [71696]

**Mr. Doug Henderson:** I have been asked to reply.

The forces that Spain makes available to NATO is a matter for the Spanish Government.

## Gibraltar

**Mr. Gill:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to take legal action regarding Spanish imposed delays at the Gibraltar frontier. [71701]

**Ms Quin:** In our discussion of Gibraltar with the Spanish Government, we have emphasised that border restrictions going beyond those compatible with EU norms for a light passport check and customs control (Gibraltar is outside the Community customs territory) are unjustified and counter-productive. We have also drawn the current situation at the Gibraltar/Spain border to the attention of the President of the European Commission; and look to the Commission to remind the Spanish authorities of their obligations. We want to see the outcome of those representations before considering further steps.

**Mr. Gill:** To ask the Secretary of State for Foreign and Commonwealth Affairs what cost burden Gibraltar has imposed upon HM Treasury in each of the last 10 years. [71700]

**Ms Quin:** The Government of Gibraltar budget is self-financing, and Gibraltar has received no technical aid, programme aid or budgetary support in the last ten years. Ministry of Defence and Foreign and Commonwealth Office activities in Gibraltar are financed from departmental budgets while the Department for International Development deals with some Gibraltar-related pension matters.

**Mr. Woodward:** To ask the Secretary of State for Foreign and Commonwealth Affairs what was his response to the Gibraltar House of Assembly's motion, of 17 December, calling on Her Majesty's Government to reject the Spanish proposals for joint sovereignty; and on what date his response was made. [72212]

**Ms Quin:** We are, of course, aware of the Gibraltar House of Assembly motion of 17 December. We were not asked for a formal response. The Chief Minister drew our attention to the motion in a letter of 18 December (received on 8 January). I responded to that letter on behalf of my right hon. Friend the Foreign Secretary on 28 January.

**Mr. Woodward:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's policy on self-determination for the people of Gibraltar. [72214]

**Ms Quin:** We support the right or principle of self-determination reflecting the wishes of the people concerned. It should be exercised in accordance with the other principles and rights in the UN Charter and with other Treaty obligations. In Gibraltar's case, that includes article X of the Treaty of Utrecht. This has been the long-standing position of successive British Governments.

### Joint Consultative Committee

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 4 February 1999, *Official Report*, columns *702–03*, if he will list the agenda of the bilateral meeting with the Liberal Democrat spokesman on Foreign Affairs and Defence; at whose request that meeting took place; for how long it lasted; which common foreign and security policy issues were resolved to be specific areas for further discussion; and if he will make a statement. [71355]

**Mr. Robin Cook:** On 12 January I held a short meeting with the Liberal Democrat spokesman on foreign affairs and defence. We agreed to recommend an extension of the Joint Consultative Committee's remit to cover a range of common foreign and security policy issues. The meeting took place by agreement as a result of the widening of co-operation announced by my right hon. Friends the Prime Minister and the leader of the Liberal Democratic Party in December.

### European Commissioners

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will deposit in the Library a list of the members of the cabinets of European Commissioners, with their pay scales. [71148]

**Ms Quin:** I have deposited in the Library a list of the members of the different cabinets in the Commission, together with a table of pay scales, as provided by the Commission's Personnel Directorate.

### European Budget

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs further to the reply of 2 February 1999, *Official Report*, column *542*, if he will make a statement on the nature of the activities authorised under (i) 3706-other political activities and (ii) 3708-information work. [71143]

**Ms Quin:** A detailed breakdown of the activities authorised is not readily available. I will write to the right hon. Member in due course. Copies will be placed in the Libraries of the House.

### Tibet

**Mr. Stevenson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Chinese Government on its campaign to promote atheism in Tibet. [71163]

**Mr. Fatchett:** The situation in Tibet, including restrictions upon religious freedom, continues to be a matter of concern. We take every opportunity to raise Tibet with the Chinese authorities, both bilaterally and in conjunction with our EU partners.

**Mr. Stevenson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what impact the current situation regarding human rights in China and Tibet will have on *(a)* bilateral aid to and *(b)* EU dialogue on human rights with the Chinese Government. [71162]

**Mr. Fatchett:** The EU/China human rights dialogue provides an opportunity for the EU to address many serious human rights concerns, including in Tibet, directly with the Chinese authorities. We will continue to support this dialogue with bilateral assistance, such as in the legal and judicial fields, which is a valuable way of bringing about concrete improvements on the ground in China.

### Press Releases

**Mr. Don Foster:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many press releases have been issued by his Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71447]

**Mr. Fatchett** *[holding answer 16 February 1999]:* 1,028 FCO press releases have been issued by the COI since the COI began distributing press releases on the FCO's behalf in 1995. Between 1990 and 1995 1,223 press releases were issued by the FCO direct. The year by year breakdown is as follows:

| *Year* | *Number* |
|---|---|
| 1990 | 263 |
| 1991 | 221 |
| 1992 | 182 |
| 1993 | 197 |
| 1994 | 180 |
| 1995 | 200 |
| 1996 | 207 |
| 1997 | 296 |
| 1998 | 325 |

In respect of FCO Agencies and non-departmental public bodies I am asking the Chief Executives of those bodies to write to the hon. Member direct.

**Mr. Don Foster:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71462]

**Mr. Fatchett** *[holding answer 16 February 1999]:* The conventions governing the propriety and cost of press releases issued by Governments Departments are laid down in the Guidance on the work of the Government Information Service published by the Cabinet Office in

July 1997. More specific guidance on the writing of press releases is given in the Working Guide for Government Information Officers. Copies of both documents are in the libraries of the House.

The primary means by which the FCO issues press releases is the News Distribution Service of the COI. Since May 1997 the COI has charged the FCO £44,067.39 for this service. No records are kept for subsidiary costs, such as faxing and postage of press releases direct by the FCO to any applicants.

In respect of FCO Agencies and non-departmental public bodies, I am asking the Chief Executives of those bodies to write to the hon. Member direct.

### Zimbabwe

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent events in Zimbabwe. [71820]

**Mr. Tony Lloyd:** We are shocked by the detention and apparent torture of Mr. Chavunduka and Mr. Choto by the military authorities in Zimbabwe, and applaud the prompt action by the judiciary in ordering Mr. Chavunduka's release. President Mugabe's recent statements raise serious questions about his Government's commitment to the rule of law and basic human freedoms. We have reminded the Zimbabwe Government of their obligation to uphold international human rights standards, and to act to repair the damage to the country's reputation.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings he has held with *(a)* Zimbabwean officials and *(b)* human rights groups in relation to the torture of journalists by the army in Zimbabwe. [71819]

**Mr. Tony Lloyd:** We summoned the Acting High Commissioner for Zimbabwe to protest at the Zimbabwe Army's detention and apparent torture of two journalists. I have written to the Zimbabwe Foreign Minister, and our High Commissioner in Harare has raised our concerns with both Government Ministers and officials. Our officials in London and Harare are in regular contact with human rights groups.

### Sudan

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if Usama bin Laden had invested in the Al-Shifa pharmaceutical factory in Khartoum; and if he will make a statement. [71762]

**Mr. Fatchett** *[holding answer 16 February 1999]:* Usama bin Laden's past association with Sudan is well known. He had numerous business interests there and we believe that he still has.

We do not have evidence to indicate whether or not these interests included the Al-Shifa plant.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71858]

**Mr. Fatchett:** In common with other Departments, the work of the press officers in this Department includes responding to any misinformed allegations concerning Government policy or activity which are published in the media. They are supported in this work by other officials as necessary.

Because this is a routine part of the Department's work and it is not separately recorded from other tasks, to provide the further information requested would involve disproportionate cost.

### Caribbean Banana Producers

**Dr. Godman:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met his colleagues from other member states of the European Union to discuss the present circumstances and future trading prospects of the Caribbean banana producers; and if he will make a statement. [71421]

**Ms Quin:** My right hon. Friend the Foreign Secretary attended the 7 December General Affairs Council. The Agenda for this meeting covered the dispute with the US over the EU banana regime (the means by which the EU gives preferential access to banana imports from Caribbean ACP producers). Since then my right hon. Friend has on several occasions discussed the dispute, and its implications for UK industry and the Caribbean, with the US Secretary of State.

### Ministerial Travel

**Mr. Maples:** To ask the Secretary of State for Foreign and Commonwealth Affairs when the hon. Member for Stratford-on-Avon will receive a substantive answer to his question concerning ministerial use of RAF and chartered aircraft to which a holding answer was given on 4 February (Ref. 69074). [72297]

**Mr. Tony Lloyd:** I refer the hon. Member to the answer I gave on 16 February 1999, *Official Report*, column *738*.

# Written Answers to Questions

*Tuesday 23 February 1999*

## TRADE AND INDUSTRY

### World Trade Organisation

**Mr. Chaytor:** To ask the Secretary of State for Trade and Industry (1) if it is Her Majesty's Government's policy to support the eight elements of an ideal result as outlined in the European Commission Note from Directorate General I to the Article 113 Committee on investment and the World Trade Organisation; and if he will make a statement; [71755]

(2) if her Majesty's Government supports the Investor-State Dispute Settlement set out in the European Commission Note from Directorate General I to the Article 113 Committee on investment and the World Trade Organisation; and if he will make a statement; [71753]

(3) if Her Majesty's Government have asked the European Commission to redraft the leaked Note from Directorate General I to the Article 113 Committee on investment and the World Trade Organisation; and if he will make a statement; [71756]

(4) if Her Majesty's Government have objected to the contents of the European Commission Note from Directorate General I to the Article 113 Committee on investment and the World Trade Organisation; and if he will make a statement. [71754]

**Ms Drown:** To ask the Secretary of State for Trade and Industry if he will make a statement on the European Commission Note from DG1 to the Article 113 committee on investment in the World Trade Organisation. [72249]

**Mr. Wilson:** It is the Government's policy, shared by our EU partners, that the meeting of World Trade Organisation Ministers in Seattle later this year should lead to a comprehensive new "Round" of WTO negotiations, and that investment should be included on the agenda. However, the Government's policy is that any investment negotiation must be based around a new set of objectives, derived by consensus. We are in the process of consulting with all interested groups within the UK on what the Government's objectives for a new negotiation might be. As part of our general consultations over the UK's objectives for the new "Round", I am convening a series of meetings including other Ministers, NGOs, TUs and business organisations. No conclusions have been reached on the inclusion or exclusion of an investor-state dispute settlement mechanism, or indeed on any other individual issue.

The European Commission circulated an internal discussion paper on possible elements of a WTO investment agreement to Member States on 15 December 1998, with a view to stimulating discussion within the EU. The paper does not represent the views of the UK Government. The UK has called for a discussion of the paper by EU investment experts, but such a discussion has not yet taken place.

**Mr. Chaytor:** To ask the Secretary of State for Trade and Industry for what reasons Chapters E and F were omitted from the publicly released European Commission Note from Directorate General I to the Article 113 Committee on Investment and the WTO; and if will make a statement. [72056]

**Mr. Wilson** *[holding answer 22 February 1999]:* The Note was issued by the European Commission and its contents are a matter for them. However, I have drawn their attention to my hon. Friend's interest and have asked them to respond directly to him.

### London First

**Mr. Robathan:** To ask the Secretary of State for Trade and Industry how much funding *(a)* London First and *(b)* London First Centre has received from his Department per annum since 1992; and for what purposes the funding was specified. [72167]

**Mr. Wills:** Since its incorporation in February 1994, London First Centre (LFC) has received annual grants from the DTI's Invest in Britain Bureau for the co-ordination of inward investment activities in the Greater London area of £500k (94–95); £1,000k (95–96); £1,010k (96–97); £1,015k (97–98); and £1,015k (98–99).

London First, of which LFC is a wholly owned subsidiary, has not received grant funding from the DTI. It is financed from members' contributions, donations, project and sundry income.

## ATTORNEY-GENERAL

### Crown Prosecution Service

**Mr. Cox:** To ask the Attorney-General how many cases were referred to the Crown Prosecution Service in each of the last three years; in how many cases court proceedings were recommended; and if he will make a statement. [72548]

**The Attorney-General:** The table shows the number of cases which the Crown Prosecution Service received from the police, and the number which the Service finalised, in each of the last three years. Both figures are inclusive of cases submitted for pre-charge advice and non-criminal proceedings, and the numbers of these completed in each year are shown separately.

The table then shows the number and the proportion of cases in which a prosecution did not proceed. These outcomes are divided into those cases discontinued by the Service, and those which were written off because the defendant could not be traced or had died, or because proceedings were adjourned indefinitely.

Finally, the table shows the number and proportion of cases in which a prosecution proceeded. These are divided

into cases in which the defendant was bound over to keep the peace, those which proceeded to a committal hearing, and those which proceeded to a trial or guilty plea.

The Code for Crown Prosecutors requires that there should be sufficient reliable evidence to give a realistic prospect of conviction, and that the prosecution should be in the public interest. These criteria are applied in every case. Every case discontinued must be reviewed by a Crown Prosecutor and, wherever time allows, the police must be consulted before a decision is taken. The number of cases discontinued against the opinion of the police is very small: a survey conducted in 1994 showed that the police objected to discontinuance on only 4 per cent. of occasions when they were consulted.

However, discontinuance is not primarily the result of a Crown Prosecutor's judgment. More than half of discontinued cases are unable to proceed because witnesses fail to appear at court, refuse to give evidence or change their evidence, defendants produce driving documents proving their innocence on the day of the trial; evidence is excluded because of irregularities in its collection; or due to lack of continuity evidence in the prosecution case which cannot be provided by the police. In these circumstances, the Crown Prosecution Service has no choice but to discontinue proceedings.

There is no connection between discontinuance and writing off a case. The latter does not represent the termination of proceedings, but is an administrative procedure whereby dormant cases are removed from the record of live proceedings, so giving a more accurate account of work on hand. The majority of write offs occur where the police cannot trace a defendant for service of a summons, or where a warrant for arrest remains unexecuted following the defendant's failure to surrender to bail. If the defendant is subsequently arrested, the prosecution can then recommence.

*Crown Prosecution Service magistrates' courts cases 1996–98*

| | *1996* | *1997* | *1998* |
|---|---|---|---|
| Received | 1,348,558 | 1,388,474 | 1,427,837 |
| Finalised | 1,335,474 | 1,387,557 | 1,430,555 |
| of which: | | | |
| Pre-charge advice | 46,679 | 48,316 | 59,799 |
| Non-criminal proceedings | 14,433 | 11,461 | 11,660 |

*Crown Prosecution Service magistrates' courts cases 1996–98*

| | *1996* | | *1997* | | *1998* | |
|---|---|---|---|---|---|---|
| | *Number* | *Percentage* | *Number* | *Percentage* | *Number* | *Percentage* |
| *Did not proceed* | | | | | | |
| Discontinued | 153,274 | 12.0 | 161,461 | 12.2 | 162,661 | 12.0 |
| Written off | 102,283 | 8.0 | 92,930 | 7.0 | 88,506 | 6.5 |
| Total cases which did not proceed | 255,557 | 20.1 | 254,391 | 19.2 | 251,167 | 18.5 |
| *Cases proceeding* | | | | | | |
| Bind over | 20,016 | 1.6 | 22,747 | 1.7 | 24,914 | 1.8 |
| Committal hearing | 98,575 | 7.7 | 107,979 | 8.1 | 95,073 | 7.0 |
| Trial or Guilty plea | 900,215 | 70.6 | 942,665 | 71.0 | 987,943 | 72.7 |
| Total cases proceeding | 1,018,806 | 79.9 | 1,073,391 | 80.8 | 1,107,930 | 81.5 |

*Notes:*

1. The figures given in the draft reply represent cases handled by the 13 Areas of the CPS, but do not include the specialised cases handled by Central Casework.
2. Cases discontinued are inclusive of those in which the CPS withdrew proceedings at court as well as those discontinued by way of a s23 notice.
3. Discontinuance fell from 13.3 per cent. of completed cases in 1992 to 12.8 per cent. in 1993, and has remained almost unchanged at around 12 per cent. for each year since then.

## ENVIRONMENT, TRANSPORT AND THE REGIONS

### Students

**Mr. Cousins:** To ask the Secretary of State for the Environment, Transport and the Regions how many school students there were in each local education authority that attracts standard spending assessment resources in each of the last five years; what are the estimated figures for 1999–2000; in what years changes in the definition of qualifying students took place; and if he will estimate the effect of these changes on the total numbers. [71810]

**Ms Armstrong** *[holding answer 16 February 1999]:* The information requested has been placed in the Library.

### Sustainable Development

**Mrs. Brinton:** To ask the Secretary of State for the Environment, Transport and the Regions when the Government strategy on sustainable development will be announced. [72301]

**Mr. Meale:** Following the extensive "Opportunities for Change" consultation exercise on revision of the 1994 UK Sustainable Development Strategy, preparation of new UK sustainable development strategy is underway. Publication is expected shortly.

### Genetically Modified Organisms

**Mr. Flynn:** To ask the Secretary of State for the Environment, Transport and the Regions if developing countries can withhold agreement to import genetically modified organisms on the basis of detriment to traditional methods of farming. [72209]

**Mr. Meacher:** The UK currently has a delegation in Colombia engaged in final negotiations on the UN Biosafety Protocol. This instrument will govern the transboundary movement of Living Modified Organisms (effectively the same as GMOs).

While many of the developing countries want to see socio-economic factors such as the effect on traditional farming practices form part of the risk assessment, exporting countries disagree. My instructions are that the UK, on its own and as part of the EU negotiating group, should seek an outcome that includes some reference to socio-economic factors and encourages research into impacts on farming practices. We expect that countries will always be able to ban imports where there is evidence of serious damage to the environment or human health.

## Air Service Agreements

**Miss McIntosh:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on the Singapore-UK air services agreement; and if he will make a statement. [72163]

**Dr. Reid:** A number of representations have been received on the UK/Singapore air services arrangements, which already provide for unlimited capacity from Summer 2001. At the bilateral negotiations which took place earlier this month my officials confirmed that we would review Singapore's request for transatlantic fifth freedom rights either when we have liberalised the air services arrangements between the UK and the United States or in January 2000, whichever is the sooner.

## Advisory Committee on Releases to the Environment

**Mr. Mitchell:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the names of those he has nominated to the Advisory Committee on Releases to the Environment, together with *(a)* their qualifications, *(b)* details of relevant (i) public and (ii) private interests and *(c)* dates of appointment; if he will make a statement on the resources allocated to the Committee; and if he will set out the references to any of the Committee's published reports. [72556]

**Mr. Meacher:** Details of the Advisory Committee on Releases to the Environment (ACRE) are as follows:

*Membership of ACRE, with qualifications and interests:*

*Professor John Beringer (Chairman)*

Professor of Molecular Genetics and Dean of Science, School of Biological Sciences, University of Bristol. Member of Advisory Committee on Genetic Modification (ACGM). Member of the Council of the Natural Environment Research Council (NERC).

*Dr. Philip Dale*

Senior Research Scientist, John Innes Centre. Consultant to EC DGX1 and United Nations Industrial Development Organisation

*Dr. Ian Garner*

Assistant Director of Research, PPL Therapeutics, Roslin. Member of the Biotechnology and Biological Sciences Research Council's Genes in Developmental Biology Network.

*Professor Alan Gray*

Head of Furzebrook Research Station, NERC Institute of Terrestrial Ecology. Honorary Professor, University of Southampton.

*Ms Julie Hill*

Programme advisor to Green Alliance. Member of the advisory committee for the Pesticides Trust, Environmental Law Foundation, centre for Ecology and Hytrology and environmental advisory bodies for Shanks and McEwan plc and Southern Electricity.

*Dr. Julian Kinderlerer*

Senior lecturer, Department of Molecular Biology and Biotechnology, University of Sheffield. Assistant Director, Institute of Biotechnology Law and Ethics, University of Sheffield. Member of ACGM. Consultant to UNIDO.

*Mr. John MacLeod*

Director of National Institute of Agricultural Botany. Member of UK Plant Varieties and Seeds Committee. President of Groupe Consultatif International de Recherche sur le Colza.

*Professor Bev Moseley*

Retired, former head of the Institute of Food Research Reading Laboratory.

*Professor David Onions*

Head of the Department of Veterinary Pathology, University of Glasgow. Honorary Director of the Leukaemia Research Funds Human Virus Centre. Consultant to Q-One Biotec. Advisor to Intervet International BV.

*Professor Nigel Poole*

External and Regulatory Affairs Manager, Zeneca Plant Science. Bracknell Honorary Professor, University of Aberdeen Honorary Professor, John Moores University.

*Dr. David Robinson*

Principal Research Scientist, Scottish Crop Research Institute. Honorary Lecturer, University of Dundee. Member of Genetic Manipulation Safety Committee at Nickerson Seeds Castleton of Eassie site.

*Dr. Katherine Venables*

Senior lecturer in epidemiology, Imperial College School of Medicine at the National Heart and Lung Institute. Honorary consultant physician at the Royal Brompton Hospital. Honorary Consultant in Public Health, Kensington, Chelsea and Westminster Health Authority.

*Dr. Ingrid Williams*

Principal scientist, leader of the Insect-Plant Interactions Group, Institute of Arable Crops Research, Rothamsted. Honorary Research Associate, Institute of Grassland and Environmental Research. Visiting Professor, Estonian University of Agriculture. Chairman of International Commission for Plant-Bee Relationships. Council member and company director of International Bee Research Association.

*Dates of appointment*

The chairman and members are appointed for three years, most recently with effect from 17 June 1996.

*Resources allocated*

The costs of ACRE for 1997–98 were as follows:

| | £ |
|---|---|
| Members' fees | 8,805 |
| Travel subsistence and meetings | 7,338 |
| Estimated staff costs for servicing ACRE and processing cases (salaries, accommodation and overheads) | 144,097 |

*Published reports*

Annual reports for ACRE are placed in the Library. DETR/ACRE have also produced a series of guidance notes and DETR has produced a number of research reports to inform ACRE's advice. These are all listed in the annual reports.

### Biosafety Protocol Meeting, Colombia

**Ms Walley:** To ask the Secretary of State for the Environment, Transport and the Regions who will represent his Department at the Biosafety Protocol meeting in Colombia; and if he will make a statement. [72229]

**Mr. Meacher:** I am being represented by officials at the Biosafety Protocol meeting in Colombia. The only European Union Minister to attend, that I am aware of, is the German Health Minister, representing the EU Presidency.

The Protocol is being prepared by an Open Ended Ad Hoc Working Group which has met five times and is meeting now in Colombia to complete its work. The negotiating brief was agreed by ministers in detail beforehand and is being monitored by ministers throughout the negotiations to ensure it is strictly adhered to. An extraordinary Conference of the Parties will be held immediately afterwards for the adoption of the Protocol. There is to be no high level segment in Colombia and my official acting as Head of Delegation in Colombia will sign for the UK.

Assuming the Protocol is adopted, I shall sign it at the official ceremony in New York in three months' time.

### Maritime Industry

**Dr. David Clark:** To ask the Secretary of State for the Environment, Transport and the Regions what is the tonnage of UK (i) owned and (ii) registered vessels in the maritime industry; and in each case what the figure was *(a)* 10 years and *(b)* 20 years ago. [72074]

**Dr. Reid:** Information on a consistent basis is not available prior to end-1986 because vessels registered in the UK cannot be distinguished from those registered in the Crown Dependencies (Isle of Man and Channel Islands). The information that is available is as follows:

*Tonnage of UK-owned and UK-registered vessels*[1]

*000 deadweight tonnes*

| | *UK-owned vessels* | | *UK-registered vessels* | |
|---|---|---|---|---|
| | *Trading vessels* | *All vessels* | *Trading vessels* | *All vessels* |
| 31 December 1986 | 18,609 | n/a | 10,458 | 11,952 |
| 31 December 1988 | 16,593 | 18,145 | 5,709 | 7,072 |
| 31 December 1998 | 9,761 | 11,577 | 2,699 | 4,150 |

[1] All vessels 100 gross tonnes and above

*Source:*

Lloyd's Maritime Information Services Ltd.

**Dr. David Clark:** To ask the Secretary of State for the Environment, Transport and the Regions how many UK *(a)* officers and *(b)* ratings are currently employed in the maritime industry; and how many there were (i) 10 years and (ii) 20 years ago. [72073]

**Dr. Reid:** There is no consistent series of UK nationals employed in the maritime industry. The Chamber of Shipping collects data on employment on vessels operated by its members, and this is shown for selected years in the table. It is known that many UK nationals, especially officers, work on non-member vessels, but precise figures for earlier years are not known.

*UK officers and ratings on vessels entered with the Chamber of Shipping*

| *Year* | *Officers* | *Ratings* |
|---|---|---|
| 1978 | 32,188 | 25,570 |
| 1986 | 10,871 | 12,706 |
| 1988 | 8,885 | 12,114 |
| 1995 | 7,724 | 8,721 |
| 1997[1] | 6,186 | 7,929 |

[1] Forecast

*Note:*

Years refer to 31 December, except 1978 which is 31 September. From 1991 statistics of crew serving as back-up for non-UK flag vessels were specifically included.

*Source:*

Chamber of Shipping Fleet and Manpower Inquiry.

### Agricultural Biotechnology

**Mr. Baker:** To ask the Secretary of State for the Environment, Transport and the Regions how much money his Department has spent supporting the research and development of agricultural biotechnology since 1 May 1997. [72068]

**Mr. Meale:** The Department of the Environment, Transport and the Regions has not spent any money supporting the research and development of agricultural biotechnology since 1 May 1997.

DETR-funded research has however been conducted to assess the risks and potential impact of genetically modified organisms on the environment. The annual budget for such work is of the order of £500,000.

## HOME DEPARTMENT

### Siemens Business Services

**Mr. Nigel Jones:** To ask the Secretary of State for the Home Department what compensation his Department has *(a)* requested and *(b)* received from Siemens plc following delays to the development of a new casework system by Siemens for the Immigration and Nationality Directorate. [70907]

**Mr. Mike O'Brien:** The Immigration and Nationality Directorate Casework Programme is a privately financed business change programme supplied by Siemens Business Services (SBS). Although development of the full Information Technology application has been delayed, many elements of the Programme, and much new Information Technology, have been delivered.

Some payments are made to SBS for services provided and milestones achieved, but SBS's earnings depend mainly on casework productivity improvements. The programme delay means that productivity has not improved as fast as expected.

A commercial agreement has also been negotiated with SBS for changes to the contractual payments to reflect the delay in full implementation.

The payments made to SBS up to the end of 1998 were 4.5 million less than the contract target levels. SBS's earnings will continue to be depressed until the full Information Technology is delivered and productivity and output increase.

### Private Sector Criminal Justice Services

**Mr. Beith:** To ask the Secretary of State for the Home Department on the last date for which figures are available, how many former employees of his Department have taken new employment with companies involved in the provision of private sector criminal justice services which have contracts with his Department; if he will list those former employees by their position in his Department and their current position; and if he will make a statement. [71928]

**Mr. Straw:** The Home Office does not maintain comprehensive records on the employment destinations of members of staff who leave the Department. Subject to the constraints of the Business Appointment Rules, staff are free to seek and take employment outside the Civil Service without the need to seek permission. We are aware of 12 applications within the last two years under the rules, by staff managed by the Prison Service, for permission to work in the private sector. In the same period, elsewhere in the Department, applications were received from two former members of staff for permission to provide advice to private companies, one in connection with a project outside the United Kingdom.

| *Grade* | *Position in Department* | *Company* |
|---|---|---|
| Governor 1 | Her Majesty's Prison Wormwood Scrubs | PPS |
| Governor 1 | Prisons Inspectorate | Group 4 |
| Governor 1 | Her Majesty's Prison Full Sutton | PPS |
| Governor 2 | Standards Audit | Group 4 |
| Governor 2 | Her Majesty's Prison Bristol | Securicor |
| Governor 2 | Her Majesty's Young Offender Institution Aylesbury | PPS |
| Governor 2 | Her Majesty's Young Offender Institution New Hall | UKDS |
| Governor 3 | Her Majesty's Prison Gloucester | PPS |
| Senior Civil Service | Area Manager | PPS |
| Grade 7 | Education Training Adviser, Prison Service | Strode College |
| Grade 7 | Education Training Adviser, Prison Service | NESCOTT |
| Grade 7 | Education Training Adviser, Prison Service | Matthew Boulton College |
| Senior Civil Service | Director (Enforcement), Immigration Service | Group 4 Securitas |
| Grade 7 | Police Science and Technology Unit | Forensic Alliance |

### Colchester Young Offenders Institute

**Mr. Clappison:** To ask the Secretary of State for the Home Department what provisional conclusions from the research of Dr Kate Painter into the experimental regime at Colchester Young Offenders Institute are available; and if he will publish them. [72607]

**Mr. George Howarth:** No conclusions will be drawn from the research into the experimental regime at Colchester until all the data have been collected and analysed. It is our intention to publish the final research report.

### Prison Officers

**Mr. Cox:** To ask the Secretary of State for the Home Department (1) what the rules are concerning the rights of prison officers employed in prisons in England and Wales to take in cigarettes, alcohol, food and other items for prison inmates; and if he will make a statement; [72546]

(2) what private outside purchases paid for by the prisoners are being approved and made by prison officers at prisons in England and Wales; and if he will make a statement. [72547]

**Mr. George Howarth:** All items provided to prisoners must be provided through the prison shop or the catering department only. No other external shopping on behalf of any prisoner is allowed, but the Governor may authorise shopping for ethnic minority goods where these would not otherwise be available.

### Crime Victims

**Ms Southworth:** To ask the Secretary of State for the Home Department what plans he has to improve services for victims of crime and witnesses; and if he will make a statement. [73168]

**Mr. Straw:** The Government are committed to improving the position of victims and witnesses within the criminal justice system. We are increasing very substantially our annual grant to Victim Support to enable them to establish in magistrates' courts a support service for victims, witnesses and other court users to complement the highly successful service they have already established at all Crown Court centres. Up to an additional £2.8 million a year will be provided for this purpose in 1999–2000, rising to up to £4.5 million in 2001–02.

We shall also be providing an additional £1.8 million a year from 1999–2000 onwards to enable Victim Support further to develop their community based schemes and the support services provided at the Crown Court.

By 2001–02, therefore, our grant to Victim Support will have risen to some £19 million a year, an increase of 50 per cent. over the current figure of £12.7 million. This substantial injection of new money will enable Victim Support to provide a more complete and seamless service for victims and witnesses, from the reporting of the offence through to the conclusion of the case in the courts and, as appropriate, beyond.

### Freedom of Information Bill

**Mr. Baker:** To ask the Secretary of State for the Home Department for what reason the recent date set for the publication of a Freedom of Information Bill has been postponed. [72241]

**Mr. Straw:** Freedom of Information is a complex subject. There have been a great number of detailed issues to resolve before the Government could publish their draft Bill. It is essential to take the time to get this detail right so as to provide for an effective and workable Freedom of Information Act.

### Criminal Cases Review Commission

**Dr. Iddon:** To ask the Secretary of State for the Home Department how many cases sent to the Criminal Cases Review Commission to date *(a)* have been dealt with, *(b)* are under consideration and *(c)* are awaiting consideration. [70852]

**Kate Hoey:** I understand that, at the end of January, the Criminal Cases Review Commission had completed 701 cases, had 482 under active review, and 1,055 awaiting review.

### Mink-keeping Licences

**Maria Eagle:** To ask the Secretary of State for the Home Department how many *(a)* prosecutions have been brought and *(b)* convictions have been secured against individuals holding a mink-keeping licence or employed by the holder of such a licence for offences related to that activity in the last five years. [71313]

**Mr. Morley:** I have been asked to reply.

Two prosecutions have been brought by this Department in the last five years against the categories of defendant identified. Both were for animal welfare offences. One conviction was secured. The second case has yet to be concluded.

## SCOTLAND

### Scottish Economy

10. **Dr. Julian Lewis:** To ask the Secretary of State for Scotland when he last held discussions with representatives of the Confederation of British Industry in Scotland on the development of the Scottish economy. [70829]

**Mrs. Liddell:** My right hon. Friend the Secretary of State and my noble Friend the Minister with responsibilities for business and industry meet regularly with CBI Scotland. My noble Friend last met senior officials of CBI Scotland on 26 October.

From 1 July this will be a matter for the Scottish Parliament.

12. **Mr. Salmond:** To ask the Secretary of State for Scotland when he last met Scottish Enterprise to discuss the Scottish economy. [70831]

**Mr. Dewar:** I meet the Chairman, Chief Executive and Members of Scottish Enterprise regularly to discuss a range of issues relating to the Scottish economy, most recently on 2 November. My noble Friend the Minister with responsibilities for business and industry meets the Chairman and Chief Executive on at least a monthly basis to discuss a range of issues relating to the Scottish economy.

From 1 July this will be a matter for the Scottish Parliament.

14. **Mr. Waterson:** To ask the Secretary of State for Scotland when he next plans to meet representatives of the Confederation of British Industry in Scotland to discuss the economy in Scotland. [70833]

**Mrs. Liddell:** Both my right hon. Friend and the Minister with responsibility for business and industry discuss economic matters with CBI Scotland from time to time. Arrangements for my right hon. Friend's next meeting have yet to be made, but the Minister with responsibility for business and industry is due to attend a CBI Scotland event on 12 March.

From 1 July this will be a matter for the Scottish Parliament.

### Redundancies

11. **Mrs. Fyfe:** To ask the Secretary of State for Scotland what estimate he has made of the number of local authority funded organisations created to overcome social exclusion which are currently issuing precautionary redundancy notices to their staff. [70830]

**Mr. McLeish:** While the Government acknowledge the valuable role that can be played by such organisations in the fight against social exclusion, decisions on the staffing levels of local authority funded projects are made by local authorities themselves, and information about such decisions is not held centrally.

From 1 July 1999 funding for local authorities will be a matter for the Scottish Parliament.

### Council Housing

13. **Mr. McAllion:** To ask the Secretary of State for Scotland what recent discussions he has had with Scottish local authorities relating to their provision of council housing. [70832]

**Mr. Macdonald:** I discussed aspects of policy relating to the provision of council housing when I met representatives of the Convention of Scottish Local Authorities yesterday to brief them on the Green Paper on Housing. I am sure that CoSLA will participate fully in the consultation process which now commences.

From 1 July this will be a matter for the Scottish Parliament.

### Lockerbie

15. **Mr. Dalyell:** To ask the Secretary of State for Scotland if he will make a statement on the latest position in relation to starting criminal proceedings on the Lockerbie bombing. [70834]

**Mr. McLeish:** The arrest warrants which were obtained in respect of the two Libyans accused on 13 November 1991 remain outstanding. We continue to look to the Libyan government to respond positively to the UK initiative of 24 August 1998 by arranging for the delivery of those two accused to the authorities of the Netherlands. Once the accused become available to

the Scottish authorities, the arrest warrants can be executed and the criminal proceedings can follow their usual course, subject only to the changes necessarily made to reflect the exceptional location of the proceedings.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Education

16. **Mrs. Spelman:** To ask the Secretary of State for Scotland if he will make a statement on the Government's plans for education in Scotland. [70835]

**Mrs. Liddell:** The Government's plans for improving pre-school and school education were set out in our White Paper "Targeting Excellence: Modernising Scotland's Schools", which was published on 27 January. Our priorities for post-16 education and training are set out in our Green Paper "Opportunity Scotland", published in September 1998. Copies of both documents are available in the Library of the House.

### Sewage Disposal

17. **Mr. Eric Clarke:** To ask the Secretary of State for Scotland what discussions he has had with water and drainage authorities on their plans for methods of sewage disposal other than dumping at sea; and if he will make a statement. [70836]

**Mr. Macdonald:** Ministers have regular discussions with the water authorities about their plans to dispose of sewage in safe and appropriate ways.

Following the ending of sea disposal on 31 December 1998 each authority has put in place alternative disposal methods which fully comply with the relevant regulations and protect public health.

Responsibility for these matters will pass to the Scottish Parliament.

### Electricity (Jobs)

18. **Mr. Home Robertson:** To ask the Secretary of State for Scotland what assessment he has made of the number of jobs in Scotland which depend on the sale of electricity from Scotland to other parts of the United Kingdom; and if he will make a statement. [70837]

**Mr. Macdonald:** The information is not held in the form requested. This is a commercial matter for the Scottish electricity generators but the Government welcome the contribution made by the electricity industry to the Scottish economy.

### Business Survey

19. **Mr. Prior:** To ask the Secretary of State for Scotland if he will make a statement about the most recent business survey by the Scottish Chamber of Commerce. [70838]

**Mr. Macdonald:** I have noted the results of the most recent Scottish Chamber's Business Survey, which were released on 13 January 1999.

No country is immune from the effects of the current instability in the world economy. We fully appreciate the difficulties that this is causing for Scottish businesses and we are taking action to build a stable economy capable of sustained and steady growth. The recent reductions in interest rates are possible because of the tough decisions we have taken. The publication of the Competitiveness White Paper is further evidence of the Government's determination to create a strong and vibrant economy.

From 1 July economic development in Scotland will be a matter for the Scottish Parliament.

### Reid Kerr Further Education College

20. **Mrs. Irene Adams:** To ask the Secretary of State for Scotland if he will make a statement on the consultants' report into the management of Reid Kerr Further Education College. [70839]

**Mrs. Liddell:** I am acutely concerned about the financial position at Reid Kerr College. That is why I agreed to the appointment of consultants last autumn. This report describes a number of steps to be taken by the College's Board of Management in order to draw up a recovery plan aimed at securing the College's future. We have offered financial assistance to the Board, but attached stringent conditions to ensure that the College's problems are addressed immediately, and have sought to ensure that the Board has access to appropriate expertise to assist in framing and implementing the recovery plan.

### Timber

21. **Ms Osborne:** To ask the Secretary of State for Scotland what percentage of log movements in Scotland are currently transported by B class roads; and if he will estimate the percentage which over the last 10 years has been transferred from carriage by sea to carriage on B class roads. [70840]

**Mr. Macdonald:** Most of the timber grown in Scotland is transported along 'B' or 'C' class roads for part of its journey from the forest. While "preferred haulage routes" are usually agreed with local authorities, no detailed records are kept of how much timber is transported along individual roads. The amount of timber carried by sea has not changed significantly over the past 10 years.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Agriculture

22. **Mr. Swinney:** To ask the Secretary of State for Scotland when he last met representatives of the National Farmers Union of Scotland to discuss the problems facing the agricultural sector. [70841]

**Mr. Macdonald:** My right hon. Friend the Secretary of State for Scotland and my noble Friend Lord Sewel met the National Farming Union for Scotland and other industry bodies on 31 January 1999 to discuss agricultural policy.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Criminal Justice System

23. **Ms Roseanna Cunningham:** To ask the Secretary of State for Scotland when he last met representatives of the Scottish Law Society to discuss the criminal justice system in Scotland. [70842]

**Mr. McLeish:** The Government meet regularly with representatives of the Law Society of Scotland to discuss aspects of the legal system. I met the Law Society on 13 January.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### University Applications

24. **Mrs. Laing:** To ask the Secretary of State for Scotland if he will make a statement regarding the current level of university applications. [70843]

**Mrs. Liddell:** Figures released by the Universities and Colleges Admissions Service indicated that 59,702 applications to Scottish higher education institutions had been made as at 15 December 1998.

This will become a matter for the Scottish Parliament from 1 July 1999.

### Social Exclusion Unit

25. **Mr. Ernie Ross:** To ask the Secretary of State for Scotland if he will make a statement on the progress made by the Social Exclusion Unit in Scotland. [70844]

**Mr. Macdonald:** We have been developing a social inclusion strategy for Scotland to ensure that the action already underway achieves the greatest possible impact. We have established the Social Exclusion Network to co-ordinate policy and action to promote social inclusion across The Scottish Office, and have also set up the Scottish Social Inclusion Network to assist us in preparing a statement of our strategy which we aim to publish shortly.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Trunk Road Maintenance Contracts

26. **Mrs. Ray Michie:** To ask the Secretary of State for Scotland what assessment he has made of the method of awarding trunk road maintenance contracts in Scotland. [70845]

**Mr. Macdonald:** I am satisfied that The Scottish Office's procedures for the award of trunk road maintenance contracts are fully in line with HM Treasury and European Union guidance.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Council Tax

27. **Mr. Ian Bruce:** To ask the Secretary of State for Scotland what estimate his Department has made of this year's percentage rise in council tax bills in Scotland. [70846]

**Mr. McLeish:** The council tax level for each council will depend on local circumstances and decisions and it is not possible to make reliable estimates at the individual council level. Provided councils heed the Expenditure Guidelines we have issued however, the Scottish average council tax increase should be no more than 5 per cent. in 1999–2000.

From 1 July this will be a matter for the Scottish Parliament.

### Scottish Parliament

28. **Mrs. Ewing:** To ask the Secretary of State for Scotland what responsibilities will be given to the European office to be opened in July in Brussels to represent the Scottish Parliament; and if he will make a statement. [70847]

**Mr. McLeish:** There are no plans to open an office to represent the Scottish Parliament in Brussels. That possibility will be a matter for consideration by the Scottish Parliament itself.

Arrangements are in hand to establish a representative office for the Scottish Executive, to be in operation when the Parliament assumes its full powers on 1 July 1999. The precise functions of that office will be determined by the Scottish Executive in due course.

**Mr. David Marshall:** To ask the Secretary of State for Scotland (1) on what date the Scottish Executive will take responsibility for those matters currently the responsibility of his Department which are to be devolved under the Scotland Act 1998; [72512]

(2) what the arrangements will be in respect of accountability to Parliament for matters which are currently his responsibility but which are to be devolved under the Scotland Act 1998, between 6 May and 1 July; [72513]

(3) on what date he will cease to be responsible to the UK Parliament for those matters devolved to the Scottish Parliament. [72514]

**Mr. McLeish** *[holding answer 22 February 1999]:* The Scotland Act 1998 (Commencement) Order 1998 (S.I. 1998/3178), which was made on 16 December 1998, provides that 1 July 1999 will be the principal appointed day for the purposes of the Act. It is on this day that the Scottish Parliament will acquire its powers to make laws and that functions will be transferred to the Scottish Ministers. Until the principal appointed day the Secretary of State for Scotland will remain accountable to Parliament for the matters within his responsibility which are to be devolved.

The arrangements for financial accountability are set out in The Scotland Act 1998 (Transitory and Transitional Provisions) (Finance) Order 1999, a draft of which was approved by each House recently. The Secretary of State will render accounts to Parliament for expenditure up to the principal appointed day; and the Scottish Ministers to the Scottish Parliament for the period thereafter.

### Integrated Transport Network

**Mr. Hood:** To ask the Secretary of State for Scotland what plans he has to work in partnership with local authorities to deliver an integrated transport network in Scotland. [70822]

**Mr. McLeish:** Last year's Scottish Transport White Paper recognises that local authorities will play a key role in the delivery of integrated transport.

We have recently issued consultation documents on Regional Transport Partnerships and Local Transport Strategies, and we are allocating £90 million over three years for a Public Transport Fund to assist local authorities in funding appropriate developments.

### Dental Services

**Mrs. Ewing:** To ask the Secretary of State for Scotland what is the average waiting time for *(a)* an initial appointment with and *(b)* treatment by an NHS orthodontist in Scotland; how much has been allocated to the Scottish Dental Access Initiative; which health boards have applied for funds to date and for how much; how many applications have been successful in each health board area; and how much total funding has been approved and distributed to date. [69272]

**Mr. Galbraith** *[holding answer 9 February 1999]:* A major proportion of orthodontic treatment is undertaken in general dental practice, rather than in hospitals or the Community Health Service and no information is held centrally on patient waiting times for such treatment. Most orthodontic treatments carried out within the Hospital and Community Health Service settings are undertaken on an outpatient basis. Provisional figures show that, at 30 September 1998, the mean waiting time for a first orthodontic outpatient appointment was 103 days.

Funding of £1 million has been allocated to the Scottish Dental Access Initiative in 1998–99. Dentists, not Health Boards, apply for funds under the Initiative. Information on the number of applications for funding, offers and payments made, is given in the table. To respect the anonymity of the applicants, information on the Scottish Dental Access Initiative is not provided on an individual Health Board basis.

From 1 July this will be a matter for the Scottish Parliament.

| *Scottish Dental Access Initiative* | |
|---|---|
| Number of applications received | 28 |
| Amount applied for (£000) | 970 |
| Number of offers made[1] | 13 |
| Amount offered (£000) | 379 |
| Payments made (£000) | 134 |

[1] Offers number 6 in western, 5 in northern and 2 in eastern Health Board areas.

### NHS Managers

**Mrs. Laing:** To ask the Secretary of State for Scotland how many managers have been seconded to implement the new NHS structures in Scotland. [71887]

**Mr. Galbraith:** Five managers have been seconded to the NHS in Scotland Management Executive on a full or part-time basis to help with implementation of the new structures in Scotland. This represents 2.8 whole time equivalents.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Fixed Penalties

**Mrs. Laing:** To ask the Secretary of State for Scotland how many fixed penalties were imposed by Scottish courts last year in *(a)* Scotland as a whole and *(b)* each individual sheriffdom, broken down by offence; and what was (i) their total value and (ii) the total amount of money recovered. [71872]

**Mr. McLeish:** Scottish courts do not impose a conditional offer of a fixed penalty. The decision whether to offer an alleged offender a fixed penalty (fiscal fine) is a matter for the Procurator Fiscal. The police or the Procurator Fiscal can also offer a fixed penalty for certain road traffic offences.

The numbers of criminal reports concluded by way of a fiscal fine in each of the sheriffdoms in Scotland and in total for 1997–98 are as follows:

| *Sheriffdoms* | *Number* |
|---|---|
| Grampian, Highland and Islands | 2,136 |
| Tayside, Central and Fife | 3,003 |
| Lothian and Borders | 1,582 |
| North Strathclyde | 2,651 |
| South Strathclyde Dumfries and Galloway | 4,088 |
| Glasgow and Strathkelvin | 5,501 |
| All Scotland | 18,961 |

This information cannot be broken down by offence.

In 1997–98 approximately £527,000 was collected by the district courts from the payment of fiscal fines.

The 1997 provisional figures for fixed penalties dealt with by the police by force area and type of offence are as follows:

| *Force area* | *Moving vehicle offences*[1] | *Stationery vehicle offences* |
|---|---|---|
| Central | 6,943 | 16,349 |
| Dumfries and Galloway | 8,003 | 7,206 |
| Fife | 5,543 | 17,779 |
| Grampian | 14,938 | 30,279 |
| Lothian and Borders | 22,305 | 117,644 |
| Northern | 5,902 | 11,138 |
| Strathclyde | 51,536 | 210,567 |
| Tayside | 8,444 | 27,719 |
| Scotland | 123,614 | 438,681 |

[1] Includes speeding vehicle excise licence, parking, motorway traffic, seat belt and other motor vehicle offences

Information on conditional offers of a fixed penalty made by the Procurator Fiscal for road traffic offences is not held centrally.

In 1997–98, the district courts received approximately £6.7 million in fixed penalty payments.

From 1 July, Procurator Fiscal conditional offers (fiscal fines) will be a matter for the Scottish Parliament. Fixed penalties for road traffic offences will be reserved.

**Mrs. Laing:** To ask the Secretary of State for Scotland in how many cases where a fixed penalty was imposed civil diligence was initiated in 1998 in *(a)* Scotland as a whole and *(b)* each individual sheriffdom; how much money was so recovered; and if he will make a statement on the steps he is taking to recover the amount owing from fines. [71873]

**Mr. McLeish:** The district courts in Scotland collect fixed penalty payments. In 1997–98, civil diligence was used to collect unpaid fixed penalties (including fiscal fines) in 34,071 cases.

Information on the amounts recovered by diligence is not held centrally.

Recovery of unpaid fixed penalties can be done in a number of ways. It is for the courts to determine how best to recover these fines taking account of the individual circumstances of each case.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Nurses

**Mrs. Laing:** To ask the Secretary of State for Scotland how many full-time nurses are employed by the NHS in Scotland. [71867]

**Mr. Galbraith:** The latest provisional data available indicate that as at 30 September 1998 there were 24,936 nurses and midwives employed on a full-time basis by the NHS in Scotland.

From 1 July 1999 this will be a matter for the Scottish Parliament.

**Mrs. Laing:** To ask the Secretary of State for Scotland what percentage of nurses who have completed nursing training in Scotland since May 1997 have then taken up a nursing job in the NHS in Scotland. [71866]

**Mr. Galbraith:** This information is not held centrally.

From 1 July 1999 this will be a matter for the Scottish Parliament.

**Mrs. Laing:** To ask the Secretary of State for Scotland how many nurses have been *(a)* recruited and *(b)* trained in Scotland since May 1997. [71875]

**Mr. Galbraith:** The available information is as follows:

*(a)* According to provisional figures, there were 2,845 nurses and midwives employed in the NHS in Scotland at 30 September 1998 who had joined since September 1997.

*(b)* 2,855 student nurses have successfully completed basic training since 1 May 1997.

The 2 sets of data are not comparable because they derive from different sources, and in particular because the figures on recruits to employment:

(i) includes midwives as well as nurses

(ii) includes rejoiners as well as new entrants

(iii) excludes nurses working in general practices, banks and agencies.

From 1 July 1999 this will be a matter for the Scottish Parliament.

*Source:*

Employment Data—Information and Statistics Division of the Common Services Agency for the NHS in Scotland

Training Data—National Board for Nursing, Midwifery and Health Visiting for Scotland.

### Temporary Sheriffs

**Mrs. Laing:** To ask the Secretary of State for Scotland if he will place in the Library a list of those holding commissions as temporary sheriffs on 15 January, including details of when each of the temporary sheriffs was first appointed. [71886]

**Mr. McLeish:** I have arranged to have placed in the Library a list of those holding commissions as temporary sheriffs on 15 January, showing dates of first appointment in that capacity.

From 1 July 1999 this will be a matter for the Scottish Parliament.

**Mrs. Laing:** To ask the Secretary of State for Scotland how many temporary sheriffs held commissions on 15 January; and of these, how many were *(a)* solicitors, *(b)* advocates, *(c)* female, *(d)* under the age of 40 *(e)* 60 to 64 and *(f)* 65 years of age or over. [71888]

**Mr. McLeish:** On 15 January 131 commissions as temporary sheriffs were in force. Of these *(a)* 84 were solicitors, *(b)* 47 were advocates, *(c)* 16 were female, *(d)* 7 were under age 40, *(e)* 5 were aged 60 to 64 and *(f)* 7 were aged 65 or over.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Waiting Lists

**Mrs. Laing:** To ask the Secretary of State for Scotland how much money listed by each NHS trust in Scotland has been directed into the Waiting List Initiative. [71889]

**Mr. Galbraith:** An additional £44.5 million was made available to tackle waiting lists and waiting times. £40 million was allocated to Health Boards to enable them to implement their plans for achieving reductions. The funding issued to each Health Board is set out in Table 1. The remaining £4.5 million was issued to those NHS Trusts which had achieved waiting list reductions. The awards to NHS Trusts are set out in Table 2.

From 1 July 1999, this will be a matter for the Scottish Parliament.

*Table 1: Waiting lists funding to Health Boards*

*£ million*

| *Health Board* | *Funding* |
|---|---|
| Argyll and Clyde | 3.3 |
| Ayrshire and Arran | 2.4 |
| Boarders | 0.9 |
| Dumfries and Galloway | 1.3 |
| Fife | 2.4 |
| Forth Valley | 2.2 |
| Grampian | 4.0 |
| Greater Glasgow | 7.7 |
| Highland | 1.5 |
| Lanarkshire[1] | 4.2 |
| Lothian | 5.5 |
| Orkney | 0.5 |
| Shetland | 0.2 |
| Tayside | 3.2 |
| Western Isles | 0.3 |
| Common Services Agency[2] | 0.4 |

[1] Includes £300,000 funding for the Scottish Ambulance Service
[2] Funding for Scottish National Blood Transfusion Service

*Table 2: Awards to NHS Trusts*

£

| *NHS Trust* | *Award* |
|---|---|
| Western General Hospitals NHS Trust | 450,000 |
| Royal Alexandra Hospital NHS Trust | 300,000 |
| Queen Margaret Hospital NHS Trust | 300,000 |
| Victoria Infirmary NHS Trust | 300,000 |
| West Glasgow Hospitals University NHS Trust | 300,000 |
| Monklands General Hospital NHS Trust | 300,000 |
| Edinburgh Sick Children's NHS Trust | 300,000 |
| West Lothian NHS Trust | 300,000 |
| Inverclyde Royal NHS Trust | 150,000 |
| Lomond Healthcare NHS Trust | 150,000 |
| North Ayrshire and Arran NHS Trust | 150,000 |
| South Ayrshire Hospitals NHS Trust | 150,000 |
| Dumfries and Galloway Acute and Maternity Hospitals NHS Trust | 150,000 |
| Falkirk and District Royal Infirmary NHS Trust | 150,000 |
| Stirling Royal Infirmary NHS Trust | 150,000 |
| Aberdeen Royal Hospitals NHS Trust | 150,000 |
| Glasgow Royal Infirmary University NHS Trust | 150,000 |
| Hairmyres and Stonehouse Hospitals NHS Trust | 150,000 |
| Law Hospital NHS Trust | 150,000 |
| East and Midlothian NHS Trust | 150,000 |
| Royal Infirmary of Edinburgh NHS Trust | 150,000 |
| | 4,500,000 |

**Mrs. Laing:** To ask the Secretary of State for Scotland what indicators have been used to measure value for money gained from funds directed towards the waiting list initiative in Scotland. [71871]

**Mr. Galbraith:** Health Boards, in conjunction with NHS Trusts, prepared detailed plans for achieving reductions in waiting lists and waiting times. A clinical and professional Support Force examined the plans and discussed them with representatives of Health Boards and NHS Trusts. Prior to recommending the plans for approval, the Support Force ensured that they were robust, deliverable and would achieve value for money, through an assessment of the project costs and the anticipated impact on waiting lists. Monitoring of expenditure by Health Boards on their plans, and the outcomes achieved, is ongoing.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Mrs. Laing:** To ask the Secretary of State for Scotland how much of the money spent to reduce waiting lists in Scotland over the last year was allocated specifically for that purpose. [71870]

**Mr. Galbraith:** An additional £40 million was issued to the NHS in Scotland in 1998 specifically to tackle waiting lists and waiting times. In February 1999, an additional £4.5 million was issued as awards to those NHS Trusts which had achieved waiting list reductions.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Mrs. Laing:** To ask the Secretary of State for Scotland how much money has been directed towar reducing waiting list figures in the last three months in Scotland. [71884]

**Mr. Galbraith:** An additional £20 million was issued to the NHS in Scotland in April 1998 for action to secure early reductions in waiting lists, and a further £20 million was issued in September/November 1998 to fund over 190 strategic projects designed to secure sustained reductions in waiting times and waiting lists. In February 1999, £4.5 million was issued as awards to those NHS Trusts which had achieved early reductions in waiting lists.

From 1 July 1999, this will be a matter for the Scottish Parliament.

## Hospital Beds

**Mrs. Laing:** To ask the Secretary of State for Scotland how many hospital beds there are per 1,000 of the population in Scotland. [71869]

**Mr. Galbraith:** Provisional figures for the year ending 30 September 1998 indicate that there were 7.3 NHS inpatient beds per 1,000 population.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Mrs. Laing:** To ask the Secretary of State for Scotland what is the average percentage of beds occupied in Scottish hospitals. [71868]

**Mr. Galbraith:** In the year ending 30 September 1998, provisional figures show that the average percentage of all NHS inpatient beds occupied was 79.9 per cent.

From 1 July 1999, this will be a matter for the Scottish Parliament.

## Local Government Boundary Commission

**Mrs. Laing:** To ask the Secretary of State for Scotland with reference to the Local Government Boundary Commission for Scotland's report to him on the Second Statutory Review of Electoral Arrangements, in which local authority areas consultants were engaged *(a)* to complete, *(b)* to validate and *(c)* to examine the local authorities' initial proposals to the Commission; and what was the cost of such work to the Commission. [71891]

**Mr. McLeish:** No consultants were engaged by the Commission for the purposes mentioned for any local authority area.

From 1 July this will be a matter for the Scottish Parliament.

## HIV

**Dr. Strang:** To ask the Secretary of State for Scotland if he will make a statement on the anonymised programme of HIV surveillance in Scotland, setting out for each survey currently in operation or planned the *(a)* location, *(b)* targeted populations, *(c)* clinical reasons for initial collection of specimens, *(d)* number of specimen collection venues, *(e)* annual specimen numbers and *(f)* most recent prevalence data. [71910]

**Mr. Galbraith:** The statistical information is set out in the tables.

The two principal targeted populations are genito-urinary clinic attenders and neonates. For the latter, prevalence of HIV antibody positivity among neonates is

an indicator of the prevalence of HIV infection among childbearing women. Up to 1997, additional unlinked anonymous HIV testing was performed on pregnant women in Edinburgh and Dundee. Because HIV prevalence among this group has remained relatively low and stable, these additional surveys were discontinued as at December 1997.

Genito-urinary clinic attenders having a syphilis serology test or presenting with a new sexually-transmitted disease for the first time in a calender quarter are eligible for entry into the survey. HIV testing of neonates is performed on dried blood spots collected on Guthrie cards used for neonatal metabolic screening tests for conditions such as hypothyroidism and phenylketonuria.

For genito-urinary clinic attenders the collection venues are two genito-urinary clinics in Glasgow, one in Edinburgh, one in Dundee, one in Aberdeen, one in Falkirk and one in Stirling. For neonates, all Guthrie cards are sent directly to the neonatal metabolic screening laboratory at Stobhill General Hospital, Glasgow.

From 1 July 1999 this will be a matter for the Scottish Parliament.

*Incidence of HIV infection among genito-urinary clinic attenders 1995–97*[1]

| | 1995 | | 1996 | | 1997 | |
|---|---|---|---|---|---|---|
| | *N* | *%+ve* | *N* | *%+ve* | *N* | *%+ve* |
| *Greater Glasgow* | | | | | | |
| Homo/Bisexual Males (excl. IDUs) | 255 | 4.31 | 215 | 4.65 | 311 | 1.93 |
| Hetero Males (excl. IDUs) | 2,035 | 0.20 | 1,519 | 0.20 | 2,105 | 0.14 |
| Hetero Females (excl. IDUs) | 1,374 | 0.07 | 956 | 0.21 | 1,232 | 0.00 |
| Injecting Drug Users(IDU) | 38 | 5.26 | 37 | 2.70 | 50 | 0.00 |
| Other/Unknown | 64 | 0.00 | 77 | 0.00 | 101 | 0.00 |
| Total | 3,766 | 0.48 | 2,804 | 0.57 | 3,799 | 0.24 |
| *Lothian* | | | | | | |
| Homo/Bisexual Males (excl. IDUs) | 292 | 3.08 | 477 | 3.98 | 437 | 3.66 |
| Hetero Males (excl. IDUs) | 2,246 | 0.40 | 2,087 | 0.29 | 2,241 | 0.22 |
| Hetero Female (excl. IDUs) | 1,971 | 0.20 | 1,876 | 0.32 | 2,231 | 0.18 |
| Injecting Drug Users (IDU) | 27 | 3.70 | 35 | 11.43 | 55 | 7.27 |
| Other/Unknown | 27 | 0.00 | 35 | 0.00 | 50 | 0.00 |
| Total | 4,563 | 0.50 | 4,510 | 0.78 | 5,014 | 0.58 |
| *Tayside* | | | | | | |
| Homo/Bisexual Males (excl. IDUs) | 28 | 7.14 | 38 | 2.63 | 46 | 0.00 |
| Hetero Males (excl. IDUs) | 515 | 0.58 | 468 | 0.21 | 550 | 0.18 |
| Hetero Females (excl. IDUs) | 248 | 0.40 | 297 | 0.00 | 379 | 0.00 |
| Injecting Drug Users (IDU) | 16 | 0.00 | 9 | 0.00 | 31 | 9.68 |
| Other/Unknown | 17 | 0.00 | 22 | 0.00 | 52 | 0.00 |
| Total | 824 | 0.73 | 834 | 0.24 | 1,058 | 0.38 |
| *Grampian* | | | | | | |
| Homo/Bisexual Males (excl. IDUs) | 34 | 0.00 | 83 | 1.20 | 50 | 6.00 |
| Hetero Males (excl. IDUs) | 481 | 0.21 | 489 | 0.00 | 505 | 0.40 |
| Hetero Females (excl. IDUs) | 336 | 0.00 | 428 | 0.00 | 425 | 0.71 |
| Injecting Drug Users (IDU) | 14 | 0.00 | 46 | 0.00 | 57 | 0.00 |
| Other/Unknown | 14 | 0.00 | 14 | 0.00 | 69 | 1.45 |
| Total | 879 | 0.11 | 1,060 | 0.09 | 1,106 | 0.81 |
| *Other* | | | | | | |
| Homo/Bisexual Males (excl. IDUs) | 23 | 4.35 | 19 | 15.79 | 28 | 0.00 |
| Hetero Males (excl. IDUs) | 363 | 0.00 | 303 | 0.00 | 477 | 0.00 |
| Hetero Females (excl. IDUs) | 297 | 0.34 | 258 | 0.00 | 467 | 0.00 |
| Injecting Drug Users (IDU) | 11 | 0.00 | 8 | 0.00 | 15 | 0.00 |
| Other/Unknown | 8 | 0.00 | 4 | 0.00 | 9 | 0.00 |
| Total | 702 | 0.28 | 592 | 0.51 | 996 | 0.00 |
| *Scotland* | | | | | | |
| Homo/Bisexual Males (excl. IDUs) | 632 | 3.64 | 832 | 4.09 | 872 | 2.87 |
| Hetero Males (excl. IDUs) | 5,640 | 0.30 | 4,866 | 0.21 | 5,878 | 0.19 |
| Hetero Females (excl. IDUs) | 4,226 | 0.17 | 3,815 | 0.21 | 4,734 | 0.15 |
| Injecting Drug Users (IDU) | 106 | 2.83 | 135 | 3.70 | 208 | 3.37 |
| Other/Unknown | 130 | 0.00 | 152 | 0.00 | 281 | 0.36 |
| Total | 10,734 | 0.47 | 9,800 | 0.58 | 11,973 | 0.43 |

[1] Attenders at GUM clinics in Glasgow, Edinburgh, Dundee, Perth, Aberdeen, Falkirk, and Stirling Geographical categorisation is by the health board area in which the clinic is sited.

*Incidence of HIV infection among women attending antenatal clinics or undergoing termination of pregnancy—Lothian and Tayside (excluding injecting drug users)—1995–97* [1]

| | 1995 | | 1996 | | 1997 | |
|---|---|---|---|---|---|---|
| | N | %+ve | N | %+ve | N | %+ve |
| Lothian | 12,173 | 0.06 | 12,965 | 0.08 | 12,214 | 0.07 |
| Tayside | 3,547 | 0.08 | 3,639 | 0.14 | 3,516 | 0.06 |

[1] This survey was confined to pregnant women attending clinics in Edinburgh and Dundee. Geographical categorisation is by the health board area in which the clinic is sited.

*Incidence of HIV infection among neonates 1995–97*

| | 1995 | | 1996 | | 1997 | |
|---|---|---|---|---|---|---|
| | N | %+ve | N | %+ve | N | %+ve |
| *Greater Glasgow* | | | | | | |
| Childbearing women (incl. IDUs) | 10,380 | 0.01 | 10,093 | 0.01 | 10,412 | 0.01 |
| *Lothian* | | | | | | |
| Childbearing women (incl. IDUs) | 9,266 | 0.06 | 9,224 | 0.10 | 9,332 | 0.04 |
| *Tayside* | | | | | | |
| Childbearing women (incl. IDUs) | 4,494 | 0.04 | 4,414 | 0.07 | 4,623 | 0.04 |
| *Grampian* | | | | | | |
| Childbearing women (incl. IDUs) | 6,139 | 0.00 | 5,998 | 0.02 | 6,146 | 0.02 |
| *Other* | | | | | | |
| Childbearing women (incl. IDUs) | 30,620 | 0.02 | 29,854 | 0.01 | 30,526 | 0.02 |
| *Scotland* | | | | | | |
| Childbearing women (incl. IDUs) | 60,899 | 0.02 | 59,574 | 0.03 | 61,039 | 0.02 |

## Gaelic Medium Units

**Mrs. Ewing:** To ask the Secretary of State for Scotland if he will list the Gaelic-medium units in Scottish primary schools and the number of pupils studying them in each year since 1985. [71674]

**Mr. Macdonald** *[holding answer 22 February 1999]:* The table shows numbers of Gaelic-medium units in Scottish primary schools and the total number of pupils in each year since 1985:

| | Units | Pupils |
|---|---|---|
| 1985–86 | 2 | 24 |
| 1986–87 | 6 | 64 |
| 1987–88 | 9 | 112 |
| 1988–89 | 13 | 169 |
| 1989–90 | 19 | 286 |
| 1990–91 | 25 | 431 |
| 1991–92 | 31 | 614 |
| 1992–93 | 38 | 824 |
| 1993–94 | 45 | 1,080 |
| 1994–95 | 47 | 1,258 |
| 1995–96 | 50 | 1,456 |
| 1996–97 | 52 | 1,587 |
| 1997–98 | 55 | 1,736 |
| 1998–99 | 56 | 1,816 |

From 1 July 1999 this will be a matter for the Scottish Parliament.

## Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Secretary of State for Scotland if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71844]

**Mr. Dewar** *[holding answer 22 February 1999]:* In common with other departments, the work of press officers in my department includes responding to and correcting any misinformed or inaccurate media reporting of Government policy or activity. They are supported in this work by other officials as necessary.

This is a routine part of a Department's work and it is not separately recorded from other tasks.

## Solicitors (Payments)

**Mr. Maclennan:** To ask the Secretary of State for Scotland what are the criteria he has applied *(a)* in selecting the areas in which solicitors will receive an enhanced fixed payment for summary criminal legal aid cases and *(b)* in determining the level of the enhanced payment. [71860]

**Mr. McLeish:** The criteria were chosen to reflect a combination of small numbers of cases dealt with and time taken to travel to the court.

The 15 Sheriff courts in Scotland with the lowest throughput of cases were therefore identified. Any courts which were less than 40 miles from the nearest other sheriff court and which could be reached without a sea crossing were eliminated from the list. The resultant list of courts for which an additional payment will be available is Campbeltown, Stornoway, Lockmaddy, Kirkwall, Lerwick, Oban, Portree, Lochgilphead and Rothesay Sheriff courts.

The additional fee of £50 was determined to provide reasonable remuneration to solicitors who have to represent clients in these courts. The Sheriff Court core fee has also been increased to £500 for all courts. From 1 July 1999 legal aid in Scotland will be a matter for the Scottish Parliament.

## Foundation for Sports and Arts

**Mr. Jim Murphy:** To ask the Secretary of State for Scotland how much has been granted by the Foundation for Sports and Arts in Scotland over the past five years. [72267]

**Mr. Galbraith** *[holding answer 22 February 1999]:* The information requested is set out in the table.

£

| Year | Sport | Arts |
|---|---|---|
| 1994 | 2,937,337.13 | 1,634,091.00 |
| 1995 | 1,867,394.00 | 1,223,425.00 |
| 1996 | 2,148,410.78 | 767,935.00 |
| 1997 | 738,363.32 | 291,551.00 |
| 1998 | 544,021.75 | 147,686.00 |

From 1 July 1999 this will be a matter for the Scottish Parliament.

## Sports Council

**Mr. Jim Murphy:** To ask the Secretary of State for Scotland how much the Scottish Sports Council has invested over the past five years as a percentage of its total expenditure in *(a)* Glasgow and *(b)* Scotland's other cities. [72266]

**Mr. Galbraith** *[holding answer 22 February 1999]:* It is not possible to provide a breakdown of the Council's grant in aid expenditure in the form requested. The information in respect of awards from the Lottery Sports Fund is set out in the table.

*LSF awards to Scottish cities (to 18 February 1999)*

| City | LSF programme | Total awards | Percentage of total (per programme) |
|---|---|---|---|
| Glasgow | Capital | 19,387,144 | 26.4 |
| | Talented Athletes | 278,843 | 6.4 |
| | Major Events | 462,161 | 49.4 |
| | Safety at Sports Grounds | 0 | 0 |
| | Awards for All | 34,025 | 5.7 |
| | Sub Total | 20,162,174 | [1]23.5 |
| Edinburgh | Capital | 8,199,824 | 11.1 |
| | Talented Athletes | 830,123 | 18.9 |
| | Major Events | 160,720 | 17.2 |
| | Safety at Sports Grounds | 0 | 0 |
| | Awards for All | 23,160 | 3.9 |
| | Sub Total | 9,213,827 | [1]10.7 |
| Aberdeen | Capital | 2,198,608 | 3.0 |
| | Talented Athletes | 125,611 | 2.9 |
| | Major Events | 0 | 0 |
| | Safety at Sports Grounds | 0 | 0 |
| | Awards for All | 12,087 | 2.0 |
| | Sub Total | 2,336,306 | [1]2.7 |
| Dundee | Capital | 3,626,250 | 5.0 |
| | Talented Athletes | 61,202 | 1.4 |
| | Major Events | 0 | 0 |
| | Safety at Sports Grounds | 1,000,000 | 47.5 |
| | Awards for All | 5,559 | 0.9 |
| | Sub Total | 4,693,011 | [1]5.5 |

[1] As percentage of total commitments across all programmes

From 1 July 1999 this will be a matter for the Scottish Parliament.

**Mr. Jim Murphy:** To ask the Secretary of State for Scotland how many members of the Scottish Sports Council there are; when each was appointed; and by which Secretary of State for Scotland each was appointed. [72263]

**Mr. Galbraith** *[holding answer 22 February 1999]:* The information is set out in the table.

| Name | Date of current appointment | Appointment by |
|---|---|---|
| Mr. Graeme M. Simmers, CBE (Chairman) | June 1995 | Rt. Hon. Ian Lang MP |
| Mr. Alan Grosset (Vice Chairman) | November 1998 | Rt. Hon. Donald Dewar MP |
| Mrs. Evelyn Raistrick | November 1997 | Rt. Hon. Donald Dewar MP |
| Mr. David Arnott | November 1997 | Rt. Hon. Donald Dewar MP |
| Mrs. Jane Heaney | May 1996 | Rt. Hon. Michael Forsyth MP |
| Mr. Eamonn Bannon | August 1996 | Rt. Hon. Michael Forsyth MP |
| Mrs. Louise Martin | November 1997 | Rt. Hon. Donald Dewar MP |
| Mr. Ian Mason | December 1998 | Rt. Hon. Donald Dewar MP |
| Mr. Alastair Dempster | December 1998 | Rt. Hon. Donald Dewar MP |
| Mr. Ritchie Campbell | December 1998 | Rt. Hon. Donald Dewar MP |
| Miss Fiona Reid | December 1998 | Rt. Hon. Donald Dewar MP |

From 1 July 1999 this will be a matter for the Scottish Parliament.

**Mr. Jim Murphy:** To ask the Secretary of State for Scotland how many staff are employed by the Scottish Sports Council; and where they are based. [72274]

**Mr. Galbraith** *[holding answer 22 February 1999]:* In 1997–98 the Scottish Sports Council employed 187 staff at its headquarters in Edinburgh and at its three national centres at Aviemore, Largs and Cumbrae. More detailed information is contained in the Council's Annual Report and Accounts for 1997–98, a copy of which is in the Library.

From 1 July 1999 this will be a matter for the Scottish Parliament.

**Mr. Jim Murphy:** To ask the Secretary of State for Scotland how much grant money was given or is planned to be given to *(a)* Scottish sports in total and *(b)* each sport in Scotland over (i) the past three years and (ii) the next three years. [72273]

**Mr. Galbraith** *[holding answer 22 February 1999]:* The amount of grant aid given to governing bodies of sport by the Scottish Sports Council for the past three years is set out in the table. The projected total grant-in-aid, and the grant-in-aid to be made available to individual governing bodies of sport, for the next three financial years has not yet been agreed by the Scottish Sports Council.

From 1 July 1999 this will be a matter for the Scottish Parliament.

*Grants offered to governing bodies from 1 April 1995 to 31 March 1998*

| GB Name | 1995–96 | 1996–97 | 1997–98 |
|---|---|---|---|
| Scottish Anglers National Association | 9,000 | 9,000 | 9,000 |
| Scottish Federation of Sea Anglers | 0 | 26,500 | 13,000 |
| Scottish Federation of Coarse Anglers | 3,000 | 5,800 | 2,800 |
| Scottish Archery Association | 4,850 | 4,800 | 4,000 |
| Scottish Athletic Federation | 164,850 | 157,000 | 46,943 |
| Scottish Badminton Union | 116,370 | 116,250 | 116,250 |
| Scottish Basketball Association | 60,000 | 62,000 | 61,500 |
| Scottish Women's Bowling Association | 4,500 | 4,500 | 5,723 |
| Scottish Bowls Coaching Committee | 6,500 | 6,500 | 6,500 |
| Scottish Boxing Association | 19,000 | 0 | 0 |
| Scottish Canoe Association | 41,700 | 40,243 | 41,700 |
| Scottish Cricket Union | 60,800 | 58,700 | 61,500 |
| Scottish Croquet Association | 1,500 | 1,500 | 1,500 |
| Royal Caledonian Curling Club | 12,000 | 17,350 | 40,225 |
| Scottish Cyclists' Union | 95,560 | 57,825 | 56,000 |

*Grants offered to governing bodies from 1 April 1995 to 31 March 1998*

| GB Name | 1995–96 | 1996–97 | 1997–98 |
|---|---|---|---|
| Scottish Amateur Dancesport Association | 17,500 | 10,000 | 10,000 |
| Fitness Scotland | 45,000 | 35,000 | 34,500 |
| Health & Beauty | 2,670 | 2,600 | 2,600 |
| Scottish Fencing | 19,000 | 20,000 | 20,000 |
| Scottish Field Archery Association | 1,000 | 800 | 800 |
| Scottish Women's Football Association | 26,000 | 27,500 | 27,500 |
| Scottish Gliding Association | 3,000 | 3,000 | 2,000 |
| Scottish Ladies Golf Association | 3,000 | 3,000 | 0 |
| Scottish Gymnastics Association | 87,000 | 78,450 | 91,250 |
| Scottish Hang/Paragliding Association | 2,000 | 0 | 1,000 |
| Scottish Hockey Union | 8,771 | 398,500 | 210,300 |
| Scottish Judo Federation | 0 | 145,650 | 98,000 |
| Scottish Karate Board | 0 | 11,400 | 11,400 |
| Scottish Lacrosse Association | 10,100 | 10,000 | 8,500 |
| Scottish Lawn Tennis Association | 69,000 | 64,000 | 64,000 |
| Mountaineering Council of Scotland | 9,000 | 10,000 | 10,000 |
| Scottish Netball Association | 30,000 | 24,600 | 25,600 |
| Scottish Orienteering Association | 50,400 | 28,000 | 28,000 |
| Scottish Sports Parachute Association | 5,500 | 0 | 0 |
| British Horse Society (Scotland) | 18,500 | 16,500 | 16,500 |
| Scottish Amateur Rowing Association | 0 | 28,200 | 14,600 |
| Scottish Women's Rugby Union | 2,000 | 2,000 | 2,000 |
| Scottish Rugby Union | 0 | 700,000 | 700,000 |
| RYA Scotland | 62,350 | 70,661 | 66,200 |
| The Camanachd Association | 15,000 | 15,000 | 0 |
| Scottish Target Shooting Federation | 0 | 41,500 | 42,250 |
| Scottish Ice Skating Association | 4,000 | 4,000 | 4,000 |
| Scottish National Ski Council | 60,400 | 60,400 | 60,400 |
| Scottish Squash | 85,400 | 83,000 | 78,000 |
| Scottish Sub Aqua Club | 20,800 | 20,800 | 20,800 |
| Scottish Surfing Federation | 1,000 | 700 | 0 |
| Scottish Amateur Swimming Association | 176,550 | 175,000 | 188,800 |
| Scottish Table Tennis Association | 42,000 | 42,000 | 36,000 |
| Scottish Trampoline Association | 0 | 40,000 | 5,000 |
| Scottish Triathlon Association | 2,000 | 2,000 | 4,400 |
| Scottish Tug of War Association | 1,800 | 0 | 3,600 |
| Scottish Volleyball Association | 0 | 80,000 | 80,000 |
| Scottish Waterski Association | 0 | 40,000 | 20,000 |
| Scottish Amateur Weight-Lifters Association | 13,500 | 0 | 11,450 |
| Scottish Wrestling Association | 7,000 | 12,000 | 7,000 |
| Scottish School Sports | 1,200 | 0 | 0 |
| Scottish Sports Association | 41,000 | 38,000 | 36,200 |
| Scottish Sports Association for People with a Disability | 0 | 20,000 | 20,000 |
| Total | 1,543,071 | 2,934,229 | 2,530,291 |

*Note:*
The above are details of grants offered, but not necessarily paid, to governing bodies of sport for the Scottish Sports Council financial years as stated. The figures do not necessarily coincide with any governing body's financial year and may represent only part of, or more than, one year's funding.

### Talented Athlete Programme

**Mr. Jim Murphy:** To ask the Secretary of State for Scotland how much has been invested in Glasgow under the Talented Athlete Programme *(a)* in each sport and *(b)* as a proportion of the total spent in Scotland on the programme. [72264]

**Mr. Galbraith:** The information requested is set out.

*Talented athlete programme awards in Glasgow*

| Sport | Total awards (£) |
|---|---|
| Angling | 1,734 |
| Aquatics | 7,896 |
| Athletics | 38,831 |
| Basketball | 2,000 |
| Canoeing | 4,500 |
| Cricket | 21,239 |
| Curling | 8,435 |
| Fencing | 9,000 |
| Golf, Men | 5,750 |
| Golf, Women | 3,000 |
| Gymnastics | 2,000 |
| Hockey | 36,002 |
| Lawn Tennis | 2,000 |
| Movement and Dance | 2,975 |
| Netball | 20,975 |
| Rowing | 3,750 |
| Squash | 10,356 |
| Volleyball | 47,430 |
| Women's Rugby | 9,532 |
| Weightlifting | 9,000 |
| Wrestling | 9,670 |
| Total | 278,844 |

*Note:*
Percentage of total TAP awards 6.4 per cent.

From 1 July 1999 this will be a matter for the Scottish Parliament.

## PRIME MINISTER

### European Union Fraud

**Mr. Trend:** To ask the Prime Minister when he intends to respond to the request dated 14 January from the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), asking him to publish the letter he sent to Pauline Green MEP concerning the European Parliament's vote on EU fraud and the motion of censure. [70664]

**The Prime Minister:** I have not been able to identify any such request. However, I have replied in full to the letter of 18 December from the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) about the European Commission's vote not to accept the recommendations of its Budgetary Control Committee to grant discharge to the Commission for its implementation of the 1996 Budget. If the right hon. and learned Member wishes me to do so, I would be glad to put copies of the correspondence in the Library.

### Sierra Leone

**Mr. Mackinlay:** To ask the Prime Minister, pursuant to his oral answer of 10 February 1999, *Official Report*, column 313, what is his policy towards each of the criticisms of the Civil Service set out in the second report of the Foreign Affairs Committee on Sierra Leone (HC116 of Session 1998–99). [71687]

**Mrs. Gillan:** To ask the Prime Minister if he will review the guidelines for the management of Departments by Ministers following the publication of the Foreign Affairs Committee report on Sierra Leone (HC116 of Session 1998–99). [71828]

**The Prime Minister:** A formal reply to the Foreign Affairs Committee Report HC116 is being prepared by the Foreign and Commonwealth Office and will be submitted to Parliament in due course.

**Mrs. Gillan:** To ask the Prime Minister what assessment he has made of the statement by the Foreign Secretary that the Foreign Affairs Committee report on Sierra Leone uncovered no evidence which was not

contained in the Legg report and if this statement will be included in the formal Government response to the report. [71826]

**The Prime Minister:** I agree with my right hon. Friend the Foreign Secretary. As I told the House on 10 February 1999, *Official Report*, columns 313–14, the facts to which the Foreign Affairs Committee Report drew attention had already been covered by Sir Thomas Legg's inquiry, which confirmed that there was no conspiracy or cover up. The Foreign and Commonwealth Office is preparing a formal reply to the Report which it will be submitting to Parliament shortly.

**Mr. Wilshire:** To ask the Prime Minister on what date and at what time *(a)* he, *(b)* other departmental Ministers and *(c)* his officials first had access to the Foreign Affairs Committee report on Sierra Leone. [72603]

**The Prime Minister:** My Office received advance embargoed copies of the report from the Foreign and Commonwealth Office at approximately 0830 hours on Tuesday 9 February 1999.

### Notes of Dissent

**Mr. Gordon Prentice:** To ask the Prime Minister on how many occasions since 1979 permanent secretaries have filed a formal note of dissent registering their disapproval of a ministerial instruction. [71681]

**The Prime Minister:** No central record is kept of any formal notes of dissent except where they lead to the issuing of a Ministerial instruction (or "Direction") as provided for in the procedures set out in paragraphs 12–15 of the Treasury document *The Responsibilities of an Accounting Officer*. Under these procedures the Treasury is informed when a Ministerial Direction is issued. Until December 1994 Departments were required to inform the Treasury about Ministerial Directions concerning propriety and regularity only, and not those concerning value for money. From December 1994 Departments were required to inform the Treasury of both kinds of Directions. Treasury records show that since 1981 the Treasury has been informed of 28 Directions. No central record is held of notes (if there are any) recording an Accounting Officer's dissatisfaction at a Ministerial Direction.

### Select Committees

**Mrs. Gillan:** To ask the Prime Minister if he will make a statement on the future relationship between Ministers and parliamentary Select Committees. [71825]

**The Prime Minister:** In their dealings with Select Committees, Ministers will continue to abide by the Resolution on Ministerial Accountability adopted by the House on 19 March 1997.

### Millennium Compliance

**Mr. David Atkinson:** To ask the Prime Minister what action he has taken to establish an international test day for the millennium compliance of computer systems; and if he will make a statement. [72156]

**The Prime Minister:** It is clear that testing is the cornerstone of a successful Year 2000 programme. As such all Government Departments and agencies are required to have testing strategies in place. Testing is also highlighted in the advice on tackling the millennium bug that Action 2000 makes available to small businesses. We have also been encouraging other countries to take testing seriously. However, decisions on the appropriate level of testing are for individual organisations to make, whether they are in the public or private sector, depending on the business risks faced if a particular system, or the interfaces between that system and other organisations, fails. In a number of sectors, there has been a co-ordinated approach to testing.

However, organising an international test day would not only be extremely difficult but might risk diverting resources away from on-going work.

### Iraq

**Mr. Dalyell:** To ask the Prime Minister, pursuant to his answer of 15 February 1999, *Official Report*, column *521*, concerning Iraq, if he will seek to have the work of the Security Council's panel on the humanitarian situation in Iraq expedited. [72503]

**The Prime Minister** *[holding answer 22 February 1999]:* The humanitarian panel is expected to start work on 1 March. In the interest of identifying measures to make the provision of humanitarian relief more effective and thereby improve the situation of the Iraqi people, the panel will wish to give full consideration to all the relevant issues. Meanwhile we are continuing to work with the United Nations to improve the present "oil for food" arrangements.

### Visits (Wales)

**Mr. Evans:** To ask the Prime Minister if he will list his visits to Wales over the past four months, and the cost of these visits. [72254]

**The Prime Minister** *[holding answer 22 February 1999]:* I have visited Wales on three occasions over the past four months. These were:

Friday 27 November—Cardiff

Friday 15 January—Mold and Clwyd

Wednesday 3 February—Cardiff.

It is not possible to give full costs for these visits as some of the invoices have not yet been processed.

### Genetically Modified Crops

**Mr. Yeo:** To ask the Prime Minister if he will publish the representations he has received during the last six months on genetically modified crops. [72206]

**The Prime Minister:** In the last six months my office has received over 100,000 items of correspondence from members of the public. Of these approximately 1,000 have related to biotechnology issues and of these approximately 50 have related specifically to genetically modified crops.

**Mr. Yeo:** To ask the Prime Minister if he has been present at meetings between members of the Government and representatives of the companies promoting genetically modified crops. [72235]

**The Prime Minister** *[holding answer 22 February 1999]:* I and my Ministers are in regular contact with representatives of all those with an interest in biotechnology—including environmental groups, consumer groups and biotechnology companies.

### Delegations

**Ms Keeble:** To ask the Prime Minister if he will list the changes in the composition of the United Kingdom Delegation to the Parliamentary Assembly of the Council of Europe and the Assembly of the Western European Union. [73079]

**The Prime Minister:** My hon. Friends the Members for Portsmouth, North (Mr. Rapson) and for Cannock Chase (Dr. Wright) have been appointed as substitute representatives in place of my hon. Friends the Members for Bristol, North-West (Dr. Naysmith) and for Stourbridge (Ms Shipley).

### Genetic Modification

**Mr. Baker:** To ask the Prime Minister (1) on how many occasions he or officials of his Department have (i) spoken with and (ii) received representations regarding genetic modification from Cathy McGlynn of Bell Pottinger; [72061]

(2) what was the *(a)* purpose and *(b)* outcome of the meeting between officials in the No. 10 Policy Unit and representatives of Monsanto; and if he will make a statement; [72243]

(3) on how many occasions *(a)* he and *(b)* officials in his Department have (i) spoken with and (ii) received representations regarding genetic modification from Mr. Stan Greenberg of Greenberg Research; [72246]

(4) on how many occasions he or officials in his Department have (i) spoken with and (ii) received representations regarding genetic modification from Dave Hill of Bell Pottinger. [72063]

**The Prime Minister:** I and my officials are in regular contact with representatives of all those with an interest in biotechnology—including environmental groups, consumer groups and biotechnology companies. It is not the normal practice of Governments to give details of specific meetings with private individuals or companies.

## LORD CHANCELLOR'S DEPARTMENT

### County Court Closures

35. **Mr. Blunt:** To ask the Minister of State, Lord Chancellor's Department if he will make a statement on his policy on county court closures. [70856]

**Mr. Hoon:** In considering the future of any county court, the Lord Chancellor must take into account a variety of factors including accommodation, workload, the number of personal callers, judicial sittings, costs, and the alternative arrangements that could be made for court users after closure.

### House of Lords

37. **Mr. Canavan:** To ask the Minister of State, Lord Chancellor's Department if he will make a statement about the role of his Department in respect of Government proposals for the future of the House of Lords. [70858]

**Mr. Hoon:** The Lord Chancellor has had a prominent role in the formulation of the Government's proposals, as chairman of the Cabinet Committee on House of Lords Reform. I am helping to steer the House of Lords Bill in its passage through this House.

38. **Mr. Mackinlay:** To ask the Minister of State, Lord Chancellor's Department if he will make a statement on recent discussions which he has had with the Church of England bishops on proposals for a reformed House of Lords. [70859]

**Mr. Hoon:** Neither I nor the Lord Chancellor has had such discussions.

### Adjudicators

39. **Mr. Vaz:** To ask the Minister of State, Lord Chancellor's Department if he will reform the system of selecting adjudicators. [70860]

**Mr. Hoon:** The Lord Chancellor has no plans to change the present system of selecting Immigration Adjudicators. Immigration Adjudicator posts may be occupied on a full or part-time basis. There are no statutory qualifications for appointment as an Immigration Adjudicator. However, in practice the Lord Chancellor will normally consider only persons who hold a seven year general qualification within the meaning of section 71 of the Courts and Legal Services Act 1990, who are advocates or solicitors in Scotland, or barristers or solicitors in Northern Ireland, of not less than 7 years' standing. Part-time posts are filled by application and interview following an open advertised competition, save on a few occasions the Lord Chancellor had directly seconded serving Circuit Judges and Recorders on the recommendation of the Chief Immigration Adjudicator, His Honour Judge Dunn QC. Full-time Immigration Adjudicators are normally appointed, following application and interview, from the ranks of those who have gained sufficient experience through service as part-time Immigration Adjudicators or part-time legal members of the Immigration Appeal Tribunal.

### Legal Aid

40. **Dr. Gibson:** To ask the Minister of State, Lord Chancellor's Department what steps he is taking to publicise his reform of the legal aid system. [70861]

**Mr. Hoon:** The Government's planned reforms were first outlined in October 1997. Since then, my Department's and the Legal Aid Board's efforts to publicise them have included numerous speeches; interviews and articles in the national and legal media; consultation papers on various aspects of the reforms; and, most importantly, the White Paper "Modernising Justice", which was published last November. The full text of the White Paper is available on the Internet, and a shortened summary has been widely circulated. In addition, the Explanatory Notes for the Access to Justice Bill are publicly available, and set out details of the Government's intentions for the reformed scheme.

### Information Meeting Pilot

41. **Mr. Ben Chapman:** To ask the Minister of State, Lord Chancellor's Department what is his assessment of the work of the information meeting pilot for Merseyside and North Wales. [70862]

**Mr. Hoon:** The Merseyside and North Wales Information Meeting pilot is making a valuable contribution to an extensive pilot programme of information meetings. The pilots are being fully and independently evaluated by a research team from the Centre for Family Studies at the University of Newcastle.

### Young Offenders

**Mr. Blizzard:** To ask the Minister of State, Lord Chancellor's Department what progress has been made in the fast tracking of young offenders through the magistrates courts. [70857]

**Mr. Hoon:** In the youth court the average number of days from charge or summons to "completion" fell from 87 days in June 1997 to 77 days in June 1998.

### Departmental Expenditure

**Mr. Don Foster:** To ask the Minister of State, Lord Chancellor's Department, pursuant to his answer of 17 December 1998, *Official Report*, column *724*, if he will list the expenditure not included in his answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if he will list the bodies which incurred the expenditure. [71031]

**Mr. Hoon:** *[holding answer 15 February 1999]:* I am not aware of any such expenditure by task force or review bodies. The review of civil justice and legal aid, by Sir Peter Middleton, was published by the Lord Chancellor's Department in-house print unit.

### Commonhold

**Mr. Lepper:** To ask the Minister of State, Lord Chancellor's Department what discussions his Department has had with *(a)* Ministers in the Department of the Environment, Transport and the Regions and *(b)* others on the preparation of a consultation document on the introduction of commonhold. [72313]

**Mr. Hoon:** I have spoken to colleagues in the Department of the Environment, Transport and the Regions to ensure that any possible overlaps between commonhold and the Government's policy on leasehold reform do not obstruct progress.

**Mr. Lepper:** To ask the Minister of State, Lord Chancellor's Department what timetable he has set for public consultation on the introduction of commonhold. [72314]

**Mr. Hoon:** Introducing commonhold is a manifesto objective to which the Government remain strongly committed. We are at present considering how best to consult the public whether by way of a general policy paper or a draft Bill, or both. Once that decision is taken, I will set and publish a timetable for consultation.

### Queen's Counsel

**Mr. Dismore:** To ask the Minister of State, Lord Chancellor's Department what was the average age of a QC on appointment in each of the last five years. [72612]

**Mr. Hoon:** The average age of a QC on appointment in each of the last five years is as follows:

| *Year* | *Age* |
|---|---|
| 1994 | 43.8 |
| 1995 | 43.8 |
| 1996 | 43.9 |
| 1997 | 43.6 |
| 1998 | 43.5 |

**Mr. Dismore:** To ask the Minister of State, Lord Chancellor's Department if he will make a statement on the article in *The Lawyer* magazine of 15 February 1999, indicating that the Bar Council is prepared to meet the cost of administration of the QC system. [72516]

**Mr. Hoon:** My noble and learned Friend the Lord Chancellor has seen the article. He notes that, according to the article, the General Council of the Bar would like to see the costs of processing silk applications being recoverable from all silk applicants. He will continue to review the matter.

**Mr. Dismore:** To ask the Minister of State, Lord Chancellor's Department if he will *(a)* list the public inquiries conducted by (i) Government departments and (ii) local authorities over the last three years which were chaired by QCs, *(b)* list the name of the QC in each case and *(c)* indicate the fee paid to the QC for his or her services. [72515]

**Mr. Hoon:** This information is not collected centrally and, therefore, my hon. Friend's question could not be answered without incurring disproportionate cost.

**Mr. Dismore:** To ask the Minister of State, Lord Chancellor's Department how many QCs have had that distinction withdrawn in each of the last 10 years; and in each case, for what reason. [72613]

**Mr. Hoon:** There has been no occasion in the last ten years when my noble and learned Friend or his immediate predecessor has advised Her Majesty to revoke the award of Queen's Counsel.

### Community Legal Service

**Mr. Chaytor:** To ask the Minister of State, Lord Chancellor's Department what plans he has to ensure equality of access to the proposed community legal service for those on low incomes. [70896]

**Mr. Hoon:** The Community Legal Service will be of particular benefit to people with low incomes, as its aim is to improve access to information and help with potential or actual legal problems through developing a comprehensive network of legal service providers of consistently good quality. This network will involve a variety of providers, including lawyers in private practice, Law Centres, Citizens Advice Bureaux, and other advice

centres, and will look to meet the needs and priorities of the local community, and not simply those currently eligible for civil legal aid.

### Asylum Appeals

**Fiona Mactaggart:** To ask the Minister of State, Lord Chancellor's Department (1) how long on average people who *(a)* were refused leave to remain in the United Kingdom in (i) March 1997, (ii) June 1997, (iii) September 1997, (iv) December 1997, (v) March 1998 and (vi) June 1998, (1) for a year on the grounds of marriage, (2) indefinitely on grounds of marriage, (3) indefinitely as a child of parents settled here, (4) indefinitely as the parent of children settled here and (5) for a longer period as a student and *(b)* were refused asylum in the United Kingdom waited between the date of refusal and the date of determination of their appeal by an adjudicator or special adjudicator; and how long he estimates those refused in each category in (x) September 1998, (y) December 1998 and (z) January 1999 will wait; [71795]

(2) how long, on average, people who were refused entry clearance at a British post abroad in (i) March 1997, (ii) June 1997, (iii) September 1997, (iv) December 1997, (v) March 1998 and (vi) June 1998 *(a)* to join a British or settled spouse in the UK, *(b)* to join a British or settled parent in the UK, *(c)* as the elderly parent of a British or settled adult child in the UK, *(d)* to come to follow a course of studies for more than six months, waited between the date of lodging the appeal and (1) the appeal papers being sent to the UK and (2) the date of the adjudicator's determination of their appeal; and how long he estimates those refused in each category in (x) September 1998, (y) December 1998 and (z) January 1999 will wait. [71783]

**Mr. Mike O'Brien:** I have been asked to reply.

Information is available only for the waiting times between asylum refusals and adjudicator appeal determinations. This is given in the table. Based on this information, it is projected that similar cases lodged in September 1998, December 1998 and January 1999, are likely to take approximately seven months.

I regret that information on the total time period between refusal and the appeal hearing in non-asylum cases could be obtained only at disproportionate cost.

*Average time to appeal determination in asylum refusal cases[1], March 1997, June 1997, September 1997, December 1997, March 1998 and June 1998*

| *Month of asylum decision* | *Average time to appeal determination (months)* |
|---|---|
| March 1997 | 8 |
| June 1997 | 8 |
| September 1997 | 9 |
| December 1997 | 8 |
| March 1998 | 6 |
| June 1998 | 5 |

[1] Figures are estimates, based on cases for which information is recorded

## CULTURE, MEDIA AND SPORT

### Legal Services

**Mr. Ruffley:** To ask the Secretary of State for Culture, Media and Sport if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70027]

**Mr. Chris Smith** *[holding answer 8 February 1999]:* The information requested is not held centrally and could not be provided without incurring disproportionate cost.

My right hon. and Learned Friend the Attorney-General appointed Philip Sales as First Junior Treasury Counsel (Common Law) and Jonathan Crow as First Junior Treasury Counsel (Chancery) to advise and represent the government in their important civil cases. In addition, the Attorney-General maintains at present two London panels of junior Counsel whom departments are expected to use for the rest of the government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers. The Attorney-General's individual nomination is required before a barrister who is not on one of the approved panels can be instructed to appear for the government in litigation.

Departments may use firms of solicitors in addition to the Treasury Solicitor and their departmental legal advisers, for example where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

### Christian Broadcasters

**Jackie Ballard:** To ask the Secretary of State for Culture, Media and Sport what regulations have been introduced which would implicitly exclude Christian broadcasters from the process of obtaining a national radio frequency. [71551]

**Janet Anderson:** I refer the hon. Member to the reply I gave on 11 February 1999, *Official Report*, columns *301–02*.

### Beefeaters

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the remuneration of the Beefeaters at the Tower of London. [72221]

**Mr. Chris Smith** *[holding answer 22 February 1999]:* Including rostered overtime and allowances, the total salaries of Yeoman Warders at the Tower of London are typically in the region of £18,000 to £19,000 per annum. They occupy accommodation at the Tower for which they pay 8.5 per cent. of their basic pensionable salary. The Yeoman Warders also have a long established practice of receiving gratuities freely offered by visitors. These gratuities are shared by the Yeoman body, declared to the Inland Revenue and a small percentage is given to charities. This practice is under review.

## KPMG

**Mr. Ruffley:** To ask the Secretary of State for Culture, Media and Sport if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72004]

**Mr. Chris Smith** *[holding answer 22 February 1999]:* The services provided by KPMG for the Department for Culture, Media and Sport were as follows:

*(a)* no services for the period 1 May 1997 to date.

*(b)* for the corresponding period prior to 1 May

| | £ |
|---|---|
| Performance Appraisal Training | 12,225 |
| Pay Delegation Consultancy | 9,554 |
| Research for Benchmarking Small Hotels | 110,673 |
| Research for Contracting Out Public Libraries | 2,954 |
| Research for Museums Documentation Association | 12,500 |
| Review of Broadcasting Standards Commission and Broadcasting Complaints Commission | 44,680 |
| Review of RCHME | 4,406 |

## Museums, Galleries and Libraries

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport what plans he has to encourage the use of National Lottery funds to help *(a)* museums, *(b)* galleries and *(c)* libraries add to their collections. [72021]

**Mr. Chris Smith** *[holding answer 22 February 1999]:* The Heritage Lottery Fund (HLF) has already contributed, and will continue to provide, a large amount of capital investment to museums, galleries and libraries. The HLF is currently preparing its strategic plan; funding for the addition of important collections or single objects to museum and gallery collections and the acquisition of library collections of heritage importance will continue to be a significant part of its overall support for the heritage.

The Government are committed to ensuring that every public library has access to the extensive resources of the National Grid for Learning. The New Opportunities Fund will be providing £70 million to assist in the development of new digital resources and the provision of relevant training for public library staff.

## Film Industry

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport (1) what measures his Department is taking to develop craft skills in the film industry; [72215]

(2) what plans he has to improve the technical skills base of the film industry; [72219]

(3) what plans he has to encourage the provision of apprenticeships in the film industry. [72216]

**Janet Anderson** *[holding answer 22 February 1999]:* One of the recommendations made of the Film Policy Review Group was for the formulation of an integrated training strategy for film and a Skills Investment Fund for training made up of voluntary contributions from film production. The training strategy we have now developed includes proposals for new provision for craft skills, the technical skills base and apprenticeships in the film industry. We are currently working towards agreement with the industry on the detail of how the Fund will work and how the training strategy will be implemented.

## TREASURY

### Electronic Correspondence

**Mr. Chope:** To ask the Chancellor of the Exchequer what difficulties have been encountered with the new electronic correspondence system in his Department; and to what extent they have been resolved. [71732]

**Dawn Primarolo** *[holding answer 16 February 1999]:* The Treasury, Inland Revenue and Custom and Excise have recently introduced a new electronic correspondence handling system which will strengthen the systems for processing and monitoring ministerial correspondence. The technical problems encountered at the outset have now been tackled.

### Press Releases

**Mr. Don Foster:** To ask the Chancellor of the Exchequer how many press releases have been issued by his Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71456]

**Dawn Primarolo** *[holding answer 16 February 1999]:* The information is as follows:

*Number of press releases issued*

| *Department* | *Year* 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 |
|---|---|---|---|---|---|---|---|---|---|
| Treasury[1] | 86 | 107 | 153 | 140 | 162 | 185 | 187 | 184 | 239 |
| Inland Revenue | 170 | 240 | 173 | 271 | 252 | 270 | 235 | 138 | 168 |
| Customs and Excise | 88 | 77 | 62 | 76 | 52 | 62 | 59 | 37 | 31 |
| Office for National Statistics | 181 | 181 | 193 | 193 | 285 | 308 | 282 | 372 | 441 |
| Debt Management Office | — | — | — | — | — | — | — | — | [2]31 |
| National Savings | 51 | 51 | 57 | 49 | 44 | 47 | 47 | 57 | 68 |
| Royal Mint[3] | [illegible] | 6 | 6 | 18 | 10 | 7 | 20 | 27 | 23 |
| Valuation Office | — | — | — | — | — | — | — | — | [4]13 |
| Government Actuary's Department | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Registry[5] | 5 | 6 | 9 | 10 | 11 | 18 | 9 | 17 | 6 |
| National Investment and Loans Office | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

[1] The numbers include press releases issued on Budget and Pre-Budget Report days.
[2] The Debt Management Office was launched on 1 April 1998.
[3] Includes only press releases issued in the UK.
[4] The Valuation Office started issuing its own press releases in April 1998. Before this they were issued by the Inland Revenue.
[5] Includes Building Societies Commission and Friendly Societies Commission.

**Mr. Don Foster:** To ask the Chancellor of the Exchequer if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71471]

**Dawn Primarolo** *[holding answer 16 February 1999]:* Rules governing the work of the Government Information and Communications Service (GICS) were set out in guidance published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the Working Guide for Government Information Officers. Copies of both documents are in the Library of the House.

Since May 1997 (May 1997-December 1998) the Treasury has been billed a total of £22,819 for the services of the Central Office of Information, which distribute press releases electronically, by fax and by courier service. This figure does not include postage. The same information requested of the Treasury's agencies and non-departmental bodies is not held centrally and could be obtained only a disproportionate cost.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Chancellor of the Exchequer if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71857]

**Dawn Primarolo** *[holding answer 22 February 1999]:* In common with other departments, the work of press officers in the Treasury includes responding to any misinformed allegations concerning Government policy or activity which are published in the media. They are supported in this work by other officials as necessary.

Because this is a routine part of a Department's work and it is not separately recorded from other tasks, to provide the further information requested would involve disproportionate cost.

### "Getting Ready for the Euro"

**Ms Lawrence:** To ask the Chancellor of the Exchequer when he will publish the second edition of the six monthly report "Getting Ready for the Euro". [72995]

**Ms Hewitt:** It is being published today. Copies have been placed in the Library of the House.

### Fuel Duty

**Dr. Marek:** To ask the Chancellor of the Exchequer if he will indicate the levels of tax payable by way of duty and VAT on the current average price of a litre of *(a)* unleaded, *(b)* diesel and *(c)* leaded fuel in (i) the UK and (ii) each other EU state. [72294]

**Ms Hewitt** *[holding answer 22 February 1999]:* I refer my hon. Friend to the answer I gave to the hon. Member for Essex, North (Mr. Jenkin) on 10 November 1998, *Official Report*, columns *152–53.*

The levels of tax payable by way of duty and VAT on the current average price of a litre of *(a)* unleaded, *(b)* diesel and *(c)* leaded fuel in (i) the UK and (ii) each other EU state are:

*Pence per litre*

| | *Unleaded petrol* | | *Standard diesel* | | *Leaded petrol* | |
|---|---|---|---|---|---|---|
| | *Duty* | *VAT* | *Duty* | *VAT* | *Duty* | *VAT* |
| Austria | 29.08 | 8.95 | 20.33 | 6.93 | n/a | n/a |
| Belgium | 35.58 | 10.01 | 20.35 | 6.89 | 39.67 | 10.92 |
| Denmark | 31.77 | 12.11 | 21.59 | 8.32 | n/a | n/a |
| Finland | 39.27 | 10.76 | 21.37 | 7.79 | n/a | n/a |
| France | 41.36 | 10.52 | 26.02 | 7.43 | 44.28 | 11.07 |
| Germany | 35.15 | 7.54 | 22.24 | 5.37 | 25.42 | 6.85 |
| Greece | 22.00 | 6.33 | 17.73 | 5.04 | 25.42 | 6.85 |
| Ireland | 26.57 | 8.49 | 23.16 | 8.02 | 32.20 | 10.16 |
| Italy | 37.04 | 10.28 | 27.08 | 8.15 | 40.27 | 10.76 |
| Luxembourg | 24.37 | 4.46 | 17.74 | 4.40 | 28.02 | 6.16 |
| Netherlands | 40.32 | 9.66 | 23.77 | 6.49 | n/a | n/a |
| Portugal | 32.85 | 8.06 | 19.73 | 5.50 | 36.07 | 8.36 |
| Spain | 25.61 | 6.09 | 18.60 | 4.95 | 27.89 | 6.55 |
| Sweden | 33.18 | 12.16 | 19.83 | 9.41 | n/a | n/a |
| United Kingdom | 43.99 | 9.44 | 44.99 | 9.61 | 49.26 | 10.43 |

The Excise duty rate in the United Kingdom for low sulphur diesel is 42.99 pence per litre, and the VAT on the current average price is 9.76 pence per litre.Rates of excise duty and VAT on low sulphur diesel are not available for the countries of the European Union other than the United Kingdom.

### Film Industry

**Mr. Spring:** To ask the Chancellor of the Exchequer what assessment he has made on the impact of changes to tax relief on travelling and subsistence expenses on the British film industry. [71743]

**Dawn Primarolo** *[holding answer 22 February 1999]:* The tax rules on employee travel expenses, introduced in April 1998, followed lengthy and thorough public consultations. Since the legislation, the Inland Revenue has had extensive contacts with film industry representatives to provide guidance for the industry on the operation of the new rules.

### Overseas Investment Exchanges

**Ms Lawrence:** To ask the Chancellor of the Exchequer if United States investment exchanges have applied to be recognised over the past year as overseas investment exchanges in the United Kingdom under sections 37 and 40 of the Financial Services Act 1986. [72996]

**Ms Hewitt:** The Cantor Financial Futures Exchange (CFFE) applied for recognition in September 1998 and, with effect from today, has been granted recognition as an Overseas Investment Exchange, having satisfied the conditions under sections 37 and 40 of the Financial Services Act 1986. CFFE is therefore able to carry out investment business in the UK.

### Married Couples Tax Allowance

**Mr. Cousins:** To ask the Chancellor of the Exchequer if the Inland Revenue monitors *(a)* whether customers receiving the married couples tax allowances are living permanently together and if this is required before they receive the married couples tax allowance and *(b)* if customers receiving the additional personal tax allowance

in respect of dependent children are living with those children, and if it is a condition of the tax allowance that those claiming it live with such children. [71892]

**Dawn Primarolo:** The married couples allowance is available to a married couple who live together at some time during a year of assessment. A husband and wife are treated as living together for income tax purposes unless they are separated under a court order or by a deed of separation, or they are in fact separated and the separation is likely to remain permanent.

The additional personal allowance is available to people who are not living with a spouse (or who live with a spouse who is totally incapacitated) and who have one or more qualifying children resident with them at some time during a year of assessment.

The Inland Revenue treat claims to personal tax allowances in much the same way as other claims to relief. Revenue staff apply risk assessment procedures in order to identify potentially incorrect claims. If the Revenue have a reason to believe that an allowance is being falsely claimed, they have powers to make appropriate inquiries and recover any tax lost.

### Income Tax (Construction Industry)

**Mr. Peter Bottomley:** To ask the Chancellor of the Exchequer if he will estimate the tax deducted from annual earnings in each £2,000 band between £10,000 and £30,000 by tax paying sub-contractors and individual craft workers in the construction industry. [69745]

**Dawn Primarolo:** The available data for 1997–98 are not yet of sufficient quality to yield estimates in such detail. The following estimates are for each £5,000 band of annual turnover.

| *Gross annual turnover of sole trade business* | *Total amount deducted, 1997–98 (£ million)* |
|---|---|
| £10,000 to 15,000 | 240 |
| £15,001 to 20,000 | 240 |
| £20,001 to 25,000 | 130 |
| £25,001 to 30,000 | 60 |

**Mr. Peter Bottomley:** To ask the Chancellor of the Exchequer if he will estimate the average annual expenses claimed against taxable gross earnings of £25,000 by tax paying sub-contractors and individual craft workers in the construction industry. [69746]

**Dawn Primarolo:** For the tax year 1996–97 the average value of annual allowable expenses (including materials) plus capital allowances claimed by a subcontractor with annual turnover of £25,000 was about £10,600.

**Mr. Peter Bottomley:** To ask the Chancellor of the Exchequer if he will calculate *(a)* the tax deductible and *(b)* the tax payable for a sub-contracting carpenter/joiner with a turnover of £25,129, work expenses of £6,799 and personal pension payments of £3,470. [69747]

**Dawn Primarolo:** The maximum amount deductible on account of income tax and Class 4 national insurance contributions would be £5,780, depending on the amount of work outside the Construction Industry Scheme included in the turnover figure, and on the amount of expenses classified as materials for the purposes of the Scheme.

Assuming that only the single person's allowance is claimed and that tax relief is available on the whole of the personal pension contribution the liability to income tax and Class 4 national insurance contributions for the 1998–99 tax year would be £2,972.

If the deductions exceed the liability to income tax and Class 4 national insurance contribution then the individual can claim a repayment of the excess. If the business accounting period end date is early in the tax year, it should be possible to obtain some or all of this repayment within the tax year.

**Mr. Peter Bottomley:** To ask the Chancellor of the Exchequer if he will estimate the number of tax paying sub-contractors and individual craft workers earning less than £30,000 per annum to be included in the new tax system for the construction industry. [69744]

**Dawn Primarolo:** It is estimated that, very roughly, half a million individual subcontractors will be issued with registration cards (and paid with deductions on account of income tax and Class 4 national insurance contributions) under the new Construction Industry Scheme. This broadly equates to those remaining in the scheme and who have annual turnovers (less materials) of under £30,000.

A more exact assessment is not possible because of the large number of formerly self-employed subcontractors who have moved into employment, and because of uncertainty about how many other individuals will decide to apply for registration cards.

### Working Families Tax Credit

**Mr. Hancock:** To ask the Chancellor of the Exchequer if he will estimate the total expenditure on the working families tax credit in Portsmouth in its first year of operation. [69689]

**Dawn Primarolo:** I regret that such estimates are not available.

**Mr. Hancock:** To ask the Chancellor of the Exchequer what percentage of family credit recipients will not be eligible for increased credit under the working families tax credit programme. [69753]

**Dawn Primarolo:** All family credit recipients will also be eligible for working families tax credit. Working families tax credit is more generous and will have a higher income threshold, and a slower taper than family credit. In addition, it will include a new childcare tax credit, which will provide up to 70 per cent. of eligible childcare costs up to maximum costs of £100 per week for one child and £150 per week for two or more children.

No family credit recipients will receive less under working families tax credit. Seventy-five per cent. of family credit recipients will gain.

### Computerisation Projects

**Mr. Cousins:** To ask the Chancellor of the Exchequer how many IT computerisation projects his Department has commissioned from the private sector; on which dates

they were commissioned; what was the expenditure on such projects to date; and what was the termination date of the projects. [71785]

**Ms Hewitt:** The Treasury has commissioned two IT computerisation projects from the private sector since the start of this Administration. The two systems are:

(i) an upgrade to the Ministerial Correspondence System which was commissioned in November 1997; and

(ii) a new Financial Information System, the underlying system for the Public Expenditure Survey information. This project was commissioned in January 1998.

The two projects are still ongoing. The precise costs of the contracts cannot be given for reasons of commercial confidentiality.

An IT computerisation project commissioned from the private sector has been taken to be one in which the software has been specifically written to address the particular needs of the Department. As such it excludes the purchase of small, general-purpose software packages.

### Expenditure (Scotland)

**Mr. Swinney:** To ask the Chancellor of the Exchequer (1) if he will *(a)* estimate the total spending on housing within the Scottish Block in each year from 1994–95 to 2000–2001 in (i) current and (ii) constant 1998–99 prices, *(b)* estimate the annual percentage change (i) for each of these categories and (ii) in total, *(c)* estimate (i) the cumulative change and (ii) in total between the years 1994–95 and 2000–2001 and between the years 1996–97 and 2000–2001 and *(d)* estimate the same as requested in *(a)* *(b)* and *(c)* for the housing expenditure in England; [71773]

(2) if he will *(a)* estimate the total spending (i) by main category of expenditure and (ii) in total, across each of the main categories of the Scottish Block as determined by the Block and Barnett Formula arrangement in each year from 1994–95 to 2000–2001 in (1) current and (2) constant 1998–99 prices, *(b)* estimate the annual percentage change for (i) each of these categories and (ii) in total, *(c)* estimate the cumulative change (i) for each category and (ii) in total between the years 1994–95 and 2000–2001 and between the years 1996–97 and 2000–2001 and *(d)* estimate the same as requested in *(a)(b)* and *(c)* for the equivalent expenditure categories in England that form the basis for the determination of the Barnett Formula calculation, (i) for those categories that are available, (ii) and in total; [71772]

(3) if he will *(a)* estimate the total spending on health across the Scottish Block as determined by the Block and Barnett Formula arrangement in each year from 1994–95 to 2000–2001 in (i) current and (i) constant 1998–99 prices, *(b)* estimate the annual percentage change (i) for each of these categories and (ii) in total, *(c)* estimate the cumulative change (i) for each category and (ii) in total between the years 1994–95 and 2000–2001 and between the years 1996–97 and 2000–2001 and *(d)* estimate the same as requested in *(a)* *(b)* and *(c)* for the equivalent health expenditure in England. [71774]

**Mr. Milburn:** The information requested by the hon. Member on total spending on health, housing and other main categories of the Scottish Block for the years 1994–95 to 1998–99 can be derived from data in the Scottish Office Departmental Report, published in April 1998 (Cm 3914). The allocation of expenditure to these programmes for 1999–2000 and 2000–01 was announced by my right hon. Friend the Secretary of State for Scotland on 14 July 1998, *Official Report*, columns *138–42*; my right hon. Friend provided further information on allocations to programmes to the hon. Member on 10 November 1998, *Official Report*, columns *157–58*. Further details will be available in the 1999 Scottish Office Departmental Report to be published at the end of March. Relative levels of spending on programmes funded by the Scottish Block are determined by my right hon. Friend the Secretary of State. From 1 July 1999 decisions on the allocation of expenditure will be a matter for the Scottish Parliament.

Comparative data for public spending levels in England and Scotland were published in Public Expenditure Statistical Analyses (PESA) 1998–99 (cm 3901) in April 1998. New estimates up to 1997–98 will be published in PESA 1999–2000 at the end of March. The Reports of the Department of Health, the Department of the Environment, Transport and the Regions and other relevant departmental reports giving details of planned spending for 2000–01 and beyond will also be published at the end of March.

## HEALTH

### Health Authority Wages

**Mr. Colleh:** To ask the Secretary of State for Health, pursuant to his answer of 28 January 1999, *Official Report*, columns *324–26*, on average wages, if he will list the actual average wage paid by each of the London health authorities in each year since 1995. [68962]

**Mr. Denham:** The precise information requested is not collected centrally. Information is collected about the annual total salaries and wages paid to National Health Service staff each year, and the number of directly employed staff at a single point in time, for example, 30 September. Workforce figures for individual health authority areas are not available centrally for 1995. The table uses these two pieces of information to produce estimates of average wages. These estimates should be interpreted with caution for the following reasons.

The number of staff employed by individual organisations will change over the course of a year. These changes are not reflected in the point in time estimate for workforce numbers, but are reflected in the total annual salaries and wages.

The coverage of the workforce numbers and salaries and wages differ slightly. For example, the costs of non-executive board members and non-nursing staff on short-term, flexible contracts who work on an "as and when" basis are included in the salaries and wages figures, but are excluded from the workforce figures.

The figures collected by the Department for individual NHS trusts and health authorities were collected to provide national estimates and were validated accordingly. For example, small inaccuracies in the figures for individual organisations may not have been identified.

*NHS trusts and health authorities*
*Directly employed staff, salaries and wages and estimated average wages [1] by London health authority areas*

| *Health authority area* | *Directly employed staff (wte)* | *Salaries and wages (£000)* | *Estimated average wage (per annum)* |
|---|---|---|---|
| *1996–97* | | | |
| Barking and Havering | 4,608 | 96,266 | 20,889 |
| Barnet | 3,789 | 79,334 | 20,936 |
| Bexley and Greenwich | 5,311 | 110,701 | 20,842 |
| Brent and Harrow | 5,948 | 117,791 | 19,804 |
| Bromley | 5,118 | 104,245 | 20,368 |
| Camden and Islington | 17,540 | 369,425 | 21,062 |
| Croydon | 3,395 | 66,743 | 19,659 |
| Ealing, Hammersmith and Hounslow | 5,364 | 108,299 | 20,192 |
| East London and The City | 12,436 | 268,131 | 21,561 |
| Enfield and Haringey | 5,272 | 112,209 | 21,285 |
| Hillingdon | 4,680 | 97,211 | 20,770 |
| Kensington, Chelsea and Westminster | 15,147 | 328,182 | 21,666 |
| Kingston and Richmond | 1,512 | 32,597 | 21,557 |
| Lambeth, Southwark and Lewisham | 15,434 | 330,654 | 21,423 |
| Merton, Sutton and Wandsworth | 12,869 | 271,615 | 21,106 |
| Redbridge and Waltham Forest | 5,616 | 113,241 | 20,166 |
| *1997–98* | | | |
| Barking and Havering | 4,827 | 97,763 | 20,254 |
| Barnet | 3,459 | 76,098 | 21,998 |
| Bexley and Greenwich | 5,639 | 121,194 | 21,493 |
| Brent and Harrow | 5,487 | 118,766 | 21,645 |
| Bromley | 4,786 | 99,729 | 20,836 |
| Camden and Islington | 17,174 | 386,822 | 22,524 |
| Croydon | 3,411 | 69,420 | 20,350 |
| Ealing, Hammersmith and Hounslow | 5,341 | 113,881 | 21,322 |
| East London and The City | 12,056 | 274,455 | 22,766 |
| Enfield and Haringey | 5,524 | 119,628 | 21,655 |
| Hillingdon | 4,724 | 100,579 | 21,293 |
| Kensington, Chelsea and Westminster | 15,156 | 338,777 | 22,352 |
| Kingston and Richmond | 1,617 | 34,215 | 21,155 |
| Lambeth, Southwark and Lewisham | 15,343 | 349,159 | 22,757 |
| Merton, Sutton and Wandsworth | 13,459 | 282,342 | 20,978 |
| Redbridge and Waltham Forest | 5,378 | 114,796 | 21,344 |

[1] Estimates are based on total annual salaries and wages divided by directly employed staff (whole-time equivalents) as at 30 September each year and so need to be interpreted with caution.
wte = whole time equivalent

### Mental Health Services

**Sir Alastair Goodlad:** To ask the Secretary of State for Health what joint finance moneys and project funding are being provided to district health authorities and local authority services by his Department in the current year to improve the range and quality of day care and other facilities for the mentally ill. [72584]

**Mr. Hutton:** Over £84.5 million in joint finance moneys and project funding are being provided to health authorities and local authority services by the Department in the current year to improve the range and quality of day care and other facilities for mentally ill people.

**Sir Alastair Goodlad:** To ask the Secretary of State for Health what expenditure has been authorised in *(a)* the current and *(b)* the next financial year in each health

region for improved mental health training for general practitioners and others responsible for providing primary care; and if he will make a statement. [72586]

**Mr. Hutton:** This information requested is not available centrally. In 1999–2000, £146 million extra funding will be invested in mental health services of which £12 million will provide additional support for education and training of doctors and nurses. This will include those working in primary health care.

### Personal Social Services

**Mr. Levitt:** To ask the Secretary of State for Health when he will publish the Performance Assessment Framework for Personal Social Services promised in the White Paper, Modernising Health and Social Services. [72898]

**Mr. Hutton:** The Department of Health has today published the consultation document *A New Approach to Social Services Performance* setting out the details of our proposals for a new Performance Assessment Framework for social services and an associated set of 46 performance indicators. Copies will be placed in the Library.

The Framework and its indicators will help Government, Councils and local people to assess how well local social services are performing. Councils and Government will be able to use the framework and the indicators to identify areas of possible good practice and areas where improvement is required.

We are redefining and strengthening our approach to social services performance to improve the Department of Health's capacity to assess performance and to put in place the necessary structures to support Best Value in social services. The Performance Assessment Framework is one part of this. We will build upon the success of the Social Services Inspectorate (SSI) Inspection programme and the SSI/Audit Commission Joint Reviews and enhance the performance role of the Regional Offices of the SSI.

*A New Approach to Social Services Performance* describes these new arrangements and how they will help to ensure Best Value is delivered in social services.

## DEFENCE

### Logistics Targets

**Mr. Kidney:** To ask the Secretary of State for Defence what targets he intends to set in the logistics area for the rationalisation of functions and processes on a defence-wide basis. [72049]

**Mr. George Robertson:** The Chief of Defence Logistics will, from 1 April 1999, take financial and management responsibility for the three Service logistics organisations. He will contribute to the SDR targets for reductions in the value of stockholdings and the rationalisation of purchasing procedures. How he will achieve rationalisation will not be the subject of separate targets. During the transition to a unified logistics organisation by April 2000, CDL will develop defence-wide logistics targets for delivering outputs.

**Mr. Kidney:** To ask the Secretary of State for Defence, pursuant to the Strategic Defence Review, what criteria are to be set for *(a)* the Chief of Defence Logistics and *(b)* the Defence Storage and Distribution Agency for realising the benefits of SMART procurement in the logistics area. [72048]

**Mr. George Robertson:** Under the Smart Procurement Initiative, the Chief of Defence Logistics (CDL) will be creating Integrated Project Teams exactly as the Defence Procurement Agency will be doing. This will deliver support to in-service equipment and contribute to the overall savings for Smart Procurement Initiative. Each project team will be set performance targets. The criteria for these targets are still being developed. There are no specific procurement related targets for the Defence Storage and Distribution Agency.

### Defence Research Committee

**Mr. Matthew Taylor:** To ask the Secretary of State for Defence on what dates the Defence Research Committee has met since 1 January 1998; and if he will place in the Library a list of items discussed at each of these meetings. [71959]

**Mr. Spellar:** Since 1 January 1998 the Defence Research Committee has met twice, on 31 March 1998 and on 16 November 1998. I will place a list of items discussed on each occasion in the Library of the House.

### Joint Force 2000 Initiative

**Mr. Rapson:** To ask the Secretary of State for Defence what further progress has been made on the development of the Joint Force 2000 initiative; and if he will make a statement. [72992]

**Mr. George Robertson:** On 19 October 1998, *Official Report*, column 979, I announced that we would be forming the joint Royal Navy/Royal Air Force Harrier force to be known as Joint Force 2000. Since last October, work has continued on the organisational changes necessary to take forward the Joint Force 2000 initiative. I can confirm that the new Headquarters will form in RAF Strike Command on 1 April next year under the command of a Rear Admiral. This Headquarters will be located at RAF High Wycombe. He will have two subordinate force commanders, both of whom will be RAF Air Commodores, one of whom will command the combined Harrier force, Joint Force 2000, and the other the RAF's existing forces of Nimrod Maritime Patrol aircraft and Search and Rescue helicopters. As importantly, we have also decided, subject to a period of consultation with Trades Unions and other interested parties which begins today, that the RN's Sea Harrier force, currently based at RNAS Yeovilton, will join the RAF's Harrier force at RAF Cottesmore and RAF Wittering in 2003.

We see the collocation of the existing Harrier fleets as realising significant operational benefits and as a practical and symbolic step toward the creation of a truly joint

force. For the longer term, and when the Joint Force is re-equipped with the Future Carrier Borne Aircraft, we have identified RAF Cottesmore as its most suitable home. We are making real progress on the development and creation of Joint Force 2000 and we are doing it significantly earlier than originally anticipated. I would like to take this opportunity to thank the two Services concerned for their far-sighted and constructive attitude which has made this possible.

### Courts Martial

**Mr. Dawson:** To ask the Secretary of State for Defence how many personnel court martialled in the last 10 years, *(a)* had joined the armed forces before their eighteenth birthdays, *(b)* were aged under 21 years at the time of the offence and *(c)* had applied unsuccessfully for discharge. [72615]

**Mr. Doug Henderson:** This information is not held centrally and could be provided only at disproportionate cost.

### Military Corrective Training Centre

**Mr. Dawson:** To ask the Secretary of State for Defence what proportion of detainees at the Military Corrective Training Centre, Colchester are held for offences covered only by military law with no civilian equivalent. [72614]

**Mr. Doug Henderson:** Of the 114 detainees held at the Military Corrective Training Centre on 19 February 1999, 55 (48.25 per cent.) were being held for offences covered only by military law, such as absence without leave, desertion, and disobeying a lawful command.

## INTERNATIONAL DEVELOPMENT

### Public Bodies

**Dr. Tony Wright:** To ask the Secretary of State for International Development which of the advisory non-departmental public bodies sponsored by her Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and whether in each case this is under a statutory requirement. [69832]

**Clare Short** *[holding answer 10 February 1999]:* The Development Awareness Working Group publishes the agenda, documents for, and minutes of its meetings and maintains a register of members' interests. There are no statutory requirements for it to do so.

There are no statutory requirements for the publication of documents or maintenance of a register of members' interests, and this is not done, in respect of:

The Overseas Services Pensions Scheme Advisory Board

The Indian Family Pensions Funds Body of Commissioners

The Know How Fund Advisory Board

The Advisory Committee on Overseas Economic and Social Research.

### Land Mines

**Mr. Cox:** To ask the Secretary of State for International Development what financial assistance was made available in 1998 to other countries for land mine clearance in those countries; and if she will make a statement. [72558]

**Clare Short:** The Department for International Development (DFID) has committed over £6.2 million to humanitarian mine action, to date, in 1998–99. Clearance projects account for the major part of this programme.

DFID's progress report on humanitarian mine action for 1998 and its future plans will be published on 1 March, marking the passing into international law of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Landmines and on their Destruction.

### Ambassadors for British Business

**Mr. Maclean:** To ask the Secretary of State for International Development if she will make a statement on the role of Ambassadors for British Business in the work of her Department; and how many such Ambassadors she has met since 1 May 1997. [72289]

**Clare Short:** My Department has begun to consult widely and developed new working relationships with the business community, both in-country and in the UK since 1997. As we make clear in our Development White Paper, business has a strong interest in successful development and the sustainable economic growth necessary to reduce poverty requires a thriving private sector. We consult through established business groups rather than on a company by company basis. I have so far met with six of the thirty-six Ambassadors for British Business to discuss areas of particular interest to my Department's objectives.

### Agricultural Biotechnology

**Mr. Baker:** To ask the Secretary of State for International Development how much money her Department has spent supporting the research and development of agricultural biotechnology since 1 May 1997. [72069]

**Clare Short:** Figures are not available in the form requested. My Department supports agricultural research which aims to generate benefits for poor people in developing countries by applying new knowledge to the management of their natural resources. Many forms of biotechnology are used as tools in this research but separate data are not maintained on their cost. Since May 1997 expenditure on agricultural research projects with some biotechnology content is estimated to be about £20 million. Expenditure over the same period on projects which involve genetic modification is estimated to be about £1.2 million.

### Commonwealth Development Corporation

**Mr. Hope:** To ask the Secretary of State for International Development what proposals she has to

change the 1998–2000 External Financing Limit for the Commonwealth Development Corporation. [73221]

**Clare Short:** The External Financing Limit for CDC or 1998/99 will be reduced by £15,200 from zero to minus £15,200,000. This reduction takes account of an upward adjustment made last year to allow CDC increased borrowing in early 1998.

## CABINET OFFICE

### Legal Services

**Mr. Ruffley:** To ask the Minister for the Cabinet Office if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70026]

**Mr. Kilfoyle** *[holding answer 8 February 1999]:* The Department has spent £1,552,559 on legal advice since 1 May 1997. The detailed information requested could be provided only at disproportionate cost. However, my right hon. and learned Friend the Attorney-General appointed Philip Scales as First Junior Treasury Counsel (Common Law) and Jonathan Crow as First Junior Treasury Counsel (Chancery) to advise and represent the Government in their important civil cases. In addition, the Attorney-General maintains at present two London panels of junior Counsel whom Departments are expected to use for the rest of Government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers. The Attorney-General's individual nomination is required before a barrister who is not on one of the approved panels can be instructed to appear for the Government in litigation.

Departments may use firms of solicitors in addition to the Treasury Solicitor and their departmental legal advisers, for example, where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

### Ministerial Visits

**Mr. Gray:** To ask the Minister for the Cabinet Office if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71339]

**Dr. Jack Cunningham** *[holding answer 15 February 1999]:* The following constituencies have been visited in an official capacity either by my predecessor or me between 1 January 1998 and 5 February 1999:

Wansbeck; Cambridge; Manchester, Central; Bristol, West; Carlisle; Edinburgh, Central; Torbay; Lancaster & Wyre; Workington; Copeland; Cheadle; and Stockport.

Additionally, a number of constituencies in central and inner London were visited in the course of ministerial duties.

### Policy Discussions

**Mr. Gordon Prentice:** To ask the Minister for the Cabinet Office if he will invite all hon. Members to recommend policy areas for detailed discussions using the Joint Consultative Committee mechanism. [71636]

**Dr. Jack Cunningham:** I am always happy to consider suggestions from hon. Members.

### Departmental Reviews

**Mr. Maclean:** To ask the Minister for the Cabinet Office what *(a)* reviews, *(b)* task forces and *(c)* advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71519]

**Mr. Kilfoyle:** The reviews, task forces and advisory groups, which have been established by my Department since 1 May 1997 and reports they have published are as follows.

The costs incurred could be calculated only at disproportionate cost.

| | *Reports* |
|---|---|
| *Reviews:* | |
| Review of the Code of practice on Access to Government information | No reports published |
| Review of the Charter Programme | 'Service First—the new charter programme' (30 June 1998) and 'The Citizen's Charter—A consultation exercise: the Government's response' (30 June 1998) |
| The Export Promotions Review | The Review of Export Promotion (8 January 1999) |
| Review of Quangos | Quangos Opening The Doors (June 1998) |
| Review of Existing Drugs Strategy | White Paper Tackling Drugs to Build a Better Britain, Cmnd 3945 |
| Review of the Women's National Commission | Report of the Review of the WNC (15 January 1999) |
| Review of the Buying Agency | Due to report early summer 1999 |
| Review of the Government Information Service | Report of the Working Group on the Government Information Service (November 1997) |
| *Task Forces:* | |
| Better Regulation Task Force | Long Term Care (May 1998)<br>Consumer Affairs (May 1998)<br>Early Education and Day Care (July 1998)<br>Access to funding for the Voluntary Sector (July 1998)<br>Licensing Legislation (July 1998)<br>Annual Report (September 1998) |
| Modernising Government Quality Schemes Task Force | No reports published |

| | *Reports* |
|---|---|
| *Advisory groups:* | |
| Security Vetting Appeals Panel | No reports published |
| The People's Panel Advisory Group | No reports published |
| Charter Mark Judging Panel | No reports published |
| The Interchange Steering Council | No reports published |

### Open Government Initiative

**Mr. Singh:** To ask the Minister for the Cabinet Office if he will make a statement on the total number of releases under the open Government initiative. [73167]

**Dr. Jack Cunningham:** The latest number of records released under the open Government initiative now stands at over 96,000 and relates to releases up to the end of September 1998. This represents an increase of about 13 per cent. over the previous total of over 85,000 which was announced by my right hon. Friend the then Chancellor of the Duchy of Lancaster (Dr. Clark) on 22 December 1997, *Official Report*, column *394*, and related to the total figure as at the end of September 1997.

## WALES

### Legal Services

**Mr. Ruffley:** To ask the Secretary of State for Wales if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70039]

**Mr. Michael** *[holding answer 8 February 1999]*: Welsh Office records indicate that during the years in question the following London barristers' chambers have been instructed directly by the Welsh Office or via the Treasury Solicitor's Office:

Breams Buildings
1 Sergeants Inn
Essex Street
1 Grays Inn Square
11 Kings Bench Walk
2 Hare Court
Monkton Court.

There may also be other chambers who have been instructed by Treasury Solicitor's Office on behalf of the Welsh Office but for whom records are not readily available in the Welsh Office.

No London Solicitors' firms have been instructed by or on behalf of the Welsh Office during the past four years. The Welsh Office does not maintain a central continuous record of fees paid to Counsel over the four year period. The Treasury Solicitor's Department does not have such a record either.

My right hon. and learned Friend the Attorney-General appointed Philip Sales as first Junior Treasury Counsel (Common Law) and Jonathan Crow as First Junior Treasury Counsel (Chancery) to advise and represent the Government in their important civil cases. In addition, the Attorney-General maintains at present two London panels of junior Counsel whom Departments are expected to use for the rest of the Government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers. The Attorney-General's individual nomination is required before a barrister who is not one of the approved panels can be instructed to appear for the Government in litigation.

Departments may use firms of solicitors in addition to the Treasury Solicitor and their departmental legal advisers, for example where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

### Open Countryside

**Mr. Gordon Prentice:** To ask the Secretary of State for Wales how much land held by his Department he estimates would fall within the definition of open country as set out in the consultation document "Access to the Open Countryside" of February 1998. [71635]

**Mr. Michael:** The estimated total area of land held by my Department and falling within the definition of open countryside as set out in the consultation document is 300 acres (122 Ha).

### Training and Enterprise Councils

**Mr. Gareth Thomas:** To ask the Secretary of State for Wales what plans he has to report on the performance of training and enterprise councils in Wales. [73080]

**Mr. Hain:** I am pleased to announce that the first annual report on Training and Enterprise Councils (TECs) in Wales, covering the 1997–98 financial year, is being published today.

This report represents a significant step forward in explaining the work of TECs, and in making them more accountable to the people of Wales and their elected representatives.

The report notes that an increasing number of young people entered the Modern Apprenticeship Programme in 1997–98—723 more than in the previous year and 18 per cent. more than the target for the year. Youth credit starts, at 17,265, were 15 per cent. above target, although decreasing levels of unemployment resulted in only 9,001 adults starting on the Training for Work programme against a target of 11,456. NVQs per 100 leavers rose from 55 per cent. to 57 per cent. for the youth training programmes and from 38 per cent. to 44 per cent. for the adult training programmes, by comparison with 1996–97. 52 per cent. of the adult trainees found jobs on leaving training as compared with 48 per cent. the year before.

Support was given to 1,648 new business start ups (an increase of 10 per cent. on 1996–97) and the Sole Traders Initiative, which was launched on an all-Wales basis at the start of the year, resulted in some 293 first employees being taken on by hitherto singleton businesses.

Other significant achievements by the TECs in 1997–98 included:

the levering in of some £1 million of private sector funding—and some £2.8 million of European funding for local projects.

a good start to the implementation of the Action Plan for Manufacturing Training in Wales

significant improvements in the rates of success of disabled young people and young people from ethnic minorities in achieving NVQs.

60,403 school children undertook a work experience placement, against a target of 59,396.

4,214 school teachers and further education college staff undertook an industrial placement, against a target of 3,068.

27,000 adults were provided with careers information under the Adult Guidance Initiative and 7,858 of these were given bespoke counselling.

In addition, the TECs supported a wide variety of projects from their Local Initiative Funds, including homework clubs, revision weeks, Saturday clubs offering contacts with local businesses, outreach work with disaffected young people and technician training to NVQ level 4 for adults in employment.

The report provides a synopsis of all these activities and of the overall financial position of TECs in Wales. Copies will be distributed to all Members with constituencies in Wales and placed in the Library of the House. Further details are to be found in the individual annual reports of each of the TECs which are available from their company offices.

Following the transfer of functions, this matter will be for the National Assembly.

### Departmental Asset Sales

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales, pursuant to his answer of 11 February 1999, *Official Report*, column *400*, on Departmental asset sales, if he will list the location and previous use of the cottage sold by Cadw; and if he will make a statement. [71985]

**Mr. Michael:** This sale relates to two properties—21 and 23 Rosehill Street, Conwy. No. 21 was acquired in 1968, No. 23 acquired in 1969. The properties were subsequently converted into one unit to provide mess facilities and works depot to Cadw's workstaff.

On completion of works in the area, the property was declared surplus and sold through agents, Beresford Adams. The sale was completed on 18 April 1997.

## FOREIGN AND COMMONWEALTH AFFAIRS

### United Nations Act 1946

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will introduce measures to amend the United Nations Act 1946 so that delegated legislation made under section 1 is subject to affirmative resolution in both Houses of Parliament; [71824]

(2) if he will introduce measures to amend the United Nations Act 1946 so that any sanctions order approved by a Minister of his Department is brought to the attention of the Foreign Affairs Committee. [71823]

**Mr. Tony Lloyd:** We are considering our response to the Recommendations of the Foreign Affairs Committee contained in their Second Report HC 116. This includes the recommendation that the United Nations Act 1946 be amended so that delegated legislation made under section 1 is subject to affirmative resolution in both Houses of Parliament, and that any sanctions Order approved by an FCO Minister is brought specifically to the attention of the Foreign Affairs Committee. The Government will address this in the formal response that they will be submitting to Parliament.

### Sierra Leone

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the changes to *(a)* communication procedures and *(b)* intelligence procedures made in response to the Legg report. [71838]

**Mr. Tony Lloyd:** We have acted on Sir Thomas Legg's recommendations. Guidance has been issued on communications with Ministers when overseas: these include ensuring that papers needing immediate attention are sent to Ministers when they are travelling and that time is built into Ministers' schedules abroad to deal with urgent papers from the UK. Guidance has also been issued to ensure that if more than one Minister needs to be aware of a paper it is specifically drawn to each Minister's attention. News Departments have clear guidelines to avoid using press lines that are misleading or incomplete. Procedures are also in place to ensure that reports received out of hours from the Ministry of Defence are correctly received, logged and distributed.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Liberia about the breaching of the UN arms embargo on Sierra Leone; and if he will make a statement. [71817]

**Mr. Tony Lloyd:** We have on several occasions expressed our deep concern to the Liberian Government that shipments of arms have been made to Sierra Leone in breach of the UN Arms Embargo. My right hon. Friend the Foreign Secretary raised this matter with the Liberian Foreign Minister on 4 February, and has sent strong personal messages to President Taylor demanding that he withdrew support for the rebel forces.

It is of vital importance for peace and security in the region that the arms embargoes on both Sierra Leone and Liberia are fully implemented. We will continue to support regional organisations in their efforts to address threats to stability in the region.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what disciplinary action he is taking against his Department's employees who have been criticised in the recent Foreign Affairs Committee report on Sierra Leone (HC 116 of Session 1998–99). [71830]

**Mr. Fatchett:** I refer the hon. Member to the statement made by my right hon. Friend the Foreign Secretary in the House on 27 July 1999, *Official Report*, columns 19–34.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he will respond to the Foreign Affairs Committee report on Sierra Leone (HC 116 of Session 1998–99). [71818]

**Mr. Tony Lloyd:** Shortly.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what statements, relating to matters contained in the Foreign Affairs Committee report on Sierra Leone and his response to that report, were released by representatives of his Department to the media prior to the publication of the report; and if he will place in the Library copies of these statements. [71836]

**Mr. Robin Cook:** My office received in the second week of January a copy of a draft of the report. Shortly before the publication of the report, and at around the same time as leaks critical of FCO officials appeared in *The Independent*, *Financial Times* and *The Times* (on 5 and 6 February), we were also made aware of certain key conclusions of the report.

Neither I nor any FCO Minister, official or special adviser took any action to publish or disclose any part of any version of the report; or to interfere with the Committee's deliberations or the report's preparation. In advance of the publication of the report on 9 February, we made no comment to the media about the report, except in response to leaks by others to the press.

Copies of the report—embargoed until publication at 10.00—were released to officials from the Parliamentary Relations Department of the FCO at 0800 on 9 February. I was immediately sent a copy. An FCO spokesman subsequently briefed the press orally, under the same embargo, on my initial response to the report. After publication of the report, the FCO News Department released copies to the press of a minute from me to the Permanent Under-Secretary. A copy of that minute has been placed in the Library.

**Mr. Wilshire:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will publish the texts of the press briefings he or his Department gave on 8 February and before 8 am on 9 February relating to the Foreign Affairs Committee report on Sierra Leone; [72601]

(2) if *(a)* he, *(b)* other departmental Ministers or *(c)* his officials have ever had access to (i) a draft report, (ii) a list of tabled amendments or (iii) other unpublished committee documents relating to the Foreign Affairs Committee report on Sierra Leone; [72604]

(3) on what date and at what time *(a)* he, *(b)* other departmental Ministers and *(c)* his officials first had access to the Foreign Affairs Committee report on Sierra Leone. [72602]

**Mr. Tony Lloyd:** I refer the hon. Member to the answer my right hon. Friend the Foreign Secretary gave today to the hon. Member for Chesham and Amersham (Mrs. Gillan).

**Mr. Woodward:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) on what date and at what time he, a ministerial colleague, a special adviser or departmental official were first shown a copy of the Foreign Affairs Committee's report on Sierra Leone; [72277]

(2) if he, a ministerial colleague, special adviser or departmental official were shown (i) a draft of or (ii) amendments to the Foreign Affairs Committee's report on Sierra Leone; [72275]

(3) what information from the Foreign Affairs Committee's *(a)* report and *(b)* draft report on Sierra Leone was given to (i) him, (ii) a ministerial colleague, (iii) a special adviser or (iv) a departmental official before 8 am on Tuesday 9 February. [72276]

**Mr. Tony Lloyd** *[holding answer 22 February 1999]*: I refer the hon. Member to the reply my right hon. Friend the Foreign Secretary gave today to the hon. Member for Chesham and Amersham (Mrs. Gillan).

**Mr. Wilshire:** To ask the Secretary of State for Foreign and Commonwealth Affairs what changes within his Department *(a)* were made following the publication of the Legg Report and *(b)* he proposes to make following the publication of the second report 1998–99 of the Foreign Affairs Committee (HC 116). [71877]

**Mr. Tony Lloyd:** We have acted on the recommendations in the Legg Report. This action includes new procedures to improve communications inside the FCO; new guidelines for contracts with private military companies; new arrangements for the handling of intelligence; and a set of measures targeted at the rigorous enforcement of sanctions. A wider programme of modernisation involving sixty separate initiatives has also been launched.

We are considering our response to the recommendations of the Foreign Affairs Committee contained in their Second Report HC 116. The Government will be submitting their formal response to Parliament.

**Mr. Wilshire:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to establish why the error in the minute of a Meeting held on 3 December 1997 was never reported to Sir Thomas Legg. [71878]

**Mr. Tony Lloyd:** The error referred to, the abbreviation in one sentence of the minutes of what was said at the 3 December 1997 meeting, was drawn to the attention of the Foreign and Commonwealth Office in December 1998. Sir Thomas Legg was informed that month. My right hon. Friend the Foreign Secretary drew the Foreign Affairs Committee's attention to this abbreviation in his evidence to the Committee on 16 December 1998.

**Mr. Wilshire:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many of those officials in his Department named in the Second Report of the Foreign Affairs Committee of Session 1998–99 (HC 116) have been promoted since 1 January 1998. [71879]

**Mr. Fatchett:** Of the eleven officials of the Foreign and Commonwealth Office named in the Report, five have been promoted since 1 January 1998.

### Disciplinary Actions

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the instances

from 1 May 1997 to date where his Department has taken disciplinary actions against employees and the reasons for those actions. [71831]

**Mr. Fatchett:** Forty-four employees have been disciplined since 1 May 1997. Questions of staff discipline are matters of confidence between employer and employee. It would be wrong to breach confidence by giving further details.

### Mr. Peter Penfold

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has investigated the delay in providing Mr. Penfold with secure communications equipment after his move to Conakry; and what factors underlay the delay. [71815]

**Mr. Fatchett:** Mr. Penfold arrived in Conakry on 5 June 1997. He discussed his communications needs with the FCO on 11 June. Equipment enabling him to send and receive material marked "restricted" was sent to Conakry on 26 June 1997, arriving on 7 July. For security reasons, the equipment needed to be housed in a protective steel cabinet. The slight delay arose from the need to assemble the various components (some of which had been returned for repair from other posts) and test them before dispatch.

Mr. Penfold has said that staff in Conakry at that time, after consulting him decided not to use the equipment as it was too large for the hotel room. Mr. Penfold and his staff continued to use the commercial facilities available in the hotel.

### Ministerial Briefings

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanisms exist within his Department to ensure ministers are properly briefed for parliamentary debates. [71832]

**Mr. Tony Lloyd:** Revised Guidance covering the need to brief Ministers fully was circulated to all FCO Departments in July 1998.

### UN Arms Embargoes

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ensure that UN arms embargoes will be agreed to by the UK only if he determines the authorising resolution to be clear and unambiguous. [71822]

**Mr. Tony Lloyd:** The United Kingdom works actively in the Security Council to ensure that resolutions relating to arms embargoes are clear and unambiguous.

### Secure Communications Equipment

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his Department's policy of providing secure communications equipment to diplomatic missions forced to relocate through war or natural disasters. [71814]

**Mr. Fatchett:** We are considering our response to the Recommendations of the Foreign Affairs Committee contained in their Second Report HC116. This includes the recommendation that all appropriate steps are taken to ensure that overseas posts are fully and properly supported in future if obliged to move temporarily from their normal office premises. The Government will address this in the formal Response that they will be submitting to Parliament.

### Working Hours

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many of his officials working in the United Kingdom have worked more than *(a)* 50 hours, *(b)* 60 hours, *(c)* 70 hours and, *(d)* 80 hours in any one working week since 1 May 1997. [71835]

**Mr. Fatchett:** The Department does not have this information.

### Select Committees

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish his Department's guidelines for co-operating with select committees. [71821]

**Mr. Tony Lloyd:** The Foreign and Commonwealth Office follows the guidance on Departmental Evidence and Response to Select Committees circulated by the Cabinet Office in January 1997. Copies are in the Libraries of the House.

### Working Time Directive

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the impact on employment levels in his Department of compliance with the Working Time Directive. [71816]

**Mr. Fatchett:** The Department will study the operational impact of the Directive and of the Working Time Regulations 1998 once their effect on working patterns becomes clear.

### Military Companies

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish his Department's rules on contacts with military companies *(a)* as they were at 1 January 1998 and *(b)* as amended in line with his press release of 9 February 1999. [71837]

**Mr. Tony Lloyd:** Prior to 24 July 1998, there were no general requirements for Foreign Office officials to record contacts with private military companies. The guidelines introduced on 24 July were intended for internal use only pending preparation of more detailed guidance in consultation with other Government Departments.

We intend to make this revised guidance available to Parliament and to companies or individuals who request it.

### East Timor and Indonesia

**Mr. Flynn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of his discussion with the Indonesian Government on issues of the human rights in *(a)* East Timor and *(b)* Indonesia. [72232]

**Mr. Fatchett** *[holding answer 22 February 1999]:* During my visits to Jakarta last year I stressed our commitment to the process of political reform and support for the changes that have taken place in Indonesia since

May 1998. There have also been other positive developments (progress in the negotiations over East Timor, political prisoner releases, trade union reform and greater freedom of expression), but we remain concerned about the overall human rights situation in Indonesia and East Timor. Last October we arranged a Human Rights Workshop in Jakarta, whose participants included Indonesian Ministers, members of the armed forces, NGOs, academics and human rights activists. We continue to work for practical progress. We are looking at ways in which we can further assist democratic change in Indonesia.

### KPMG

**Mr. Ruffley:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72008]

**Mr. Fatchett** *[holding answer 22 February 1999]:* KPMG provided the FCO with the following Consultancy Services in July 1996:

(i) A study on pension compensation for DS spouses. Total remuneration paid £37,600;

(ii) FCO Pay and Grading Review. Review of Specialist Salaries. Total remuneration paid £8,225.

No Consultancy Services have been provided since 1 May 1997.

### Nigeria

**Mr. Jim Cunningham:** To ask the Secretary of State for Foreign and Commonwealth Affairs what practical measures he proposes to support the electoral process in Nigeria. [72897]

**Mr. Tony Lloyd:** We fully support the democratic process in Nigeria. The FCO and DfID have spent around £900,000 on projects to support the electoral process.

The FCO have funded a BBC World Service project on responsible journalism and voter education. We are working with the Westminster Foundation for Democracy to provide training for the new political parties and politicians. We have helped pay the cost of freighting ballot papers to Nigeria.

We have funded a Commonwealth team which has provided training to electoral officials. With the UN and EU, we are providing observers to the National Assembly and Presidential elections on 20 and 27 February.

DfID involvement has covered a wide number of projects. These include: a Commonwealth Local Government Forum observer mission; training for up to 1,200 local election monitors; a seminar to discuss the draft constitution; and the production of a manual for polling officials.

### China

**Mr. Baker:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the human rights advances which have followed the introduction of his policy of constructive engagement with the Chinese Government. [72242]

**Mr. Fatchett:** Since the UK/China human rights dialogue was established in September 1997, and the EU/China human rights dialogue resumed in October 1997, China has taken several positive steps. These include signature of two international covenants and agreement to report to the UN under those covenants in respect of Hong Kong. It has received visits by the UN High Commissioner for Human Rights and the UN Working Group on Arbitrary Detention, as well as allowing a visit to Tibet by EU Troika Ambassadors. It has also extended an invitation to visit to the UN Special Rapporteur on Torture. We have been able to discuss issues of serious concern including the death penalty, religion, Tibet and individual cases. China has begun to collaborate with the UK and EU on human rights cooperation programmes, which include projects in the areas of Civil and Political as well as Economic and Social rights, and has hosted two EU/China legal affairs seminars and a seminar on the rights of women.

### Spanish Fishing Vessels

**Mr. Gill:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated value of fish caught by Spanish vessels fishing in British waters, out to 200 miles or the median line, in the last year for which figures are available. [71698]

**Mr. Morley:** I have been asked to reply.

This information is not available in the form requested. Under the Common Fisheries Policy, Member States are required to collect data only on the activities of their own vessels or in relation to other landings in their ports. In addition, catch information is required only by species and by ICES statistical areas, which may cover the waters of several countries.

Furthermore, TACs and quotas are set by ICES areas, rather than by reference to national zones. Spanish vessels do not have access to all waters within British fishery limits.

## SOCIAL SECURITY

### Welfare Reform

**Mr. Field:** To ask the Secretary of State for Social Security if he will place the responses to the Green Paper "A New Contract for Welfare" in the Library. [71101]

**Mr. Darling:** Lists of those organisations and academics who responded to our consultation papers, excluding those who requested confidentiality, have been placed in the House Library. Copies of their responses are available on request from the Department.

The Library advises that it is not standard procedure for them to hold such responses. The Department will willingly make them available should the Library request copies. I am also today placing copies in the Library of summaries of the responses received to "New ambitions for our country: A New Contract for Welfare" (Cm 3805), "A new contract for welfare: Support for Disabled People" (Cm 4103) and "A new contract for welfare: Support in Bereavement" (Cm 4104).

## Benefits Agency

**Mr. Hancock:** To ask the Secretary of State for Social Security (1) what is the policy of the Benefits Agency in respect of telephoning people outside office hours; [71126]

(2) if it is the policy of the Benefits Agency to comply with requests from people not to be telephoned with inquiries; [71128]

(3) if he will make a statement on *(a)* access which the Benefits Agency has to ex-directory telephone numbers and *(b)* its policy on their use; [71125]

(4) if it is the policy of the Benefits Agency when making telephone calls to people to give a reference number and contact address if requested. [71127]

**Angela Eagle:** The administration of the Benefits Agency is a matter for the Chief Executive, Peter Mathison. I have asked him to reply to the hon. Member.

*Letter from Peter Mathison to Mr. Mike Hancock, dated 22 February 1999:*

I am replying to your recent Parliamentary Questions asking, what is the policy of Benefits Agency (BA) in respect of telephoning people outside of office hours; the policy in respect of complying with requests from people not to be telephoned with inquiries; access which the BA has to ex-directory telephone numbers and policy on use; and the policy on making telephone calls to people, to give a reference number and contact address if requested.

Studies have identified that people prefer to use the telephone as a means of conducting day to day business. We therefore seek to use this as a means to improve upon accessibility and provision of a quality service.

BA does not have a policy on telephoning people outside Office Hours. For operational reasons, the vast majority of calls will be made during the day, Monday to Friday. However, offices do operate flexible working hours resulting in calls potentially being made outside of 'normal' working hours. It is also the case that certain units within BA will need to telephone people in the evening or weekends, for example, where we are seeking to contact people who are no longer in receipt of benefits, or where there is a time difference, eg, people abroad who need to be contacted by our Pensions and Overseas Directorate. In providing a quality service, staff will be sensitive to keep unsociable calls to a minimum.

BA would seek to respect the wishes of people requesting not to be contacted by telephone and would attempt to deal with the business by other means, e.g. by letter or interview. The Income Support computer system includes a notes pad where these details could be incorporated, however, this service is not replicated across our current IT systems, clerical notes to this effect would be made however.

The BA has no direct access to ex-directory numbers. The telephone number would have to be given to the Agency. If the number has been given to us, eg, in respect of a previous benefit claim, it will be held on the Departmental Central Index computer system, which supports our mainframe benefit systems. This would result in the telephone number being available across the BA.

It is policy for BA staff when dealing with customers over the telephone to answer identifying their unit or section. If staff are asked at any time during the telephone call to give their name, or it becomes apparent that the customer needs a contact name to help progress their claim or business, staff are required to give their name. This can be first name only, surname, or full name, and staff can use a pseudonym as long as it is a name used in all their customer contacts, so they can be identified by colleagues.

I hope you find this reply helpful.

## Tribunals (Medical Evidence)

**Mr. Hinchliffe:** To ask the Secretary of State for Social Security what steps he has taken to ensure that all medical evidence submitted by his Department in tribunal cases is legible; and if he will ensure that all such evidence is typewritten. [70659]

**Angela Eagle:** The administration of the Benefits Agency is a matter for the Chief Executive, Peter Mathison. He will write to my hon. Friend.

*Letter from Peter Mathison to Mr. David Hinchliffe, dated 22 February 1999:*

The Secretary of State has asked me to reply to your recent Parliamentary Question asking what steps are taken to ensure that all medical evidence submitted to a tribunal is legible; and whether an assurance can be given that such evidence be typewritten.

The Benefits Agency ensures that documents containing medical information used as part of the decision making process are clear and legible. Where the information is obtained from the Agency's Medical Advisors, contact specifications dictate that the information must be legible. Staff are advised to return information for clarification that falls below this criteria, before it is used to decide entitlement.

Information provided from an outside organisation such as a hospital or customer's General Practitioner is also scrutinised for legibility. Should such reports contain illegible information confirmation would be sought from the author.

There are no plans to introduce a requirement that all medical evidence should be typewritten.

I hope the information is helpful.

## Lone Parents

**Mr. Alexander:** To ask the Secretary of State for Social Security how many lone parents in Paisley, South were on income support in the periods *(a)* May 1995–96, *(b)* May 1996–97 and *(c)* May 1997–98. [71432]

**Angela Eagle:** The administration of benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

*Letter from Peter Mathison to Mr. Douglas Alexander, dated 22 February 1999:*

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the numbers of lone parents on Income Support in Paisley South in the periods (a) May 1995–96, (b) May 1996–97 and (c) May 1997–98.

The information is not available in the format requested. The information that is available is included in the attached table.

I hope you find this reply helpful.

*Lone Parents in receipt of Income Support in Renfrewshire Local Authority District*

| | *Number* |
|---|---|
| May 1995 | 4,100 |
| May 1996 | 3,900 |
| May 1997 | 4,000 |
| May 1998 | 3,700 |

*Notes:*

1. Lone Parents are defined as single people with dependants who are not in receipt of a disability or pensioner premium. Some Lone Parent customers may also be included in load counts for Pensioner premiums and Disability premium. The number of Lone Parents is therefore potentially understated.
2. Please note that Renfrewshire Local Authority District will also include claimants from other constituencies, e.g. Renfrewshire contains claimants from both Paisley South Constituency and Paisley North Parliamentary Constituency.
3. The information has been provided by the Analytical Services Division 1 of the DSS.
4. Figures are based on 1 5% sample and therefore subject to a degree of sampling error.

5. Figures have been rounded to the nearest hundred.
6. The information has been taken from the Income Support Statistics Quarterly Enquiry in May of each relevant year.

### SERPS

**Mr. Flight:** To ask the Secretary of State for Social Security what advice his Department provides upon request to individuals with SERPS pensions with regard to the change of conditions of the pension on the death of a spouse from April 2000. [72018]

**Mr. Timms:** Information on the changes to the inheritance of Additional Pension (also known as SERPS) has been included in leaflets NP 45, "A Guide to Widow's Benefit", and NP 46, "A Guide to Retirement Pensions" available from April 1996.

An internal bulletin highlighting the changes and directed at weekly training sessions was issued in January 1999 to Benefits Agency staff.

**Mr. David Taylor:** To ask the Secretary of State for Social Security if he will estimate the cost of paying the full entitlement to SERPS to widows/widowers whose spouse dies on or after 6 April 2000 based on the deceased contribution record to 5 April 1996. [72552]

**Angela Eagle:** The estimated cost is £50 million in 2000–2001, increasing to £2 billion by 2020.

*Notes:*

1. Estimates, provided by the Government Actuary's Department, are in 1998–99 prices and are rounded to the nearest £50 million.
2. Estimates are gross, i.e. means-tested benefit offsets have not been taken into account.
3. Estimates have been made on the basis of current legislation.
4. Long term real earnings growth of 1.5 per cent. has been assumed.

### Annuities

**Mr. Cousins:** To ask the Secretary of State for Social Security if he will estimate the sum required to purchase an annuity of *(a)* £116 per week rising in line with average earnings for a couple aged 65 years with £75 rising with average earnings for a survivor and *(b)* £65 per week, rising in line with average prices for a female aged 50 years. [72610]

**Mr. Timms:** Annuities which increase in line with national average earning are not generally available.

An estimate has been made on the basis of current rates for annuities which increase in line with prices, adjusted to reflect assumed earnings growth relative to prices of 1.5 per cent. a year. It is estimated that a sum of £135,000 would be required to purchase an annuity of £116 a week, increasing in line with national average earnings, payable to a man aged 65, with an annuity of £75 a week payable on his death to his wife (assumed to be aged 62), also increasing in line with national average earnings.

On the basis of current rates for annuities which increase in line with prices, it is estimated that a sum of £85,000 would be required to purchase an annuity of £65 a week, increasing in line with prices, payable to a woman aged 50.

*Note:*

Both capital sums quoted are rounded to the nearest £5,000.

### Jobseeker's Allowance

**Mr. Rendel:** To ask the Secretary of State for Social Security if Benefits Agency staff will review all new and repeat claims for jobseeker's allowance received since 20 June 1998, and cleared *(a)* on the basis of information from his Department's systems other than NIRS II and *(b)* on the basis of information from the claimant. [72370]

**Mr. Timms:** A special exercise will be carried out to identify all new and repeat claims (system and clerical) to Jobseeker's Allowance processed during the NIRS closure period (20 June to 8 November 1998). Each claim identified will then be reviewed to ensure correct entitlement was paid. The special exercise will ensure that those claims paid on the basis of information provided by jobseekers are identified and reviewed.

A date has not yet been finalised when the special exercise will commence, but it is not expected to be before April 1999. The position will be kept under review but, depending on other work priorities impacting on the field, the intention is to clear the relevant cases by the end of this year.

Claims made since 9 November (the date NIRS2 became "live" for Jobseeker's Allowance) are automatically reviewed by the Jobseeker's Allowance computer system upon confirmation of contribution information supplied by NIRS2. These cases therefore will not require a special exercise to review entitlement.

Claims made from January which could not be assessed using information from NIRS2 have been assessed using other evidence. These cases will be reviewed on an ongoing basis, when contribution information is updated to NIRS2, as NIRS2 automatically notifies the JSA computer system of the revised details.

## AGRICULTURE, FISHERIES AND FOOD

### Legal Services

**Mr. Ruffley:** To ask the Minister of Agriculture, Fisheries and Food if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70025]

**Mr. Morley** *[holding answer 8 February 1999]:* The information requested could be provided only at disproportionate cost.

My right hon. and learned Friend the Attorney-General appointed Philip Sales as First Junior Treasury Counsel (Common Law) and Jonathan Crow as First Junior Counsel (Chancery) to advise and represent the Government in their important civil cases. In addition the Attorney-General maintains at present two London panels of junior counsel from whom the Ministry's Legal Department instructs counsel to assist with its civil litigation. When the Ministry wishes to instruct counsel who are not on the panel, a nomination is obtained from the Attorney-General. The Ministry also obtains such nominations from the Attorney-General in all criminal cases where representation by counsel is necessary.

### Disabled People

**Mr. Berry:** To ask the Minister of Agriculture, Fisheries and Food what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71284]

**Mr. Morley:** MAFF's Programme of Action for Equality of Opportunity includes a number of provisions for staff with disabilities.

Managers are required to provide funding to meet reasonable adjustments for staff with disabilities from their own local budgets. This may be supplemented by funding from a central budget where there is a need for specialist equipment or additional help beyond the means of local budgets. No central record is kept of expenditure on staff with disabilities by local managers. The budgetary provision for central funding for 1998–99 is £67,500.

In addition to the funds available to meet adjustments for individual members of staff, audits have been undertaken of the accommodation in which staff work to identify where improvements in access or the provision of facilities for people with disabilities are needed. A programme of work is underway on which £1.1 million has been spent in the last three years. The budget for this programme for 1998–99 is £450,000. This expenditure is of benefit to both staff and MAFF's customers.

The Department also participates in the Employment Service's Supported Employment Scheme which provides work opportunities for people with severe disabilities. The 1998–99 budget is £53,000.

As responsibilities and operations related to disability are spread throughout the Department it is not possible to give the proportion of total departmental spending.

### Press Releases

**Mr. Don Foster:** To ask the Minister of Agriculture, Fisheries and Food how many press releases have been issued by his Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71443]

**Mr. Morley** *[holding answer 16 February 1999]:* The number of press notices issued by MAFF, its agencies and non-departmental public bodies in each of the years since 1990 was as follows:

| *Year* | *Number* |
|---|---|
| 1990 | 408 |
| 1991 | 475 |
| 1992 | 436 |
| 1993 | 473 |
| 1994 | 493 |
| 1995 | 484 |
| 1996 | 430 |
| 1997 | 418 |
| 1998 | 499 |
| 1999 | [1]57 |

[1] As at 17 February 1999

**Mr. Don Foster:** To ask the Minister of Agriculture, Fisheries and Food if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71458]

**Mr. Morley** *[holding answer 16 February 1999]:* Rules governing the work of the GICS are laid down in the guidance on the work of the Government Information Service published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the Working Guide for Government Information Officers. Copies of both documents are in the Libraries of the House.

The estimated total cost of press releases since May 1997 by MAFF and the agencies and the non-departmental public bodies for whom it distributes press releases is £55,000.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Minister of Agriculture, Fisheries and Food if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71845]

**Mr. Morley** *[holding answer 22 February 1999]:* In common with other departments, the work of press officers in my department includes responding to any misinformed allegations concerning Government policy or activity which are published in the media. They are supported in this work by other officials as necessary.

Because this is a routine part of a department's work and it is not separately recorded from other tasks, to provide the further information requested would involve disproportionate cost.

### Brandy and Rum Butters

**Mr. Martlew:** To ask the Minister of Agriculture, Fisheries and Food what action he is taking to ensure that traditional British brandy and rum butters can continue to be marketed in the European Union. [73078]

**Mr. Rooker:** I am pleased to announce that, following discussions with the industry, the European Commission and other Member States, we have managed to secure a derogation that will lower the minimum milkfat content of brandy, rum and sherry butters from 34 per cent. to 20 per cent., thereby ensuring that these traditional alcoholic butters can continue to be made using the traditional recipes enjoyed by the UK consumers for many years.

## EDUCATION AND EMPLOYMENT

### Ofsted Annual Report

**Mr. Key:** To ask the Secretary of State for Education and Employment if he will list the schools identified in the Ofsted annual report for the academic year 1997–98 which, through Ofsted inspection and performance in examinations and assessments, are providing a good quality education and achieving high standards. [70931]

**Ms Estelle Morris:** In his annual report for 1997–98, which was published on 9 February, HM Chief Inspector named schools in three categories: schools which were shown by inspection to be providing a good quality of education and achieving high standards; secondary schools which stand out amongst the many re-inspected during 1997–98 which had improved the quality of education and standards achieved by pupils since the previous inspection; and schools which had been removed from special measures during 1997–98 having made substantial improvements.

I warmly congratulate and thank all those who have played a part in the successes achieved by these schools.

The schools named by HM Chief Inspector are shown in a list, a copy of which I have placed in the Library.

### Millennium Compliance

**Mr. Mitchell:** To ask the Secretary of State for Education and Employment what action he is taking to ensure that the computer systems of *(a)* schools, *(b)* colleges and *(c)* higher education centres, are millennium compliant. [71680]

**Mr. Charles Clarke:** The Department for Education and Employment has urged all Local Education Authorities in England to offer help and guidance to all the schools in their area, building on Local Authorities' own Year 2000 compliance programmes. We are about to write again to spread information on good practice, including on contingency planning. The Department is working with the Further Education Funding Council and Higher Education Funding Council for England to ensure that action is being taken in colleges and higher education institutions to reduce the threat to systems posed by the date change. The funding councils have conducted surveys in their respective education sectors and have issued guidance. If necessary, they are prepared to impose conditions of grant to secure an acceptable state of readiness.

### Durham County Council (Grants)

**Mr. Cummings:** To ask the Secretary of State for Education and Employment what grants have been made by his Department to Durham County Council in addition to the revenue support grant in *(a)* 1997–98 and *(b)* 1998–99. [71555]

**Ms Estelle Morris:** Details of the grants, in addition to revenue support grant, made available by the Department for Education and Employment to Durham County Council in 1997–98 and 1998–99 are shown in the following tables. For the Standards Fund, the figures shown include the grant made by the Department and the contribution made by the local education authority.

*Grants made available to Durham County Council in 1997–98*

£

| *Standards fund* | *Allocation* |
|---|---|
| School Effectiveness | 1,665,700 |
| National Curriculum Assessment—Verification KS1 | 79,800 |
| National Curriculum Assessment—Supply cover KS1 | 129,300 |
| Training for KS2 Teacher Assessment | 74,400 |
| KS3 Non-core Teacher Assessment | 22,800 |
| Primary Teachers' Subject Knowledge | 190,000 |
| Special Educational Needs | 185,000 |
| Qualifications—GNVQ Provision | 169,900 |
| Qualifications—Part One GNVQ Pilot | 85,000 |
| Truancy | 77,100 |
| Disruptive and Disaffected Pupils | 23,100 |
| Pupil Behaviour and Discipline | 60,000 |
| Bilingual Pupils | 8,200 |
| Drug Prevention and Schools | 50,000 |
| Training for Careers Teachers | 45,800 |
| Literacy and Numeracy Project Centres | 209,500 |
| Youth Service | 16,600 |
| National Professional Qualification for Headship | 66,550 |
| School Security | 259,100 |
| Child Protection | 25,000 |
| Family Literacy | 35,000 |
| Specialist Schools | 156,700 |
| Specialist Teacher Assistants | 19,500 |
| Baseline Assessment | 102,400 |
| Primary Performance Tables | 6,700 |
| Books for Schools | 305,039 |
| *New Deal for Schools* | |
| New Deal for Schools | 755,039 |
| Total | 4,823,189 |

*Grants made available in 1998–99 to Durham County Council*

£

| *Grant title* | *Allocation* |
|---|---|
| *Standards Fund* | |
| School Effectiveness | 1,852,012 |
| School Leadership | 152,632 |
| Induction for Newly-Qualified Teachers | 64,530 |
| Early Years Training and Development | 58,800 |
| Reduction of Infant Class Sizes | 250,000 |
| Capital Work to reduce class sizes | 167,160 |
| Baseline Assessment | 114,957 |
| Assessment: Verification KS1 | 38,203 |
| Assessment: Supply Cover | 136,734 |
| Training for KS2 Teacher Assessment | 72,263 |
| Effective use of National Curriculum Results | 77,887 |
| National Literacy Strategy—Primary | 743,792 |
| National Literacy Project—Key Stage 3 | 198,220 |
| Summer Literacy Schools | 50,000 |
| Family Literacy | 35,000 |
| Special Educational Needs | 209,580 |
| Qualifications: GNVQ, AS/A Level, Key Skills etc. | 219,333 |
| Qualifications: Part One GNVQ Pilot | 64,000 |
| Work Related Learning at KS4 | 49,995 |
| Improving Attendance and Behaviour | 272,080 |
| Drug Prevention | 73,912 |
| Youth service | 22,195 |
| School Security | 258,120 |
| Specialist Schools | 380,080 |
| Specialist Teacher Assistants | 3,179 |
| Travel to Study Support Centres | 1,692 |
| National Grid for Learning | 1,300,000 |
| Summer Numeracy Schools | 10,000 |
| Advanced Skills Teachers | 24,000 |
| Books for Schools | 313,335 |
| Health Education Partnerships | 75,000 |
| Children's Parliament | 330 |
| Year 6 Literacy and Numeracy Booster Classes | 172,072 |
| Numeracy Consultants and Leading Maths Teachers | 6,600 |
| Removal of Outside Toilets | 230,000 |
| Energy Management | 153,062 |
| Portable CD-ROM Systems for Special Educational Needs Coordinators | 34,000 |
| *New Deal for Schools* | |
| New Deal for Schools | 2,068,052 |
| Total | 9,952,807 |

## Students (Newcastle)

**Mr. Cousins:** To ask the Secretary of State for Education and Employment if he will estimate *(a)* how many students resident in Newcastle are educated in local education authorities outside Newcastle, *(b)* how many students are educated in Newcastle local education authority schools who are resident in other local education authorities, *(c)* how many school students resident in Newcastle were educated in non-local education authority schools in 1996–97 and *(d)* how many school students resident in Newcastle who will be educated in local education authority schools in 1999–2000 in each local education authority in the City of Newcastle. [71703]

**Ms Estelle Morris:** The following table sets out the estimated information requested for *(a)* and *(b)* for 1996–97, although the figures should be treated with caution since, following the reform of inter-authority recoupment in 1995–96, many authorities made representations that it was no longer possible for them to collect robust data on cross-border pupil movements. There are no comparable data for 1999–2000 and information on the residence of pupils attending independent schools has never been collected centrally.

| *Local education authority* | *Estimated exports aged 5–15* | *Estimated imports aged 5–15* |
|---|---|---|
| Gateshead | 591 | 608 |
| Newcastle upon Tyne | 1,377 | 1,076 |
| North Tyneside | 807 | 757 |
| South Tyneside | 185 | 362 |

*Note:*
1. The figures are derived from the form 8A/539F returns received from local education authorities in respect of the 1996–97 financial year. Several authorities expressed reservations about the quality of the data or made incomplete returns based on estimates derived from previous years.

## "Public Relations Toolkit for Employers"

**Mr. Chope:** To ask the Secretary of State for Education and Employment if he will list those who attended the launch of the New Deal "Public Relations Toolkit for Employers"; and what was the cost. [71367]

**Mr. Andrew Smith:** The reception for small and medium-sized enterprises is estimated to have cost £1,400. It provided an opportunity to recognise and thank small and medium-sized enterprises for their involvement in New Deal. The Public Relations Toolkit was prepared to help them publicise their company through that involvement, or more widely, should they wish to do so. The following is a list of the companies and representative organisations that attended.

AJS LoadTruck
Artists Management
Ashton Hart Dave Lee
Association of British Chambers of Commerce
Bodycare Health & Beauty Ltd.
Burnaby Industrial Cleaning Ltd.
Business Link Network Company
BWIA (UK)
Chores
EMG
Europa Foods
Federation of Small Businesses
Goddard Export Services
Griffin Fire
Griffin Fire
Hanlon Computer Systems
Imago Ltd.
J. J. Travel & Shipping
John Parry Timber Ltd.
Kernow Entertainment
Mayday Group
MB Coatings Ltd.
Mobile Care Qualifications
Mudu & Co. Solicitors
Nyala Group Ltd.
Original Eastern Foods
Park Practice (Infinite Mind Ltd.)
Park Practice (Infinite Mind Ltd.)
Project Coins
Quintdown Press
Ramsey Finishings Systems
Real Deal Travel Ltd.
Red Fort
Rion Travel
Rob Hawkins Plumbing and Heating Engineers
Russell Henry & Co. Solicitors
Russell Henry & Co. Solicitors
Soft Sheen International
Somerset Country Furniture
South East Lancashire Housing Association
St. Michael's Day Nursery
St. Kitts & Nevis Department of Tourism
Supreme Imports Wholesales Ltd.
Suzanne Russell
TEC National Council
The Institute of Directors
The Park Inn
The Park Inn
Wray & Nephew.

## New Deal (Vietnamese and Chinese Nationals)

**Mr. Maclean:** To ask the Secretary of State for Education and Employment how many individuals of *(a)* Vietnamese nationality and *(b)* Chinese nationality have (i) participated in the New Deal and (ii) found jobs through the New Deal. [71094]

**Mr. Andrew Smith:** Responsibility for the subject of this question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

*Letter from Leigh Lewis to Mr. David Maclean, dated 23 February 1999:*

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply to your question about the numbers of people of Vietnamese and Chinese nationality who are participating and have found jobs through New Deal. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

While details of an individual's nationality are not held, people claiming Jobseeker's Allowance are invited to indicate their ethnic origin.

In the period to the end of November 1998, 374 clients who declared their ethnic origin as Chinese entered the New Deal for 18–24 year olds. In the same period, 59 of these clients left the Gateway for unsubsidised jobs and a further 11 for subsidised jobs. There may also be some people of Chinese origin among those who chose not to declare their ethnic origin.

Vietnamese claimants of Jobseeker's Allowance are not identified as a separate ethnic group. It is not therefore possible to produce figures for New Deal participants and job starts for this group.

### Asylum Seekers (Children)

**Mr. Maclean:** To ask the Secretary of State for Education and Employment how many children of asylum seekers are currently attending school in the United Kingdom; and if he will estimate the cost of their attendance. [71092]

**Mr. Charles Clarke:** Local Education Authorities are funded to provide education for school-aged children of asylum seekers on the school roll, in the same way as they are for all other children on roll. We estimate that there are about 45,000 children of asylum seekers currently receiving education in the United Kingdom at a cost of around £97 million in the current financial year.

### New Deal (Gateway)

**Mr. Maclean:** To ask the Secretary of State for Education and Employment for what reasons individuals may stay on the Gateway to the New Deal for 18 to 24-year-olds for longer than four months. [71133]

**Mr. Andrew Smith:** Responsibility for the subject of this question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

*Letter from Leigh Lewis to Mr. David Maclean, dated 17 February 1999:*

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply to your question about the reasons why the length of the Gateway period for those participating in New Deal for 18–24 year olds may be extended beyond four months. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

There are four main categories of young people whose stay on the Gateway may properly extend beyond the normal four month maximum. The first category covers young people who are not required to go on to an option at the end of four months because they are clearly intending to cease claiming Jobseeker's Allowance in the very near future. Examples include young people who are due to start full time work; emigrate; or leave Jobseeker's Allowance to claim maternity allowance. The second category covers situations where entry to a New Deal option is, by agreement with a Personal Adviser, delayed for a short period where there is good reason. Examples include circumstances where a young person has suffered a bereavement; suffers a short-term illness; or where their planned provision is unexpectedly not available.

The third category covers young people who refuse to enter a New Deal option. In these circumstances their case will normally be referred to an adjudication officer for a decision on the individual's benefit entitlement during which time the young person is regarded as still being on the Gateway. The fourth category covers returners to the Gateway. If a young person leaves the Gateway and subsequently returns within 13 weeks, they will re-enter the Gateway at the point which they left.

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Secretary of State for Education and Employment what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71277]

**Ms Hodge:** We are acting to ensure that the Department's policies meet the needs of disabled people and that we comply with our legal requirements. The Department already takes positive steps to make it easier for disabled people to make use of its services. We shall continue to do so, not only by complying fully with new duties in the Disability Discrimination Act but by aiming to exceed them where appropriate.

The Department issued internal guidance recently on mainstreaming which ensures that all new and existing policies and programmes are assessed for any adverse impact not only on disabled people, but on any minority or disadvantaged group. That includes the need to ensure that our policies and their outcomes comply with the law. Where necessary we shall act to remove or reduce the impact on these groups. This complements the guidance "Policy Appraisal for Equal Treatment" which the Cabinet Office issued to all Government Departments in November 1998, and which was signed jointly by the Minister for Women, the Secretary of State for Education and Employment, and the Home Secretary.

The Departmental Board monitors the Department's performance and will publish information on the progress being made in this area, as will other Government Departments.

### Disabled People

**Mr. Berry:** To ask the Secretary of State for Education and Employment what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71289]

**Mr. Mudie:** Approximately £290 million of this Department's budget for 1998–99 can be attributed directly to spending on disabled people. This represents 1.9 per cent. of the Department's total budget for 1998–99.

In addition, disabled people are able to benefit from the Department's mainstream expenditure on education, employment and training, but it is not possible to identify separately the amount of this.

### Education Action Zones

**Mrs. May:** To ask the Secretary of State for Education and Employment how many of the Education Action Zones have applied to disapply *(a)* the national curriculum and *(b)* national terms and conditions for teachers. [68935]

**Ms Estelle Morris** *[holding answer 2 February 1999]:* 11 schools in EAZs have informed QCA that they have disapplied the National Curriculum under Section 363 of the Education Act 1996 to provide wider opportunities for work-related learning at Key Stage 4 from September 1998. As regulations only came into force in September 1998, it is likely that more schools will take advantage of this provision during the remainder of this academic year and next academic year.

A further two schools are currently considering making an application under Section 362 from September 1999 to disapply aspects of the National Curriculum for the purposes of curricular experimentation and development.

There have been no applications to disapply the national terms and conditions for teachers.

## Planning Assessments

**Mrs. May:** To ask the Secretary of State for Education and Employment how many staff in his Department are responsible for assessing local education authorities' *(a)* early years development plans, *(b)* asset management plans and *(c)* education development plans; and how much time is given on average to the assessment of each such plan. [70118]

**Ms Estelle Morris** *[holding answer 9 February 1999]:* We estimate that the amount of staff time expected to be spent on assessing local education authority plans (expressed as full time equivalent) is as set out in the following table.

| *Type of plan* | *Average staff time per plan (hours)* | *Staff numbers (as FTE)* |
|---|---|---|
| Early years development plans | 11 | 1.10 |
| Asset management plans | — | — |
| Education development plans | 16 | 1.59 |

Detailed assessment methods for asset management plans have not yet been determined.

## Jobseeker's Allowance

**Mr. Keetch:** To ask the Secretary of State for Education and Employment if he will describe the procedure followed by the Employment Service for tracking claimants of jobseeker's allowance who are *(a)* unemployed for more than two years (i) in the 18 to 24 age group and (ii) aged over 25 years and *(b)* lone parents. [70740]

**Mr. Andrew Smith:** Responsibility for the subject of this question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

*Letter from Leigh Lewis to Mr. Paul Keetch, dated 17 February 1999:*

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply to your question about the procedure for tracking claimants of Jobseeker's Allowance. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

The procedure for monitoring claimants of Jobseeker's Allowance starts when they make their first claim. The jobseeker is seen by an adviser for a New Jobseeker Interview and is subsequently seen fortnightly until they cease claiming Jobseeker's Allowance. The progress in finding work for jobseekers who remain unemployed is reviewed with them after 13 weeks, after six months and every six months thereafter. For those young people aged between 18 and 24 the six month review triggers their entry on to the New Deal.

I should explain that Lone Parents do not normally claim Jobseeker's Allowance, since they are normally entitled to Income Support. New Deal for Lone Parents is a voluntary programme and participants continue to claim Income Support whilst participating on it. The only Lone Parents who claim jobseeker's Allowance are therefore those who voluntarily join the New Deal for 18–24 year olds or for those aged over 25, and those who are willing to meet the Jobseeker's Allowance benefit conditions by making themselves available for and actively seeking work.

All claimants of Jobseeker's Allowance are recorded by the Employment Service on its Labour Market Computer System. This is used to record their progress in line with the structure of fortnightly attendance and regular reviews. In addition, jobseekers who are on New Deal are tracked by their Personal Adviser throughout their time on the programme.

I hope this is helpful.

## Departmental Asset Sales

**Mr. Malcolm Bruce:** To ask the Secretary of State for Education and Employment if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70412]

**Mr. Mudie** *[holding answer 11 February 1999]:* The total value of money realised from the sale of assets by the Department, its agencies, and associated public bodies since the publication of the information in the National Assets Register is £13,391,196.

Asset management is kept under close review, and those which are surplus to requirements are disposed of as quickly as possible, subject to value-for-money considerations. They are normally disposed of on the open market by public auction or tender. The exception to this rule is that in DfEE, good working IT equipment is gifted to education and employment bodies and projects via third-party organisations. The following table lists items reported as sold by the Department, its agencies and associated public bodies since the information on assets was published in the National Assets Register of November 1997.

| *Department for Education and Employment* | *Type of asset sold* | *Number of transactions or transaction detail* | *Value realised (£)* |
|---|---|---|---|
| 1997–98 | Freehold Property | Swindon Skill Centre—land only | 1,435,850 |
| | Fixtures and Fittings | 1 | 925 |
| | Vehicles | 63 | |
| | Cars | 62 | 268,632 |
| | Vans | 1 | 2,139 |
| | Office Machinery | 3 | 49,602 |
| | Other IT Equipment | 3,200 | 152,374 |
| 1998–99 (January 1999) | Freehold Property | Letchworth Skill Centre—land only | 150,070 |
| | Office Machinery | 1 | 275 |
| | Other IT Equipment | 1,156 | 15,426 |

These figures include the sale of some assets of the former Teachers' Pensions Agency which were sold to Capita Ltd. when they took over the function on a going concern basis.

| Employment Service | Type of asset sold | Value realised (£) |
|---|---|---|
| 1997–98 | Land and Buildings[1] | 3,244,480 |
| | Fixtures and Fittings | 9,000 |
| | Vehicles | 1,117,586 |
| | Office Machinery | 2,779 |
| | Other IT Equipment | 83,734 |
| 1998–99 | Land and Buildings[2] | 1,575,000 |
| (December 1998) | Fixtures and Fittings | 5,128 |
| | Vehicles | 914,778 |
| | Other IT Equipment[3] | 1,922 |

[1] Employment Service Property Assets listed in National Assets Register disposed of in 1997–98: Airdrie UBO, Barking JC, Biggleswade ESJ, Blaenavon ESJ, Bradford Clifford St. ESJ, Cardiff JC, Cowdenbeath ESJ, Doncaster Trafford Way ESJ, Dumfries JC, Dunoon JC, Eastleigh JC, Ellesmere Port UBO, Epping JC, Gorleston ESJ, Kelso ESJ, Llandrindod Wells ESJ, Loughborough PACT, Milford Haven ESJ, Nelson ESJ, Newton Le Willows ESJ, (Historic Lease) Northallerton ESJ, Orpington (the Walnuts), Parkhead UBO, Peterhead UBO, Preston JC, Rushden UBO, South Kirby ESJ, Stanford Le-Hope, Walton ESJ, Wishaw ESJ, Witney ESJ and Worcester ESJ.

[2] Employment Service Property Assets listed in National Assets Register disposed of in 1998–99 (up to December 1998): Camden Town ESJ, Malvern ESJ, and March ESJ.

[3] From 1 August 1998 the Employment Service entered into a partnership agreement with EDS for a period of 10 years. Under the partnership agreement, ES computer equipment (with the exception of telecommunication equipment) transferred to EDS for a nominal charge. The assets had a net book value of approximately £20 million at the date of transfer. They were exchanged for equivalent savings in the net present value of service charges over the term of the agreement.

| Ofsted | Type of assets sold | Number of transactions | Value realised (£) |
|---|---|---|---|
| 1997–98 | Vehicles—Cars | 7 | 28,329 |
| 1998–99 | Vehicles—Cars | 4 | 20,318 |

| Organisation | Type of asset sold | Value realised (£) |
|---|---|---|
| *NCVQ/SCAR now QCA* | | |
| 1997–98 | Office Machinery | 450 |
| | Vehicles | 2,432 |
| 1998–99 | Other IT Equipment | 3,500 |
| | Vehicles | 19,297 |
| *Teachers Training Agency* | | |
| 1997–98 | IT equipment | 3,900 |
| *Construction Industry Training Board* | | |
| 1997–98 | Building | 140,000 |
| | Plant and Machinery | 20,500 |
| | Office furniture and equipment | 10,700 |
| | Vehicles | 263,933 |
| 1998–99 | Plant and Machinery | 8,200 |
| | Office furniture and equipment | 750 |
| | Vehicles | 108,300 |
| *Funding Agency for Schools* | | |
| 1997–98 | IT equipment | 9,000 |
| 1998–99 | IT equipment | 3,400 |
| *Higher Education Funding Council for England* | | |
| 1997–98 | Vehicles | 4,200 |
| | IT equipment | 25,500 |
| *Remploy Ltd.* | | |
| 1997–98 | Buildings | 164,000 |
| | Plant machinery and other equipment | 955,000 |
| | Vehicles | 400,000 |
| 1998–99 | Buildings | 538,000 |
| | Plant machinery and other equipment | 886,000 |
| | Vehicles | 119,000 |
| *Student Loan Company* | | |
| 1997–98 | Computer and other electronic equipment | 463,000 |
| | Vehicles | 43,000 |
| *Further Education Funding Council* | | |
| 1997–98 | Equipment | 2,285 |
| 1998–99 | Equipment | 502 |
| *Engineering Construction Industry Training Board* | | |
| 1997–98 | Plant and machinery | 118,000 |

## Gateway Interviews (Training)

**Mrs. May:** To ask the Secretary of State for Education and Employment what specific training will be given to personal advisers conducting interviews for the Single Work-Focused Gateway on advising people with learning disabilities. [71584]

**Mr. Andrew Smith** *[holding answer 16 February 1999]:* Single Work-Focused Gateway Personal Advisers will have access to training materials to equip them with the skills and knowledge to help them identify people with learning disabilities.

This training material will also equip Personal Advisers to refer people with learning disabilities to the most appropriate specialist support.

The content of the training material includes the following:

how to identify people with disabilities, including learning disabilities;

the sensitivities around dealing with people with disabilities;

specialist programmes available for people with disabilities; and

the specific help specialist support can offer, e.g. through the Disability Employment Adviser.

## Education SSAs

**Miss McIntosh:** To ask the Secretary of State for Education and Employment (1) what representations he has received on the SSA level for the education provision in North Yorkshire; and if he will make a statement; [72165]

(2) what plans he has to visit North Yorkshire to discuss the SSA settlement for North Yorkshire County Council. [72160]

**Ms Estelle Morris:** My right hon. Friend the Secretary of State has received representations from concerned schools and parents complaining about the possibility that North Yorkshire County Council may not use all of the £13 million increase in the education SSA to support education. He has no plans to visit North Yorkshire, but has written to the Leader of the County Council to make it clear that we expect the County Council to set a budget

which uses all of the education SSA increase to support education services, especially schools. I understand that the County Council will now do this.

### Departmental Cash Limits

**Kali Mountford:** To ask the Secretary of State for Education and Employment what changes he plans to make to cash limits and running costs limits within his responsibility for 1998–99. [72993]

**Mr. Mudie:** Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class IX, Vote 1 (Department for Education and Employment: programmes and central services), Vote 3 (Employment Service), and Vote 4 (Office of Her Majesty's Chief Inspector of Schools in England), will be amended as follows:

| *Class* | *Vote* | *Existing cash limit (£)* | *Change (£)* | *New cash limit (£)* |
|---|---|---|---|---|
| IX | 1 | 10,381,602,000 | 94,807,000 | 10,476,409,000 |
| IX | 3 | 1,749,858,000 | 25,811,000 | 1,775,669,000 |
| IX | 4 | 118,641,000 | −8,300,00 | 110,342,000 |

The cash limit for Class IX, Vote 1 (Department for Education and Employment: programmes and central services) will be increased by £94,807,000 from £10,381,602,000 to £10,476,409,000. This is the net effect of the take up of £17,356,000 of the end-year flexibility eligibility on running costs and £5,265,000 of that on the New Deal for Schools announced by the Chief Secretary to the Treasury on 14 July 1998, *Official Report,* columns 131–36; a claim on reserve of £38,000,000 to cover European Social Fund payments in the current financial year for which the receipts from the EC will not arrive until next year; transfers of £8,300,000 from Class IX, Vote 4 (Office of Her Majesty's Chief Inspector of Schools) and £19,200,000 from Class IX, Vote 3 (Employment service) in connection with Books for Schools and Key stage 2 revision classes, of £20,000 from Class XIII, Vote 3 (the Scottish Office) for compensation due to a change in the student support funding regime and cross border flows of students, and of £102,000 to Class XII, Vote 3 (the Department of Social Security) for publicity of the National Childcare strategy; a switch of £4,224,000 from Supplementary Credit approvals in connection with the provision of schools capital; and an increase of £6,348,000 for Welfare to Work publicity and running costs of which £1,718,000 is transferred from Class IX, Vote 3 (Employment Service) and £70,000 from Class XII, Vote 3 (Department of Social Security), and £4,560,000 is extra provision financed from the windfall tax; offset by transfers of £250,000 to Class XIV, Vote 2 (the Welsh office) and £230,000 to Class XV, Vote 1 (the Northern Ireland Departments) for the University for Industry, of £470,000 to Class XII, Vote 1 (the Department of Social Security) for Bridging Allowances, of £4,260,000 of gross provision and £1,702,000 of receipts to Class IX, Vote 3 (the Employment Service) for restructuring and Grays Inn Road property, and of £500,000 to Class XI, Vote 1 (the Department of Health) for professions allied to medicine.

The running cost provision within the control total has been increased by £25,791,000 from £250,548,000 to £276,330,000. This is as a result of the £17,356,000 take up of end-year flexibility and the transfers of £20,000 from the Scottish Office and £4,260,000 to the Employment Service mentioned above, plus the reclassification of £3,000,000 from capital to running costs and an addition of £9,500,000 to take account of the change to the treatment of VAT receipts on contracted out services and of £175,000 for EC related initiatives which are offset by receipts. The Welfare-to-Work running costs provision (outside the control total) will increase by £1,479,000 form £1,283,000 to £2,762,000. This is as a result of the transfer of £219,000 from the Employment Service, the virement of £130,000 from the Millennium Volunteers programme and additions of £494,000, £70,000, £370,000 and £196,000 for the New Deals on Young People, Lone Parents, the Disabled and Partners respectively.

The non-Voted cash limit DfEE/LACAP has also been decreased by £4,224,000 from £44,940,000 to £40,716,000 as a result of increase in provisions of schools capital.

The cash limit for Class IX, Vote 3: Employment Service will be increased by £25,811,000 (of which £15,311,000 is in respect of the Welfare-to-Work programme and is outside the control total) from £1,749,858,000 to £1,775,669,000.

The £15,311,000 for the Welfare-to-Work programme is the net result of the following: a transfer of £10,350,000 from Class XII, Vote 1 (Central government administered social security benefits and other payments) for the New Deal for lone parents; £4,871,000 direct from the Windfall Tax for the New Deal programmes to help people with disabilities and partners of unemployed people into work; the take up of £1,808,000 under the Welfare-to-Work end year flexibility scheme as announced by the Chief Secretary to the Treasury on 14 July 1998, *Official Report,* column *131–36;* a transfer of £1,718,000 to Class IX, Vote 1 (Department for Education and Employment: programmes and central services) to cover the cost of work on New Deal programmes undertaken by Department for Education and Employment.

The balance of the increase to the cash limit, £10,500,000, is the net result of the following: an increase of £19,957,000 in capital provision due to the sale of Information Technology assets; the transfer of £19,200,000 to Class IX, Vote 1 (Department for Education and Employment: programmes and central services) in respect of additional spending on books for schools and Key Stage 2; the transfer from Class XII, Vote 3 (Department of Social Security; administration) of £7,108,000 for the recalculation of JSA core funding and other work ES undertakes for the Benefits Agency; a transfer of £4,260,000 in running costs and £1,702,000 in appropriations in aid from Class IX, Vote 1, to cover the transfer of the lease for 236 Grays Inn Road, London and the restructuring costs of surplus staff; and from Class XVIII, Vote 1 (Cabinet Office: other services), £77,000 in respect of accommodation costs of The Pithay, Bristol.

The running cost provision within the control total for Class IX, Vote 3 will be increased by £24,873,000 from £777,673,000 to £802,546,000. This increase results from the transfers of £7,108,000 from the Department of Social Security, £4,500,000 from capital provision to fund additional expenditure on Information technology services now undertaken by an external provider; £4,260,000 from the Department for Education and Employment and

£77,000 from the Cabinet Office and an addition of £8,928,000 to take account of the change to the treatment of VAT receipts on contracted out services which are offset by receipts.

The Welfare-to-Work running costs provision, outside the control total for Class IX, Vote 3 will be increased by £14,291,000 from £122,500,000 to £136,791,000. This is the result of the transfer of £9,725,000 from the Department of Social Security, the additional £4,476,000 from the Windfall Tax, the take up of £1,808,000 of end-year flexibility and the transfer to the Department for Education and Employment of £1,718,000.

The gross running costs limit for the DfEE (comprising Class IX, Vote 1 and Vote 3) inside the control total has increased by £32,236,000 from £1,028,221,000 to £1,060,457,000 and outside the control total by £15,770,000 from £123,783,000 to £139,553,000. The gross running costs limit is net of the VAT changes of £9,500,000 on Vote 1 and £8,928,000 on Vote 3.

The cash limit for Class IX, Vote 4 (Ofsted) will be reduced by £8,300,000 from £118,641,000 to £110,342,000 as a result of the transfer to Class IX, Vote 1 in connection with Key Stage 2 revision classes.

Increases to all Votes mentioned above will be offset by transfers and charges to the reserves and will not therefore add to the planned total of public expenditure.

## Age Diversity

**Kali Mountford:** To ask the Secretary of State for Education and Employment if he will make a statement on the outcome of the consultation on the draft Code of Practice on Age Diversity. [72994]

**Mr. Andrew Smith:** We received a range of responses from individuals, employers, employers' organisations and campaigning organisations. For the most part, respondents felt the Code was clear, useful and covered the right areas, though a number of suggestions were made about how the Code could be further improved. With these comments in mind, we will be developing more detailed guidance on implementing the standards recommended in the Code, together with providing illustrative case studies.

I have placed copies of the report on the consultation and a summary of its main outcomes in the Library.

# Written Answers to Questions

*Wednesday 24 February 1999*

## TREASURY

### Office for National Statistics

**Ms Lawrence:** To ask the Chancellor of the Exchequer what decisions he has taken on the findings of the review into the efficiency of the Office for National Statistics. [73284]

**Ms Hewitt:** Having considered the findings of the efficiency review of the Office for National Statistics (ONS) and met with the trade unions to discuss their reactions, I have decided to accept the recommendations made by the efficiency review Steering Group.

The findings of the review indicate that there is scope within ONS to achieve efficiency savings rising to around £20 million per year. The achievement of such savings, which will be reinvested within ONS, will enable the Office to focus resources and management attention on improving the range and quality of the statistical information it produces. I have asked Dr. Tim Holt, the Director of ONS, to prepare and implement a programme of action designed to deliver these savings, in consultation with ONS staff and trade unions.

I am today publishing a copy of the full report which was commissioned from the consultants KPMG by the review Steering Group. The recommendations made by the Steering Group draw on many of the KPMG proposals, but they do not include them all. In particular, the potential savings identified as a result of the outsourcing of data collection and processing are not part of the package of efficiency savings which the Steering Group recommended.

I have also today accepted proposals from Dr. Holt to strengthen the senior management structure of ONS. This will involve the establishment of a restructured ONS Management Board comprising the Director of ONS and four other members: a Director of Economic Statistics, a Director of Social Statistics, a Director of Quality Assurance and Methodology, and Director of Finance and Corporate Services. This final post will be advertised externally, with business and commercial experience a key requirement.

These changes to the management structure of ONS reflect the importance which the Government attach to implementing this programme of work. Ensuring the quality of ONS outputs is a key part of the Government's commitment to enhance the integrity of official statistics.

### Engineering

**Mrs. Curtis-Thomas:** To ask the Chancellor of the Exchequer what discussions he has had with the engineering profession since May 1998 on investment in the UK's engineering base. [70704]

**Mrs. Roche:** The Chancellor has had frequent discussions with representatives from business since May 1998, many of whom have been members of the engineering profession. The Chancellor has focused particularly on the UK's productivity record and how business and Government can work together to improve it. Investment by business, including the engineering sector, has featured as one of the key areas for improvement.

### Registration Records (Access)

**Mr. Stunell:** To ask the Chancellor of the Exchequer when he expects the Registrar General's options paper on access to registration records to be published. [72597]

**Ms Hewitt:** I have now considered the Registrar General's options paper on access to civil registration records. It is proposed that a limited amount of prior consultation with stakeholders should be undertaken over the next few months. The outcome of this consultation will be taken into account when the proposals for reform arising from the Civil Registration review are published in the summer.

### Budget (Explanatory Leaflet)

**Mr. Salmond:** To ask the Chancellor of the Exchequer if it is his policy to issue an explanatory leaflet following his budget in March for delivery to each household in the United Kingdom. [72621]

**Dawn Primarolo:** I refer the hon. Member to the answer given to the right hon. Member for Wells (Mr. Heathcoat-Amory) on 4 February 1999, *Official Report*, column *724*.

### Air Passenger Duty

**Sir Teddy Taylor:** To ask the Chancellor of the Exchequer under what powers the EU is seeking to require Her Majesty's Government to double the current air passenger duty for return domestic flights within the United Kingdom; what powers Her Majesty's Government have to resist the demand; and if he will make a statement. [68210]

**Mrs. Roche** *[holding answer 1 February 1999]*: The UK Government have an obligation to ensure that taxes are compatible with EU treaty obligations but how compatibility is achieved is entirely a matter for the Government.

### Amusement Machine Licence Duty

**Mr. Maclean:** To ask the Chancellor of the Exchequer how many businesses were affected by the amusement machine licence duty announced in the 1998 Budget; and if he will estimate the average cost per business. [70672]

**Mrs. Roche** *[holding answer 15 February 1999]*: No figures are available for the number of businesses involved in the amusement machine industry.

## HOUSE OF COMMONS

### Sitting Hours

**Mr. Maclean:** To ask the President of the Council if she will list the average number of hours the House sat daily in *(a)* January 1979, *(b)* January 1989 and *(c)* January 1999. [72701]

**Mrs. Beckett:** The House sat for a daily average of: 9 hours and 11 minutes in January 1979; 9 hours and 9 minutes in January 1989; and 8 hours and 59 minutes in January 1999. Not including sitting Fridays, the House sat for a daily average of 9 hours and 51 minutes in January 1979; 9 hours and 59 minutes in January 1989; and 8 hours and 59 minutes in January 1999.

## INTERNATIONAL DEVELOPMENT

### European Investment Bank

**Mr. Maclean:** To ask the Secretary of State for International Development if she will make a statement on her Department's policy towards the European Investment Bank Third World loan packages, with particular reference to environmental impact assessments. [72288]

**Clare Short:** The Government scrutinise proposals coming to the European Investment Bank Board of Directors to assess their developmental soundness. This includes consideration of environmental issues. The European Investment Bank itself reviews all projects for environmental impact as an integral part of its appraisal process.

## ENVIRONMENT, TRANSPORT AND THE REGIONS

### Areas of Outstanding Natural Beauty

**Mr. Gordon Prentice:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the additional costs to local authorities of having Areas of Outstanding Natural Beauty within their boundaries; and if he will make a statement. [72598]

**Mr. Meale:** No central assessment of additional costs has been made. However, a study undertaken last year for the Countryside Commission, the Government's statutory advisors on landscape protection, suggested that some £4.8m may be spent annually by local authorities in England on the core costs of the management and protection of Areas of Outstanding Natural Beauty (AONBs). The same study suggested that a further £9.5m may be spent annually on local authority countryside management services within AONBs.

The Countryside Commission has provided advice to the Government on various aspects of the care of protected landscapes. We are considering the recommendations very carefully, together with all the other information available, before taking any final decisions. There are some complex issues involved but we hope to be able to announce some conclusions soon.

We have already announced an additional £2.5m for the new Countryside Agency to spend in AONBs and similar landscape areas in 1999–2000.

### Jubilee Line

**Mr. Dalyell:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the problems experienced in obtaining planning permission for the Jubilee Line extension; and what assessment he has made of practice in this respect in Hong Kong. [71116]

**Dr. Reid:** In only one case, namely the development of the Canada Water bus station, was London Underground obliged to take steps to appeal against the refusal by the local planning authority to approve certain reserved planning matters relating to the development.

I am not in a position to comment on practice in this respect in Hong Kong.

### Driving Licences (Women)

**Mr. Dalyell:** To ask the Secretary of State for the Environment, Transport and the Regions what percentage of women in each age group hold driving licences; and what assessment he has made of the consequences of differences between the percentage in each age group for the rate of growth in road traffic. [71117]

**Ms Glenda Jackson:** The table shows the percentage of women in each age group who held driving licences in Great Britain, over the period 1995–97.

| *Age* | *Percentage* |
|---|---|
| 17–20 | 36 |
| 21–29 | 67 |
| 30–39 | 74 |
| 40–49 | 74 |
| 50–59 | 61 |
| 60–69 | 46 |
| 70 or over | 22 |
| All ages | 57 |

*Source:*
National Travel Survey

Analysis of licence-holding by age band, for males and females separately, led to the published forecast that total licence-holding would increase from 67 per cent. to 73 per cent. of the adult population over a ten year period (1996–2006). This increase is one of the factors underlying the predicted growth in car ownership within the 1997 National Road Traffic Forecasts.

The forecasts are in the process of being revised in the light of the measures announced in the Integrated Transport White Paper. More detailed modelling of the impact of increasing licence-holding is one of the options under consideration.

### Transport Networks

**Mr. Dalyell:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy to evaluate networks of transport on a regional basis; and what proposals he has had from the Professor of European Economics in the University of Kent on this topic. [71111]

**Ms Glenda Jackson:** Under the new arrangements published on Monday 15 February, in draft Planning Policy Guidance Note 11 (PPG 11) on "Regional Planning", major transport network improvements are to be planned as part of the overall regional transport infrastructure, taking all modes into account. Regional planning bodies will be in the lead in this, working with the Government Offices and transport operators, providers and users.

I am unaware of any representations on this topic from the Professor of European Economics in the University of Kent.

**Mr. Dalyell:** To ask the Secretary of State for the Environment, Transport and the Regions what studies he has *(a)* commissioned and *(b)* evaluated of how advanced technology and better information could help to make possible more seamless journeys using different modes of transport. [71113]

**Ms Glenda Jackson:** The following reports contain the results of studies commissioned by my Department which address aspects of the contribution of advanced technology and/or better information to improving travel by different transport modes.

| *Study* | *Report* |
|---|---|
| The potential benefits of road transport telematics | TRL Report 220 1996 |
| Institutional and financial aspects of traveller information systems | WS Atkins 1997 |
| Review of technologies for moving people in cities | UCL Centre for Transport Studies 1997 |
| Review of telematics relevant to public transport | TRL Report 342 1998 |
| Transport Interchange—Best Practice | Colin Buchanan and Partners 1998 |

Work is going on in a number of different projects to help local authorities and others make use of these results. For example, the Department is supporting work to assist local authorities identify and plan for the deployment of new transport technologies. We are also part funding research to enable electronic journey planning systems to communicate with each other automatically so facilitating 'seamless' journeys.

The Department has not undertaken any recent work purely to evaluate studies on this subject by other organisations. Account was however taken of such studies as appropriate in the commissions referred to.

### Road Building Programme

**Mr. Dalyell:** To ask the Secretary of State for the Environment, Transport and the Regions what account he takes of the predicted growth of road traffic in determining the road building programme. [71114]

**Ms Glenda Jackson:** Our recent Roads Review was conducted against the high levels of predicted traffic growth forecast. Forecasts of the effects of schemes were an important part of the Review, but we did not follow a "predict and provide" approach. We have moved away from exclusive reliance on road building by looking at other, more sustainable ways of tackling traffic problems, finding ways of making better use of the existing trunk road network along with a smaller, targeted programme of improvement schemes where these have been proved to be necessary.

### Families (Average Space Occupied)

**Mr. Dalyell:** To ask the Secretary of State for the Environment, Transport and the Regions what data his Department has collated on the average amount of space occupied per family in the United Kingdom in 1999; and if he will make a statement on past trends in this respect. [71115]

**Mr. Raynsford:** Floor space data for dwellings in England are collected through the English House Condition Survey, which is carried out every 5 years. The most recent survey was carried out in 1996. This shows that households had 84 sqm on average in England. This is little different from 1991 when the average was about 81 sqm.

### Countryside Agency

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions (1) when the new Countryside Agency is scheduled to begin work; [72674]

(2) if he will list the Chairman, Deputy Chairman and board members of the new Countryside Agency. [72676]

**Mr. Meacher:** The Countryside Agency will come into existence on 1 April 1999. Work to establish the Agency successfully has been going on for some time, led by a Merger Steering Group comprising the Chairmen, board members and Chief Executives of the two existing Commissions.

We will make an announcement about the Chairman, Deputy Chairman and board members of the Agency shortly.

### British Airways

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions when he last met representatives of British Airways; what was discussed; what help his Department is receiving from British Airways, and if British Airways is financially sponsoring initiatives run by his Department or its agencies. [72809]

**Dr. Reid:** I and my officials are in regular contact with representatives of all those with an interest in aviation. It is not normal practice of Governments to give details of specific meetings with private individuals or companies.

Other than advice relating to official correspondence in relation to passenger services, this Department receives no help from British Airways. Neither am I aware of any initiative of this Department which receives financial support from British Airways.

### Road Accidents

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions what estimate he

has made of the number of *(a)* deaths and *(b)* serious accidents on the roads which are due to snow or icy road conditions. [72706]

**Dr. Reid:** Information on the cause of road accidents is not available. However, the numbers of reported accidents occurring on icy or snowy road surfaces are contained in the following table:

*Number of casualties*

| Severity | Year of accident 1995 | 1996 | 1997 |
|---|---|---|---|
| *Casualties on snowy or icy road surface* | | | |
| Fatal | 77 | 87 | 43 |
| Serious | 1,206 | 1,363 | 612 |
| Slight | 7,323 | 9,654 | 4,414 |
| Total | 8,606 | 11,104 | 5,069 |

*Number of casualties*

| Severity | Year of accident 1995 | 1996 | 1997 |
|---|---|---|---|
| *Accidents on snowy or icy road surface* | | | |
| Fatal | 69 | 81 | 41 |
| Serious | 993 | 1,136 | 526 |
| Slight | 5,188 | 6,949 | 3,115 |
| Total | 6,250 | 8,166 | 3,682 |

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of *(a)* deaths and *(b)* serious injuries on roads for each month of the last five years. [72709]

**Dr. Reid:** The information requested is shown in the following table:

*Fatal and serious casualties by month: Great Britain 1993–97*

*Casualties*

| Severity | January | February | March | April | May | June | July | August | September | October | November | December |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *1993* | | | | | | | | | | | | |
| Fatal | 312 | 252 | 286 | 289 | 341 | 270 | 326 | 290 | 331 | 351 | 384 | 382 |
| Serious | 3,515 | 3,087 | 3,417 | 3,546 | 3,978 | 3,837 | 3,955 | 3,745 | 3,868 | 3,962 | 3,890 | 4,209 |
| *1994* | | | | | | | | | | | | |
| Fatal | 341 | 267 | 270 | 245 | 255 | 293 | 304 | 295 | 331 | 321 | 365 | 363 |
| Serious | 3,863 | 3,273 | 3,616 | 3,552 | 3,619 | 3,820 | 4,121 | 3,914 | 3,885 | 4,319 | 4,171 | 4,378 |
| *1995* | | | | | | | | | | | | |
| Fatal | 290 | 267 | 271 | 250 | 259 | 306 | 325 | 354 | 288 | 321 | 345 | 345 |
| Serious | 3,484 | 3,164 | 3,673 | 3,541 | 3,624 | 3,822 | 3,950 | 4,106 | 4,121 | 4,068 | 4,141 | 3,829 |
| *1996* | | | | | | | | | | | | |
| Fatal | 282 | 249 | 259 | 287 | 256 | 281 | 294 | 342 | 325 | 327 | 316 | 380 |
| Serious | 3,418 | 3,270 | 3,279 | 3,413 | 3,604 | 3,635 | 3,710 | 4,054 | 3,881 | 4,248 | 4,175 | 3,786 |
| *1997* | | | | | | | | | | | | |
| Fatal | 251 | 290 | 264 | 313 | 292 | 289 | 304 | 320 | 291 | 321 | 354 | 310 |
| Serious | 3,137 | 3,196 | 3,556 | 3,367 | 3,595 | 3,633 | 3,867 | 3,785 | 3,362 | 3,924 | 3,848 | 3,697 |

## Pollution (London)

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions what information he has collated on pollution in London caused by *(a)* buses and *(b)* cars. [72673]

**Dr. Reid:** The London Atmospheric Emissions Inventory, prepared by the London Research Centre, indicates that in 1995, emissions from buses and cars in London were as described in the following table. All figures are given in terms of tonnes of pollutant per annum.

| | Buses | Cars |
|---|---|---|
| Nitrogen oxides | 5,464 | 64,091 |
| Fine particulate matter ($PM_{10}$) | 558 | 1,497 |
| Carbon monoxide | 2,703 | 473,895 |
| Non-methane volatile organic compounds | 419 | 64,381 |

## Standard Spending Assessments

**Mr. Woolas:** To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 9 February 1999, *Official Report*, column *156*, on the standard spending assessment, what plans he has to review the weather stations whose records are used in the calculation of local authorities' standard spending assessment. [71589]

**Ms Armstrong:** We have no plans for such a review.

## Concrete Flues

**Lorna Fitzsimons:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the safety of concrete flues in dwellings. [73567]

**Mr. Raynsford:** I have been made aware of concerns about the safety of certain flue liners, which are intended for use in chimneys serving appliances burning solid fuel. They are made of concrete, although those solely comprising kiln-burnt aggregate, pumice and cement (other than products used to facilitate manufacture) are not known to give rise to any problems.

Despite these concerns, the two principal housing warranty providers have reported no change in the frequency of claims relating to defective chimneys and my Department is unaware of any marked change in the frequency of soot fires requiring chimney reconstruction.

However, a number of chemical analyses and performance tests of thermal insulation, thermal shock resistance and gas tightness of concrete flue components have been carried out independently by flue component manufacturers and by building control enforcement bodies over the last few months attempting to prove or disprove the adequacy of certain manufacturers' components. These tests have so far proved inconclusive. Nevertheless they have shown that building control enforcement bodies and warranty providers may have grounds for concern, and that further investigation would be prudent.

My Department has already asked the expert technical committee within the British Standards Institution (BSI) to consider how the issues being raised impact on existing British Standards and prospective harmonised European Standards (ENs). These ENs will eventually become the performance criteria for compliance with the Construction Products Regulations which ensure that products are sufficiently safe to be placed on the market. The BSI Committee have also been asked for their opinion on the standards of performance presently referred to in the relevant Approved Document to the Building Regulations and whether these can be improved. I have asked the Committee to consider these matters swiftly and impartially and I look forward to their response with interest.

My Department has also listened to the collective views of manufacturers, importers, building control bodies and housing warranty providers. There appears to be insufficient evidence at present to warrant advising householders to take any additional care in the ways that they use their fireplaces and that for the time being there is only the possibility that some chimneys lined with concrete may need attention to ensure satisfactory service life. However these uncertainties cannot be allowed to continue.

I have therefore decided that the issues being raised should be explored by way of an expert risk assessment, and my Department is now proceeding to engage a suitable contractor. The aims of this study will be to establish how many dwellings already built or under construction have chimneys with potentially risky concrete components, to establish the nature of the risks to householders, to collect together and appraise the results of the tests on flue components carried out by the various parties, to seek national expert technical opinion on the ways that the risks to householders can be resolved into quantifiable flue component performance standards, to evaluate to what extent, if any, the possible problems raised are real, and to provide advice on possible remedial measures.

At the same time I have asked my Department in conjunction with the Building Regulations Advisory Committee to consider with builders, building control professionals, warranty providers, the Building Research Establishment and others what amendments it might be necessary to make to Part J of the Building Regulations and the supporting Approved Document to address these issues more directly for the future.

I shall make a further announcement as soon as I can.

### Oil Extraction (Heritage Sites)

**Mr. Swayne:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions have taken place between his Department and the DTI regarding oil extraction in the UK's world heritage sites; and if he will make a statement. [70753]

**Mr. Alan Howarth:** I have been asked to reply.

None. The Scottish Office is, however, considering its response to UNESCO's request for information about the impact of oil exploration near St. Kilda and has discussed this matter with the DTI.

## DEFENCE

### Gulf Veterans

**Mr. Todd:** To ask the Secretary of State for Defence what progress has been made on the Gulf Veterans Medical Assessment Programme; and if he will make a statement. [67462]

**Mr. Doug Henderson:** The Gulf veterans' Medical Assessment Programme (MAP) was established in 1993 to provide as full a diagnosis as possible to UK veterans of the 1990–91 Gulf conflict who are concerned about their health. So far, just under 3,000 Gulf veterans have been referred to the MAP, which continues to offer patients an appointment within six weeks of their referral. Fewer than 40 patients are currently waiting to be seen by the MAP for the first time.

A paper describing the clinical findings from the first 1,000 patients examined at the MAP was published in the *British Medical Journal* on 30 January. A copy of the paper is available in the Library of the House.

A full audit of the MAP, covering patient care and the service provided by the Programme, is currently under way. The results of this will be published in due course.

### Correspondence

**Mr. McLoughlin:** To ask the Secretary of State for Defence when he expects to reply to the letter dated 29 September 1997, from the hon. Member for West Derbyshire, written on behalf of his constituent, Mrs. Watt. [67969]

**Mr. Doug Henderson:** I wrote to the hon. Member earlier this week.

### Gibraltar

**Mr. Gill:** To ask the Secretary of State for Defence how many Spanish citizens ordinarily domiciled in Spain and previously employed in HM Dockyard Gibraltar are in receipt of British pensions; and at what cost in the last year for which figures are available. [71694]

**Mr. Doug Henderson:** There are currently no Spanish citizens, ordinarily domiciled in Spain and previously employed in HM Dockyard Gibraltar, in receipt of pensions paid by the Ministry of Defence.

### Defence Evaluation and Research Agency

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the Defence Evaluation and Research Agency published its report for 1998–99; and what was the cost of production of the report. [71906]

**Mr. Spellar:** The Defence Evaluation and Research Agency has not yet published its Annual Report and Accounts for 1998–99. DERA's Annual Report and Accounts for 1997–98, which the Agency also uses as a marketing brochure, was published on 30 June 1998 at a cost of £135,000 excluding VAT.

### Training Exercises

**Mr. Hancock:** To ask the Secretary of State for Defence how many personnel were deployed on the jungle training exercises in Belize carried out between 1 April 1997 and 31 March 1998. [71897]

**Mr. Doug Henderson:** The number of personnel who were deployed on jungle training exercises in Belize carried out between 1 April 1997 and 31 March 1998 was 1,003.

**Mr. Hancock:** To ask the Secretary of State for Defence what assessment he has made of the value of the air defence exercise in central Europe carried out between 1 April 1997 and 31 March 1998. [71895]

**Mr. Doug Henderson:** Several air defence exercises are conducted in central Europe each year. The major annual air defence exercise held in the region is the NATO exercise Central Enterprise. In 1997 Exercise Central Enterprise took place from 9–20 June. RAF participants comprised Tornado GR1, Harrier GR7 and VC10 aircraft, and flew a total of 18 sorties per day. The exercise offered a number of valuable training opportunities, particularly in the area of operations involving other NATO Nations.

**Mr. Hancock:** To ask the Secretary of State for Defence what was the cost of the six armoured battlegroup exercises in Canada carried out between 1 April 1997 and 31 March 1998. [71893]

**Mr. Doug Henderson:** Due to the deployment to Bosnia of a unit scheduled to take part in the armoured battlegroup exercises in Canada, only five armoured battlegroup exercises were carried out between 1 April 1997 and 31 March 1998. The cost of these five exercises was £73.46 million.

### Unfair Dismissal

**Maria Eagle:** To ask the Secretary of State for Defence what costs have been incurred in each of the last five years on *(a)* damages paid out and *(b)* solicitors' costs relating to members of his Department's civilian staff who have been dismissed following disciplinary proceedings, despite a recommendation following appeal that they should be reinstated and who have then won industrial tribunal cases for unfair dismissal. [72319]

**Mr. Spellar:** This information is not held centrally and could be provided only at disproportionate cost.

### Aircraft Flying Hours

**Mr. Hancock:** To ask the Secretary of State for Defence, pursuant to his answer of 8 February 1999, *Official Report*, column *21*, for what reasons the average number of flying hours for Canberra aircraft was lower in 1998 than in 1997. [71978]

**Mr. Doug Henderson:** The Canberra fleet is relatively small and flew fewer hours in 1998 than in 1997 because the fleet was undergoing modification.

### HMS Vernon

**Mr. Hancock:** To ask the Secretary of State for Defence, pursuant to his answer of 2 November 1998, *Official Report*, column 358, on the sale of HMS 'Vernon' in Portsmouth, on the basis of what advice he decided to withhold the information on the sale; and on how many occasions since 1 November 1997 his Department has withheld information under that exemption. [72203]

**Mr. Spellar:** It is currently the MOD policy to withhold such commercial information relating to property sales. Since 1 November 1997, such information has been withheld on two occasions under Exemption 14 of the Code of Practice on Access to Government Information.

### Departmental Land Disposals

**Mr. Hancock:** To ask the Secretary of State for Defence how many sites have been disposed of by his Department in each of the last three years; and in relation to which of the sites he has withheld information concerning the value of the receipts in an answer to a parliamentary question. [71977]

**Mr. Spellar:** Details of the sites disposed of in 1996–97 are not held centrally and could be provided only at disproportionate cost. The number for the Financial Year 1997–98 was approximately 200 and to date in the current Financial Year, 120 properties have been sold. The hon. Member would wish to note that individual married quarters are not counted separately but rather, a Married Quarters estate is counted as one property.

There have been five occasions since 1997 when information has been withheld concerning the value of receipts.

### Atomic Weapons Establishment (Reports)

**Mr. Matthew Taylor:** To ask the Secretary of State for Defence, pursuant to his answer of 11 January 1999, *Official Report*, column *18*, if he will place in the Library a list of the 130 reports in the two series of papers produced by the Mathematical Physics Division of the Atomic Weapons Establishment, indicating the title of each paper and the date on which each paper was produced. [71960]

**Mr. Spellar:** Yes. I have asked for a list to be compiled. A copy will be placed in the Library of the House.

**Mr. Alan Simpson:** To ask the Secretary of State for Defence if he will explain the abbreviations and acronyms *(a)* QA 175, *(b)* PZT software, *(c)* MOD QAR, *(d)* 1700 Series, *(e)* DSD, *(f)* DTech, *(g)* QA 303s, *(h)* COSHH, *(i)* SED, *(j)* DPR, *(k)* DSAC, *(l)* NAMAS, *(m)* NAFEMS, *(n)* NSC and *(o)* MMS, referred to in unclassified AWE Company Security, Quality, Environment, Safety and Health Systems Analysis reports, indicating in each case the function of the item to which they relate. [72599]

**Mr. Spellar:** The information requested is as follows.

| | Abbreviation | Explanation | Function of item |
|---|---|---|---|
| *a* | QA 175 | MOD Quality Deficiency Report | Form 175 is used by the MOD QAR to record quality deficiency |
| *b* | PZT software | PZT is Lead Zirconium Titanite | The software is used in the manufacture of PZT |
| *c* | MOD QAR | Ministry of Defence Quality Assurance Representative | The MOD quality assurance representative at AWE |
| *d* | 1700 series | A section of the AWE Quality Manual | Covers handling, storage, packaging, preservation, labelling and delivery |
| *e* | DSD | Director Sites Development | Post/Directorate title |
| *f* | Dtech | Director Technology | Post/Directorate title |
| *g* | QA 303 | A form used by AWE Quality Assurance | Form 303 is used in the audit and review process to record non-conformances and other observations |
| *h* | COSHH | SI 1994/1248—Control of Substances Hazardous to Health | SI 1994/1248—this is a Statutory Instrument under the Health and Safety at Work Act 1974 |
| *i* | SED | Systems Engineering Director | Post/Directorate title |
| *j* | DPR | Director Physics Research | Post/Directorate title |
| *k* | DSAC | Directorate Safety Assurance Committee | An AWE committee |
| *l* | NAMAS | National Accreditation of Measurement and Sampling—now superseded by the UK Assessment Service | Responsible for setting standards for the calibration of equipment within the UK |
| *m* | NAFEMS | National Agency for Finite Element Methods and Standards | The agency promotes the use of finite elements as an engineering analysis technique, providing benchmarks and techniques for use in such work |
| *n* | NSC | Nuclear Safety Committee | An AWE committee |
| *o* | MMS | Manager Media Services | Post/Directorate title |

## Defence Agencies

**Mr. Hancock:** To ask the Secretary of State for Defence which targets the Defence Estate Organisation did not meet in 1997–98; and what monitoring he has undertaken for those targets in 1998–99. [72794]

**Mr. Spellar:** The following Key Targets set for 1997–98 were either part achieved, or were not achieved in full:

a. Key Target 1.

b. Key Target 2.

c. Key Target 5.

d. Key Target 7.

e. Key Target 8.

Subsequently, a set of interim targets for 1998–99 was published. These targets began the process of setting output driven targets which are measurable, within the Chief Executive's control, and incentivise performance to meet the needs of the department. This set of interim targets has allowed the Chief Executive to establish a baseline against which to measure progress in 1999–2000.

**Mr. Hancock:** To ask the Secretary of State for Defence which targets the Defence Postal and Courier Service Agency did not meet in 1997–98; and what monitoring he has undertaken for those targets in 1998–99. [72792]

**Mr. Doug Henderson:** This is a matter for the Chief Executive of the Defence Postal and Courier Services Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from Brigadier B. J. Cash to Mr. Michael Hancock, dated 24 February 1999:*

I am replying to your Question to the Secretary of State for Defence about which targets the Defence Postal and Courier Services Agency did not meet in 1997–98; and what monitoring has been undertaken for those targets in 1998–99, as this matter falls within my area of responsibility at Chief Executive of the Defence Postal and Courier Services Agency.

The Defence Postal and Courier Services Agency did not meet the following Key Targets in 1997–98:

a. To complete the implementation of the Triennial Review by 31 March 1998.

b. To rationalise the technical funding and responsibility across MOD Top Level Budgets following the Triennial Review.

Progress against these targets is reviewed monthly by myself as Chief Executive at Board level.

The two Key Targets failed were set on the assumption that the Prior Options Review of DPCSA would be completed during the course of the year 1997/98. As a result of the General Election and the subsequent Strategic Defence Review, the Prior Options process was delayed and continued agency status was not confirmed until 19 January 1999.

Following agreement of the new framework document and proposed re-launch of the Agency on 1 July 1999 and after reorganisation under the Chief of Defence Logistics; technical funding and responsibility across MOD Top Level Budgets for Postal and Courier Services will be rationalised.

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Army Personnel Centre; and what was the figure at its inception. [71899]

**Mr. Doug Henderson:** The number of personnel, civilian and military, employed by the Army Personnel Centre (APC) at 31 December 1998, the most recent date for which full staffing figures are available, was 1,277. The number of personnel involved in Army personnel functions at the time of the launch of the APC as a Defence Agency on 2 December 1996 was some 1,655 civilian and military personnel.

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the Army Base Repair Organisation published its report for 1998–99; and what was the cost of production of the report. [71902]

**Mr. Doug Henderson:** The Army Base Repair Organisation report for 1998–99 will be published following the end of the financial year, probably in July 1999. The report for 1997–98 was published in September

1998. It was produced under contract by The Stationery Office; the cost of the contract is commercially confidential information, but was less than £2.50 per copy.

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Army Base Repair Organisation; and what the figure was at its inception. [72807]

**Mr. Doug Henderson:** This is a matter for the Chief Executive of the Army Base Repair Organisation. I have asked the Chief Executive to write to the hon. Member.

*Letter from J. F. Drew to Mr. Michael Hancock, dated 24 February 1999:*

I am replying to your Question to the Secretary of State for Defence about how many people are currently employed by the Army Base Repair Organisation (ABRO); and what the figure was at its inception, as this matter falls within my area of responsibility as Chief Executive of ABRO.

As at 1 January 1999, 2,625 people were employed by the Army Base Repair Organisation. 3,800 were employed by the Agency at its launch on 1 April 1993.

I hope that this is helpful.

## REME Depot (Stirling)

**Mr. Key:** To ask the Secretary of State for Defence if he will make a statement on the sale of and development plans for the REME depot at Stirling. [72753]

**Mr. Spellar:** Agreement for the phased purchase of part of the former REME Depot at Forthside in Stirling was signed by MOD and Stirling Council on 23 September 1998. The land is to be used as part of Stirling Council's Town Centre Redevelopment. The MOD retained site at Forthside is currently used by the Army Base Repair Organisation, the Army Base Services Distribution Agency and other small MOD units.

## Environmental Management Awards

**Mr. Maclean:** To ask the Secretary of State for Defence if he will list the awards and commendations which his Department has received over the past five years for good environmental management of its estates and wildlife, indicating the sites so commended. [72736]

**Mr. Spellar:** The following is the information.

*Shell Best of Better Britain (1994)*—Salisbury Plain Training Area-East-Barn Owl Project.

*Campaign for the Protection of Rural Wales, Brecknock Branch—Rural Wales Award (1994)* in recognition of the groups' contribution to conservation on the ranges at Mynydd Epynt, Sennybridge Training Area.

*Royal Borough of Kingston Upon Thames—Environmental Pride Awards (1994)* Category Environmental Management by Industrial Concern. First place awarded to MOD at Chessington.

*British Gas Grassroots Action Award (1994)*—Foxglove Covert, Catterick Garrison.

*Hampshire County Council—Countryside Award (1995)* Commended for restoration and management of Eelmoor Marsh by grazing with Prezewalski's horses, (in conjunction with Marwell Zoo).

*Taunton Deane Borough Council—Conservation Commendation (1995)* for conversion of stables at Norton Manor (Royal Marines).

*The Forestry Authority—1996, Centre of Excellence* to Longmoor Army Training Area. Awarded in four Categories, for improving the quality of the landscape, creating benefits for wildlife, providing access for people, and growing timber in environmentally sound ways.

*Shell Best of Better Britain Commendation (1996)* Foxglove Covert, Catterick Garrison.

*Britain in Bloom (1998)*—Aldershot Garrison won Southern England in Bloom.

*BTO Commendation (1998) for Constant Effort Site Ringing Station*—Foxglove Covert, Catterick Garrison.

*Forestry Authority Commendation (1996) (Parkwood (Catterick))* for sound management of a renewable resource.

*English Nature—Site of Special Scientific Interest Managers Award (1998)* to Liz Peace, Chairman of the Farnborough Conservation Group.

*Sanctuary Award*—Judged annually with English Nature, for best conservation project on MOD land.

*1998 winner*—Bovington Training Area for Longterm heathland and wetland management.

*1997 winner*—Sennybridge—Disgwlfa Visitor Centre.

*1996 winner*—Porton Down—management of Chalk Grassland habitat for the benefit of the Stone Curlew population.

*1995 winner*—DERA Farnborough for use of Prezewalski's Horse to graze the lowland heath.

*1994 winner*—Royal Naval Air Station, Yeovilton—conservation management of Langport Rifle Range, Breech Wood and Merryfield Airfield.

*Ford—Environmental Management Energy Plan (1994)* Commendation—Boscombe Down.

*Northumberland County Council Trees and Hedgerow Cup Competition (1996)* Commendation in the broadleaved woodland category for Grasslees Oakwood and Yardhop Wood—Otterburn AFTC.

## Submarines and Diving (Women)

**Mrs. McKenna:** To ask the Secretary of State for Defence what is the outcome of his review of the possible employment of women in submarines and in mine clearance diving. [73578]

**Mr. Doug Henderson:** We are committed to equality of opportunity in the Armed Forces. In the course of the Strategic Defence Review we examined the opportunities for maximising opportunity for women in each of the Services provided that this would not damage combat effectiveness. The results of this work were set out in the report on the Strategic Defence Review (Cmd 2999), in which we also announced our intention to review the exclusion of women from service in submarines and Royal Navy mine clearance.

We have now completed our review of these matters and concluded that we should maintain our policy of excluding women from service in submarines and mine clearance diving for medical reasons.

In reaching this conclusion I considered all the evidence very carefully and looked hard for options which might enable us to open service in submarines to women despite the medical risks involved. I was not able, however, to put to one side the MOD's statutory duty of care under the Health and Safety at Work, etc. Act 1974.

All RN submarines currently in service may remain submerged for up to 90 days for operational reasons. In the course of such deployments, contaminants build up in the internal atmosphere. Although there is careful

control of the materials allowed aboard and atmospheric filtration, the build up of contaminants such as carbon dioxide in this closed environment cannot be prevented. Such an atmosphere is not harmful to adults, but medical studies by the Institute of Naval Medicine show that for some contaminants the levels exceed those considered safe to the foetus of a pregnant woman, and therefore also place the woman's health at risk. In other cases there is insufficient data available to recommend with confidence maximum exposure limits which would prevent harm to the foetus and the woman.

A woman, in at least the first days after conception, may not be aware that she is pregnant. If she were serving in a submarine there is, therefore, the small possibility that she might unknowingly expose here unborn child to levels on contamination above those considered safe. Even if some women were prepared to accept the risks and volunteer to serve in submarines the MOD could not compromise its duty of care by allowing them to do so.

In the specialised area of mine clearance diving, (where there are far fewer posts involved), there are also substantial medical risks to an unborn child and, therefore, the mother, caused in this case by the very high pressures to which these divers are subjected. As far as women who are not pregnant are concerned, the medical risks are less well understood, but there may be a risk to a woman during menstruation. I have accepted the medical advice that women should, therefore, be excluded from working as Mine Clearance Divers at least until more definitive medical advice is available.

The Government and the Armed Forces are determined that the widest possible employment opportunities should be available to women in the Armed Forces. The position on service in submarines and mine diving clearance will, therefore, be kept under review.

### Alternative Assumptions Budget Programmes

**Mr. Menzies Campbell:** To ask the Secretary of State for Defence (1) if he will list the programmes earmarked under the Ministry of Defence alternative assumptions budget; and what is the estimated cost of each programme; [72196]

(2) if he will list the programmes earmarked in the Ministry of Defence alternative assumptions budget in the years *(a)* 1997–1998 and *(b)* 1998–1999 indicating how many of these programmes have been actioned. [72195]

**Mr. George Robertson:** The Ministry of Defence does not have an alternative assumptions budget. Alternative assumptions are part of the department's Long Term Costing (LTC) process and provide the mechanism by which possible changes to the core Defence programme can be costed and assessed.

The LTC represents projections which inform internal advice to Ministers on the affordability of the defence programme. It has been the policy of successive Administrations that such advice should not be disclosed, consistent with Exemption 2 of the Code of Practice on Access to Government Information.

### Bombs

**Mr. Menzies Campbell:** To ask the Secretary of State for Defence (1) when the *(a)* 1,000 pound and *(b)* 540-pound free-fall bombs will receive an upgrade package; how much his Department expects to spend in 1999–2000 on the upgrading of the stock of free-fall conventional bombs; and if he will make a statement on the Staff Target Air/Sea 1248 programme; [72198]

(2) what is his assessment of the accuracy of the Air Force and Navy's 540-pound and 1,000-pound bombs *(a)* currently and *(b)* after the proposed upgrade package. [72197]

**Mr. Doug Henderson:** The UK's current 540lb and 1000lb bombs are ballistic weapons deliverable either guided or unguided. The accuracy with which they can be delivered depends on many variables including the aiming system used by the delivery aircraft, the speed, dive angle, height and range from the target at release from the aircraft and type of attack profile. The weather conditions may also be a significant factor.

The possibility of an upgrade programme is currently being examined. No decisions have, however, yet been taken.

### Cooking and Catering Awards

**Mr. Maclean:** To ask the Secretary of State for Defence if he will list the major cooking and catering awards won by the *(a)* Army, *(b)* Navy and *(c)* Air Force over the past five years. [72740]

**Mr. Spellar:** Awards have been won by individual Service participants and teams as shown in the following table.

| *Year* | *RN* | *Army* | *RAF* |
|---|---|---|---|
| *1994* | | *Expogast Luxembourg*<br>Gold Medal—Hot Buffet<br>Silver Medal<br>Gold Medal in Wedding Cake<br>*Hotelympia*<br>National Chef of the Year<br>La Parade de Chefs—Gold Medal and overall winners<br>18 Senior and Junior open awards | *Hotelympia*<br>2 Gold Medals<br>8 Silver Medals<br>9 Bronze Medals |
| *1995* | *Hotelympia*<br>11 Gold Medals<br>8 Silver Medals<br>24 Bronze Medals<br>3 Best in Class Trophies | *Heart of England—Birmingham*<br>5 Gold Medals<br>5 Silver Medals<br>5 Bronze Medals | |

| Year | RN | Army | RAF |
|---|---|---|---|
| 1996 | *Culinary Olympics—Berlin*<br>2 Gold Medals<br>1 Silver Medal<br>1 Bronze Medal | *Culinary Olympics—Berlin*<br>Winning Team<br>Gold Medal in Military Class | *Hotelympia*<br>2 Gold Medals<br>2 Silver Medals |
| 1997 | *Hospitality—Birmingham*<br>8 Gold Medals<br>2 Silver Medals<br>2 Bronze Medals | *Heart of England—Birmingham*<br>3 Gold Medals<br>4 Silver Medals<br>10 Bronze Medals | |
| 1998 | *Bournemouth Food Festival*<br>1 Silver Medal<br>*Scothot Glasgow*<br>1 Bronze Medal | | *Hotelympia*<br>6 Gold Medals<br>3 Silver Medals<br>4 Bronze Medals |

In 1998 a Combined Services Culinary Arts Team was formed to rationalise available resources in the interests of efficiency and economy. The Team competed at Expogast in Luxembourg and won 9 Gold Medals and 3 Silver Medals.

## LORD CHANCELLOR'S DEPARTMENT

### Departmental Expenditure

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department what *(a)* reviews, *(b)* task forces and *(c)* advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71515]

**Mr. Hoon** *[holding answer 16 February 1999]*: The information requested is in the table. Departmental costs (including the cost of around £75,000 for the review of civil justice and legal aid included in Lord McIntosh of Haringey's answer of 7 July 1997, *Official Report, House of Lords*, columns *51–55*), are being met from existing Departmental budgets. External costs, where applicable, are shown in the table.

*Reviews, task forces and advisory groups*

| Review/task force | Report(s) published | External costs |
|---|---|---|
| Review of Civil Justice and Legal Aid | Reported published October 1997 | — |
| Review of Welfare Services to the Courts | — | — |
| Review of Procedures consequent on the Decision to Transfer or Commit Fraud Trials | — | — |
| Study and Evaluation of the Current Tax Appeals System | — | — |
| Review of the Lord Chancellor's Department Funding for Marriage Support and Research Services | — | External Reviewer (retired Permanent Secretary) paid £450 per day |
| Review of Enforcement of Civil Court Judgments | — | £2,000 (members travel expenses) |
| Representative Actions Working Group | — | £100 (members travel expenses) |
| National Interdisciplinary Forum (NIDF)—Information Meetings Pilots | — | — |
| Research Advisory Group—Information Meetings Pilots | — | — |
| Ministerial Task Group on the Home Buying Process | Report to Ministers—October 1998 Public consultation due to close end of March 1999 | — |
| Community Legal Service Quality Task Force | — | — |

[1] Joint review with Home Office and DoH
[2] Joint LCD, DETR and DTI Group

### Mortgage Repossessions

**Mr. Kidney:** To ask the Minister of State, Lord Chancellor's Department what assessment he has made of the numbers of mortgage repossession cases *(a)* commenced and *(b)* executed since 1997 and of the likely trend in such numbers in 1999–2000. [72317]

**Mr. Hoon:** The number of cases issued and executed since 1997 is as follows:

| | Mortgage possession actions entered | Possession warrants executed |
|---|---|---|
| January 1997-December 1997 | 67,073 | 46,865 |
| January 1998-December 1998 | 78,865 | 59,701 |

[1] Figures for local authority mortgages have been estimated since the third quarter of 1998 at 3 per cent. of the total figure; historically since 1996 local authority mortgages have represented between 1 per cent. and 5 per cent. of the total.

The trend is upwards; but it is difficult to forecast with any accuracy for forward periods because of the factors which may affect the housing market.

### Mediation Services (Cumbria)

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department what representations he has received on funding for mediation services in Cumbria. [72667]

**Mr. Hoon:** None. I have received two letters, one from the right hon. Member for Penrith and The Border and one from my hon. Friend the Member for Workington (Mr. Campbell-Savours) about funding Mediation UK, a national umbrella organisation for community mediation.

### Land Registry

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department if he will make a statement on the operation of the Land Registry. [72720]

**Mr. Hoon:** The Land Registry maintains and develops authoritative and effective land information systems for England and Wales. It was established as a separate government department in 1862, became an Executive Agency in 1990 and a Government Trading Fund in 1993. It is required by statute to cover all expenditure from its fee income and makes no call on moneys voted by Parliament. The Land Registry has joined with private sector and other government organisations to develop a National Land Information Service. This has led to an innovative conveyancing pilot, based in Bristol, which is effectively a one-stop conveyancing shop, reducing overall transaction times when buying a house. In November 1998 the pilot won a British Computer Society award which recognises excellence in computing.

The Land Registry has also recently won an award from the Society for Computers and the Law for its on-line Direct Access Service. In January, the Land Registry became one of only 18 organisations in the United Kingdom to be awarded a third Charter Mark.

### Departmental Policies

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department what systems he has in place to ensure that policies being developed by his Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72691]

**Mr. Hoon:** I refer the right hon. Gentleman to the reply the Under-Secretary for the Home Department, my hon. Friend the Minister for North Warwickshire (Mr. O'Brien) has given to this question today, *Official Report*, column *311-12*.

### Justice and Internal Affairs Council

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department if he will list the issues for discussion before the Justice and Internal Affairs Council on 12 March, indicating the position he proposes to take on each issue. [72737]

**Kate Hoey:** I have been asked to reply.

Agendas for Justice and Home Affairs (JHA) Councils, which are determined by the Presidency of the day, are nearly always finalised only very shortly before Council meetings themselves. The agenda for the JHA Council on 12 March is still in draft form, and is very likely to undergo substantial further revision. Current indications are that major items are likely to be Europol, questions relating to the transition from the Maastricht to the Amsterdam Treaty with regard to Conventions, and preparation of a meeting with central and eastern European countries and Cyprus, which will take place in the afternoon.

An annotated agenda will be sent to the Select Committee on European Scrutiny in the normal way, as soon as possible.

## HOME DEPARTMENT

### EEA Residents' Permits

**Mr. Coleman:** To ask the Secretary of State for the Home Department what is *(a)* the average and *(b)* the longest time taken to determine applications for European Economic Area residents' permits in each year from 1995 to date. [70761]

**Kate Hoey:** I regret I am unable to provide the statistical information requested as it is not readily available in the form requested. Collation of the information could be obtained only at disproportionate cost.

**Mr. Coleman:** To ask the Secretary of State for the Home Department how many applications for European Economic Area residents' permits were *(a)* granted and *(b)* refused for each month in the years from 1995 to 1998; and how many such applications are currently outstanding. [70719]

**Kate Hoey:** Monthly figures for grants and refusals of residence permits from January 1996 to August 1998 are listed in the table. A total figure for 1995 has been included as the monthly figures for that year are not readily available. The number of applications outstanding (as at October 1998) was 5,500.

*Grants/refusals of EEA residence permits 1995–98*

| | *Granted* | *Refused* |
|---|---|---|
| *1995* | 3,614 | 68 |
| *1996* | | |
| January | 204 | 9 |
| February | 311 | 5 |
| March | 238 | 1 |
| April | 240 | 1 |
| May | 238 | 1 |
| June | 257 | 1 |
| July | 237 | 1 |
| August | 205 | 1 |
| September | 254 | 2 |
| October | 244 | 3 |
| November | 243 | 2 |
| December | 158 | 1 |
| *1997* | | |
| January | 177 | 1 |
| February | 122 | 5 |
| March | 192 | 1 |
| April | 231 | 2 |
| May | 167 | 2 |
| June | 272 | 1 |
| July | 250 | 0 |
| August | 141 | 1 |
| September | 95 | 3 |
| October | 55 | 2 |
| November | 78 | 1 |
| December | 26 | 5 |

*Grants/refusals of EEA residence permits 1995–98*

| | *Granted* | *Refused* |
|---|---|---|
| *1998* | | |
| January | 37 | 6 |
| February | 81 | 1 |
| March | 99 | 0 |
| April | 211 | 6 |
| May | 200 | 2 |
| June | 108 | 1 |
| July | 109 | 2 |
| August | 86 | 4 |

### Female Prisoners (Drug Offences)

**Mr. Clappison:** To ask the Secretary of State for the Home Department how many female prisoners convicted of offences involving possession, supply or trafficking of controlled drugs were serving sentences of *(a)* less than three months imprisonment, *(b)* three to six months imprisonment, *(c)* six to 12 months imprisonment and *(d)* more than 12 months imprisonment. [72359]

**Mr. George Howarth:** The available information is given in the table.

*Population of sentenced females in prisons in England and Wales by principal drugs offence on 31 January 1999, by sentence length*

| *Offence* | *less than 3 months* | *3 months to less than 6 months* | *6 months to less than 12 months* | *12 months and over* | *Total* |
|---|---|---|---|---|---|
| All drugs offences | 5 | 5 | 33 | 782 | 825 |
| *of which:* | | | | | |
| Unlawful supply | – | – | 14 | 153 | 167 |
| Possession with intent | 3 | 3 | 13 | 138 | 156 |
| Possession | 2 | 2 | 7 | 38 | 49 |
| Unlawful import/export | – | – | – | 448 | 448 |
| Other drugs offences | – | – | – | 5 | 5 |

Provisional figures

**Mr. Clappison:** To ask the Secretary of State for the Home Department how many female foreign nationals are serving sentences for drug related offences. [72360]

**Mr. George Howarth:** The latest available provisional information is for 31 January 1999. On that date, there were 274 female foreign nationals serving sentences for drug-related offences in prisons in England and Wales.

### Prisoner Releases (Home Detention Curfew)

**Mr. Clappison:** To ask the Secretary of State for the Home Department how many prisoners released subject to home detention curfew have been returned to custody; and how many so returned to custody had been subject to supervision. [72361]

**Mr. George Howarth:** As of 22 February, 1,289 offenders have been placed on Home Detention Curfew. 23 curfewees have had their licenses revoked by the Secretary of State, and 21 have been returned to custody. 15 of those returned to custody were subject to supervision whilst in the community.

### Justice and Internal Affairs Council

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will list the issues for discussion before the Justice and Internal Affairs Council on 12 March, indicating the position he proposes to take on each issue. [72727]

**Kate Hoey:** Agendas for Justice and Home Affairs (JHA) Councils, which are determined by the Presidency of the day, are nearly always finalised only very shortly before Council meetings themselves. The agenda for the JHA Council on 12 March is still in draft form, and is very likely to undergo substantial further revision. Current indications are that major items are likely to be Europol, questions relating to the transition from the Maastricht to the Amsterdam Treaty with regard to Conventions, and preparation of a meeting with central and eastern European countries and Cyprus, which will take place in the afternoon.

An annotated agenda will be sent to the Select Committee on European Scrutiny in the normal way, as soon as possible.

### Female Prisoners (Offence Categories)

**Mr. Clappison:** To ask the Secretary of State for the Home Department how many female prisoners are serving sentences for *(a)* theft and handling, *(b)* fraud and forgery and *(c)* other offences; and if he will give a breakdown of these categories into sentences of (i) three months, (ii) three months to six months, (iii) six months to 12 months and (iv) more than 12 months. [72368]

**Mr. George Howarth:** The available information is given in the table.

*Population of sentenced females in prisons in England and Wales on 31 January 1999 by offence and sentence length*

| *Offence* | *Less than 3 months* | *3 months* | *Over 3 months to less than 6 months* | *6 months to less than 12 months* | *12 months and over* | *Total* |
|---|---|---|---|---|---|---|
| Theft and handling | 31 | 25 | 48 | 100 | 134 | 338 |
| Fraud and forgery | 6 | 3 | 10 | 46 | 75 | 140 |
| Other offences | 36 | 25 | 37 | 156 | 1,659 | 1,913 |
| Total | 73 | 53 | 95 | 302 | 1,868 | 2,391 |

Provisional figures

### Immigration and Asylum Bill

**Fiona Mactaggart:** To ask the Secretary of State for the Home Department if hon. Members and their staff who give immigration advice or perform immigration services are exempt persons under the meaning of Clause 63(4)(a) or (b) of the Immigration and Asylum Bill 1999. [72148]

**Mr. Mike O'Brien:** Hon. Members and their staff may provide immigration advice in the course of their Parliamentary work without needing to meet any of the requirements of Clause 63 of the Immigration and Asylum Bill because under Clause 61(2)(b), such advice is not provided in the course of a business.

### Metropolitan Police Funding

**Mr. Wilshire:** To ask the Secretary of State for the Home Department how much of the 1999–2000 income of the Metropolitan Police will come from the areas that will be transferred out of the Metropolitan Police District on 1 April 2000; and what percentage of *(a)* the total income and *(b)* the total amount paid by council tax payers this represents. [71931]

**Kate Hoey:** The Receiver for the Metropolitan Police District tells me that precept income in 1999–2000 from the areas that, subject to enactment of the Greater London Authority Bill, will cease to be part of the Metropolitan Police District on 1 April 2000 will be £16.7 million. This represents 0.9 per cent. of the total income of the Metropolitan Police for the year 1999–2000 from police and revenue support grant, redistributed non-domestic rates and precepts on local authorities. It is 7.4 per cent. of total police precept income.

**Mr. Wilshire:** To ask the Secretary of State for the Home Department how much of the 1999–2000 income of the Metropolitan Police will come from the Borough of Spelthorne; and what percentage of (i) the total Metropolitan Police income and (ii) the total amount paid by local authorities this represents. [71940]

**Kate Hoey:** The Receiver for the Metropolitan Police District tells me that precept income for 1999–2000 of £2,971,605.12 will come from the Borough of Spelthorne. This is 0.14 per cent. of the total income of the Metropolitan Police for the year 1999–2000 from police and revenue support grant, redistributed non-domestic rates and the precept on local authorities and is 1.31 per cent. of total police precept income.

### Deportation

**Ms Perham:** To ask the Secretary of State for the Home Department if he will make a statement on his policy regarding the deportation of families where there are children who have spent a long time in the United Kingdom. [73568]

**Mr. Mike O'Brien:** For a number of years, it has been the practice of the Immigration and Nationality Directorate not to pursue enforcement action against people who have children under 18 living with them who have spent 10 years or more in this country, save in very exceptional circumstances.

We have concluded that 10 years is too long a period. Children who have been in this country for several years will be reasonably settled here and may, therefore, find it difficult to adjust to life abroad. In future, the enforced removal or deportation will not normally be appropriate where there are minor dependent children in the family who have been living in the United Kingdom continuously for 7 or more years. In most cases, the ties established by children over this period will outweigh other considerations and it is right and fair that the family should be allowed to stay here. However, each case will continue to be considered on its individual merits.

### Essex Police

**Mrs. Laing:** To ask the Secretary of State for the Home Department what extra resources will be allocated to Essex Police in order that they can fulfil their duties, after reorganisation, in the areas of Essex presently covered by the Metropolitan Police. [72803]

**Mr. Boateng:** Police funding allocations are determined by a needs-based formula. The formula to be applied in 2000–2001 will take into account the changes to the boundaries of the Essex Police. The allocation of resources thereafter within the force area is a matter for the Chief Constable.

The Government have recognised that the Essex Police Authority will incur transitional costs in the year preceding the boundary changes. In order to achieve a smooth implementation of the changes we have, in addition to Essex Police Authority's normal funding for 1999–2000, allocated an extra £2 million to the Police Authority for special transitional costs associated with boundary changes.

### Lawrence Inquiry

**Mr. Maclean:** To ask the Secretary of State for the Home Department what representations he has received on the way Mr. Justice Macpherson conducted the Lawrence Inquiry. [72675]

**Mr. Straw:** During the proceedings of the Inquiry I received representations from the Commissioner of Police of the Metropolis and from the parents of the five suspects in the case expressing concerns about some aspects of the Inquiry.

The conduct of the Stephen Lawrence Inquiry was a matter for the Chairman, Sir William Macpherson and I believe that he conducted the Inquiry with complete fairness.

I have placed on the record my deep gratitude to Sir William Macpherson and his Inquiry team in my statement to the House today.

### Police Efficiency

**Mr. Maclean:** To ask the Secretary of State for the Home Department how he intends to measure the efficiency of police forces in order to determine if they have reached his target of a two per cent. efficiency gain. [R] [72719]

**Mr. Boateng:** Monitoring and review of police efficiency plans from April 1999 will be undertaken jointly by the Home Office, Her Majesty's Inspectorate of Constabulary (HMIC) and the Audit Commission. Forces will be expected to demonstrate that they have achieved the two per cent. efficiency gains demanded, and that the resources released have been reinvested to improve

delivery of national and local frontline policing priorities. At the end of 1999–2000, efficiency plans will be audited and certified against actual outturn. Ministers will receive regular reports on forces' progress towards achieving the two per cent. target.

### Kurds

**Mr. Maclean:** To ask the Secretary of State for the Home Department what is the Kurdish population in north London; how many came to Britain as asylum seekers; how many are still waiting to have their asylum status determined; and how many are estimated to be involved in serious crime. [72717]

**Mr. Mike O'Brien:** I regret that information on the number and immigration status of persons of Kurdish origin currently resident in north London is not available.

The Commissioner of Police of the Metropolis tells me that information about victims and offenders in the Metropolitan Police District is not aggregated under the definition of "the Kurdish Community".

**Mr. Maclean:** To ask the Secretary of State for the Home Department what assessment he has made of the level of crime in London emanating from the Kurdish community. [72712]

**Kate Hoey:** The Commissioner of Police of the Metropolis tells me that information about victims and offenders in the Metropolitan Police District is not aggregated under the definition of "the Kurdish Community".

### Anti-drugs Co-ordinator

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will list the *(a)* initiatives taken and *(b)* advice received from the Anti-Drugs Co-ordinator over the last 12 months. [72699]

**Mr. George Howarth:** The United Kingdom Anti-Drugs Co-ordinator and his Deputy report to the Cabinet Sub-Committee on Drug Misuse, chaired by my right hon. friend the Minister for the Cabinet Office. The role of the Co-ordinator is to provide day-to-day leadership and focus on implementing and developing the Government's drugs strategy, published in April 1998, for which £217 million of new money has been provided for the next three years. The Co-ordinator will produce his first annual report and a national plan in the spring.

### Departmental Policies

**Mr. Maclean:** To ask the Secretary of State for the Home Department what systems he has in place to ensure that policies being developed by his Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72669]

**Mr. Mike O'Brien:** Development of Government policy takes place with close co-operation between the Departments concerned. This can be through formal arrangements, such as those established between the Home Office, Lord Chancellor's Department and the Law Officers', Department, or via Ministerial or Official Groups or Working Parties. Less formally, they can be through close consultation with experts in the relevant areas and with those affected by the proposed measures, normally against a background of regular in-house or specially commissioned research. The Home Office works closely with the Cabinet Office or other Government Departments on the crime implications of policy developments.

Our determination is that the implications for crime and disorder of any new measures are properly taken into account. This commitment is reflected in the Crime and Disorder Act 1998. Section 17(1) requires local and police authorities to exercise their functions with due regard to the likely effect on preventing crime and disorder.

Greater emphasis is now being given to building up our knowledge of policies that work in tackling crime. The Crime Reduction Programme, supported by £250 million from the Comprehensive Spending Review, is based on systematic evidence of what is effective in reducing crime and tackling its causes, not just dealing with its effects. All the parts of the Crime Reduction Programme will be independently evaluated to assess their effectiveness and cost-effectiveness in reducing crime and improving the operation of the criminal justice system. Those parts which are successful will form the basis of future mainstream programmes and those which are not will be dropped.

### Police (Sparsity)

**Mr. Maclean:** To ask the Secretary of State for the Home Department when research by his Department on the sparsity factor for policing was initiated. [72732]

**Mr. Boateng:** External research to examine whether there are any additional costs associated with the policing of sparsely populated rural areas was commissioned in March 1998. The results will be available shortly.

### Prison Service (Dogs)

**Mr. Steen:** To ask the Secretary of State for the Home Department, pursuant to his answer of 4 February 1999, *Official Report*, column *764*, how many active drug dogs are on active service at (i) Princeton Prison, Dartmoor, and (ii) Channings Wood Prison, Denbury; and if he will introduce a passive drug dog in Pritchton Prison, Dartmoor. [71880]

**Mr. George Howarth:** There are four active drug dogs at Dartmoor prison, and two active drug dogs at Channings Wood prison. Funds have been approved to provide Dartmoor prison with one passive drug dog and one handler.

## TRADE AND INDUSTRY

### Gas Levy

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry how many businesses were affected by the change in the gas levy announced in the 1997 budget; and what is the average reduction in the levy per business. [70671]

**Mr. Battle** *[holding answer 15 February 1999]*: The Chancellor announced in his July 1997 Budget that

the Government proposed to cut the gas levy to zero, with full effect from April 1998. As he announced in the March 1998 Budget, the Government decided to implement this by abolishing the levy with effect from 1 April 1998, with a backdated reduction from four pence per therm to three pence per therm applying to 1997–98. Levy was paid by nine producers or purchasers of gas during 1997–98 and each of them has benefited from repayment of one quarter of the levy paid by them in respect of that year.

## Export Licences

**Mrs. Gillan:** To ask the Secretary of State for Trade and Industry what percentage of applications for export licences were processed by the Export Control Organisation in accordance with their targets as to time in the four-week periods in *(a)* July 1998, *(b)* September 1998 and *(c)* January 1999. [71842]

**Dr. Howells:** The Export Control Organisation (ECO) of DTI measures its performance against two aims:

to provide a substantive response to an application within 20 working days of receipt for applications that need to be circulated to other Government Departments according to their policy requirements as determined by them ('circulated' cases).

to provide such a response within 10 working days of receipt for applications that are dealt with by DTI itself ('non-circulated' cases).

In each case, full documentation in support of the application must be provided by the applicant at the outset for these targets to apply.

ECO management data on the processing of licence applications are compiled on the basis of four-week periods. The period closest to July 1998 is 27 June 1998 to 24 July 1998; for the period closest to September 1998 it is 22 August 1998 to 18 September and for the period closest to January 1999 it is 9 January 1999 to 5 February 1999.

To the nearest point, the percentage of licence applications completed within the published targets were as follows:

| | *Circulated (20 day target)* | *Non-circulated (10 day target)* |
|---|---|---|
| 27 June 1998 to 24 July 1998 | 43 | 83 |
| 22 August 1998 to 18 September 1998 | 38 | 82 |
| 9 January 1999 to 5 February 1999 | 62 | 82 |

This information was taken from the Export Control Organisation's management data, which are compiled in order to monitor performance at processing applications for Standard Individual Export Licences. The performance measures do not apply to applications for Open Individual Export Licences (due to the very wide variations between goods and country coverage of such licences), or for licences covering Iran or Iraq, or exports subject to control solely because of United Nations Sanctions.

**Mrs. Gillan:** To ask the Secretary of State for Trade and Industry how many export licence applications were refused by the Export Control Organisation during each of the four-week periods used by his Department since March 1998. [71841]

**Dr. Howells:** The Export Control Organisation's computer databases have been interrogated and the number of applications for individual export licences refused in full for each period are as follows:

| *Period* | *Standard Individual Export Licence applications* | *Open Individual Export Licence applications* |
|---|---|---|
| 7 March 1998 to 3 April 1998 | 4 | 1 |
| 4 April 1998 to 1 May 1998 | 8 | 0 |
| 2 May 1998 to 29 May 1998 | 8 | 0 |
| 30 May 1998 to 26 June 1998 | 9 | 0 |
| 27 June 1998 to 27 July 1998 | 4 | 0 |
| 25 July 1998 to 21 August 1998 | 10 | 0 |
| 22 August 1998 to 18 September 1998 | 10 | 0 |
| 19 September 1998 to 16 October 1998 | 10 | 0 |
| 17 October 1998 to 13 November 1998 | 9 | 0 |
| 14 November 1998 to 11 December 1998 | 11 | 0 |
| 12 December 1998 to 8 January 1999 | 6 | 0 |
| 9 January 1999 to 5 February | 32 | 0 |

This information should be considered in the light of the answer given by my hon. Friend, the Member for Hornsey and Wood Green (Mrs. Roche) to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *870–71*.

**Mrs. Gillan:** To ask the Secretary of State for Trade and Industry *(a)* how many defence export licence applications have been withdrawn since 1 May 1997 and *(b)* if he will estimate the total value of the goods to which they related. [71839]

**Dr. Howells:** The Export Control Organisation's computer databases have been interrogated and the following results were obtained. Between 2 May 1997 and 8 February 1999, 779 applications for Standard Individual Export Licences (SIELs) covering the export of goods subject to export control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, the so-called Military List, were withdrawn by the applicants. The total value of the goods as stated on these applications was £399 million. In the same period, 11 applications for Open Individual Export Licences (OIELs) covering such exports were withdrawn. There is generally no cumulative limit to the quantity or value of exports permitted under OIELs, so no corresponding figure for the aggregate value can be determined.

This information does not cover any applications for Media OIELs that may have been withdrawn during this period. Media OIELs authorise the export to all destinations of protective clothing, mainly for the protection of aid agency workers and journalists, when working in areas of conflict.

Some applications may have been withdrawn before a determination had been made as to whether or not the goods were listed in the Military List. Such applications are not included in this answer.

This information should be considered in light of the answer given by my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997 *Official Report*, columns *870–71*

An application may be withdrawn for a number of reasons. For instance, an application for a SIEL may be withdrawn on issue of an OIEL or an Open General Export

Licence that covers the proposed export; or the potential export may simply fail to materialise. There is no requirement that the applicant should give the Department of Trade and Industry a reason for withdrawal.

**Mrs. Gillan:** To ask the Secretary of State for Trade and Industry how many export licence applications were processed by the Export Control Organisation in each of the four-week periods used by his Department since March 1998, broken down by *(a)* those circulated to other Government departments and *(b)* those not circulated. [71840]

**Dr. Howells:** The information, beginning with the four week period nearest to the date specified, is as follows:

| *Period* | *Application circulated to other departments according to their policy requirements and completed during the period* | *Applications not circulated to other departments and completed during the period* |
|---|---|---|
| 7 March 1998 to 3 April 1998 | 1,039 | 111 |
| 4 April 1998 to 1 May 1998 | 704 | 145 |
| 2 May 1998 to 29 May 1998 | 771 | 94 |
| 30 May 1998 to 26 June 1998 | 670 | 77 |
| 27 June 1998 to 24 July 1998 | 564 | 119 |
| 25 July 1998 to 21 August 1998 | 858 | 123 |
| 22 August 1998 to 18 September 1998 | 718 | 93 |
| 19 September 1998 to 16 October 1998 | 675 | 99 |
| 17 October 1998 to 13 November 1998 | 836 | 86 |
| 14 November 1998 to 11 December 1998 | 756 | 131 |
| 12 December 1998 to 8 January 1999 | 678 | 97 |
| 9 January 1999 to 5 February 1999 | 854 | 126 |

The information has been taken from the Export Control Organisation's management data which are compiled in order to monitor performance of processing applications for Standard Individual Export Licences. The above data do not include applications for Open Individual Export Licences, for applications to export goods to Iran or Iraq or exports which are subject to control solely because of United Nations Sanctions.

### Hallmarks

**Mr. Luff:** To ask the Secretary of State for Trade and Industry if articles of precious metal which have been hallmarked in Spain may be offered for sale in the United Kingdom without being further hallmarked in the United Kingdom; and if he will place in the Library illustrations of the Spanish hallmarks. [72588]

**Dr. Howells:** The Hallmarking Act 1973 was amended with effect from 1 January this year in accordance with Article 30 of the EC Treaty and European case law concerning the free circulation of goods, in order to allow articles of precious metal which have been struck with hallmarks by an independent body in an EEA State to be offered for sale in the United Kingdom without further hallmarking where the marks in question provide information which is equivalent to UK hallmarks and is capable of being understood by UK consumers.

It is ultimately a matter for the UK courts whether articles hallmarked by an assay office in Spain would meet these conditions, but the British Hallmarking Council—the body established by the 1973 Act—is of the opinion that they will. I am placing in the Library of the House a copy of the information about the hallmarks of other EEA States which has been published by the BHC. This includes illustrations of individual marks. The information is not yet comprehensive and DTI is currently attempting to obtain fuller information.

### Millennium Compliance

**Mr. David Atkinson:** To ask the Secretary of State for Trade and Industry what consultations he has had with his French energy counterpart on the Millennium-readiness of French nuclear power stations and on contingency plans and other related safety issues; and if he will make a statement. [72155]

**Mr. Battle:** Nuclear safety regulators regularly discuss Year 2000 issues both at international meetings and at bi-lateral meetings. A recent example was the OECD Nuclear Energy Agency's workshop on "The impact of year 2000 on the Nuclear Industry", in Ottawa on 8–10 February 1999. All nuclear safety regulators present there, including the French Nuclear Safety Authority—Direction de la surete des installations nucleaires (DSIN)—gave reports on the readiness of their nuclear sector on millennium issues.

The Nuclear Installations Inspectorate in the British Health and Safety Executive is satisfied that the French Authorities are taking seriously Year 2000 issues and are dealing with them in an appropriate and effective manner.

### Electricity Connections

**Mr. Peter Bradley:** To ask the Secretary of State for Trade and Industry if he will make a statement on the average connection charge levied on domestic consumers by electricity suppliers. [72541]

**Mr. Battle:** Most of the public electricity suppliers charge in the region of £200 to £400 for a standard domestic connection. In all cases, charges will be made according to the degree of difficulty involved in the connection and this can make the cost considerably more. Some allowance may be made for future revenue received by the company as a result of a connection.

In all cases where customers feel that the costs involved are not reasonable those costs can be referred to the Director General of Electricity Supply for determination.

### Travel Companies

**Mr. Darvill:** To ask the Secretary of State for Trade and Industry when he expects the Office of Fair Trading to implement the recommendations of the Monopolies and Mergers Commission made in December 1997 on the display of travel company ownership links on the fascias of trading premises and sales brochures. [72016]

**Dr. Howells:** My hon. Friend the Leader of the House, in her capacity as the Secretary of State for Trade and Industry, asked the Director General of Fair Trading to seek undertakings from the major travel groups regarding undertakings on transparency of ownership links. He is still in discussions with them. He will provide me with advice on the matter in due course and I will make an announcement.

### Genetically Modified Food

**Dr. Gibson:** To ask the Secretary of State for Trade and Industry if he will list the investments made by industry over the last five years in research by publicly and jointly funded laboratories into genetically modified foods and crops. [72038]

**Mr. Battle:** To answer the question it will be necessary to compile the information from the laboratories' records for the last five years, which will take some time. When the information is collected I shall write to my hon. Friend and place a copy of the answer in the Library of the House.

### Agricultural Biotechnology

**Mr. Baker:** To ask the Secretary of State for Trade and Industry how much money his Department has spent supporting the research and development of agricultural biotechnology since 1 May 1997. [72070]

**Mr. Battle** *[holding answer 23 February 1999]:* The Biotechnology and Biological Sciences Research Council, principally funded from the Science Budget for which the Office of Science and Technology is responsible, spent £13.8 million on agricultural biotechnology in the financial year 1997–98 and expects to spend some £14.5 million in the current financial year, 1998–99. The Department itself does not sponsor food or agriculture companies, and none of its funding is directed specifically at agricultural biotechnology.

### DVD Video Disks

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry (1) what action he is taking to prevent regional coding of DVD video disks; [72749]

(2) what steps he will take to ensure that consumers are made aware of regional coding of DVD video disks; [72743]

(3) what discussions he has had with PC manufacturers to ensure that purchasers of DVD video disks can change their regional codes indefinitely; [72745]

(4) what discussions he has had with manufacturers of consumer DVD video players to ensure that their machines will play disks from each of the six regions of the world; [72748]

(5) if he will make a statement on DVD video disk technology and how consumers can be protected from DVD video disk manufacturers and film makers *(a)* operating a pricing cartel and *(b)* designing machines and disks which are not compatible outside their region; [72746]

(6) what discussions he has had with Ministers in other countries on combating anti-competitive behaviour with regard to DVD video disks. [72799]

**Dr. Howells:** I understand that the region lock protection system to which the right hon. Member refers reflects the different release schedules for feature films in different areas, and that there are no proposals similarly to restrict blank DVDs or audio disks. Consumers can check that any disk they purchase will play on an appropriate player by matching up the regional code printed on the disk packaging with that shown on the front of their player.

Under UK competition law, in the first instance it is the responsibility of the Director General of Fair Trading (DGFT) to investigate allegations of anti-competitive behaviour. The market for DVDs is still young and the DGFT will be monitoring its development. To date he has seen no evidence of price cartels or any other anti-competitive behaviour. If the right hon. Member has any such evidence he should pass that direct to the DGFT. Neither I nor the Secretary of State have had discussions with PC manufacturers, or with Ministers in other countries, about the specifications for DVDs.

## FOREIGN AND COMMONWEALTH AFFAIRS

### Argentinian Students

**Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs what scholarships are made available by his Department to students from the Argentine to study at British universities; and if he will make a statement. [72545]

**Mr. Fatchett:** The British Chevening Scholarship Scheme (funded by the Foreign and Commonwealth Office (FCO) and the Department for International Development (DfID) will provide some 20 new awards for Argentine Scholars to study in the UK in 1998–99 at a cost of about £270,000. The scholarships support postgraduate study in a range of fields from public administration to international law and environmental health. Argentine students are also eligible to apply for places on the FCO's central joint funded schemes co-sponsored with Dundee University and Rio Tinto plc, the Wessex Institute of Technology, the College of Petroleum Studies, and Oxford University and Citibank.

During President Menem's visit to the UK in October 1998 a new scholarships scheme co-sponsored by the FCO, the Argentine Foreign Ministry and Warwick University was established.

### Senator Pinochet

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what was the name and position of the official to whom the Chilean Embassy spoke on 15 October with regard to Senator Pinochet's travel arrangements. [72278]

**Mr. Tony Lloyd:** The Chilean Embassy spoke to the Head of Latin America and Caribbean Department, Mr. Henry Hogger.

### Orlando Da Costa

**Dr. Tonge:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the investigation into the shooting of Orlando Da Costa during the Troika Ambassador trip to East Timor. [72663]

**Mr. Fatchett:** We naturally very much regret the death of Orlando Marcelino Da Costa who was shot in Baucau in June 1998. We asked the Indonesian authorities to carry out a full investigation into the incident. We still await the report.

### South Africa

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance he is giving the South African Government to combat Islamic terrorism. [72698]

**Mr. Tony Lloyd:** The Foreign and Commonwealth Office assists a number of countries each year to combat terrorism more effectively. A team of Whitehall officials will visit South Africa next month as a part of this programme for exploratory talks on counter-terrorism issues. This will be the first such contact with the South African Government since President Mandela's election.

### Sierra Leone

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received of civil rights abuses perpetrated by the Nigerian forces in Sierra Leone. [72711]

**Mr. Tony Lloyd:** We are aware of reports of abuses by ECOMOG forces in Sierra Leone. We are concerned at such reports, and have made our views clear on this to the Government of Sierra Leone and to ECOMOG.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Sierra Leone Government about the death sentence passed on Foday Sankoh. [72730]

**Mr. Tony Lloyd:** The Government of Sierra Leone can be in no doubt about our opposition to the death penalty in Sierra Leone and elsewhere. I raised the case of Foday Sankoh when I met Dr. Jonah, the Sierra Leone Minister of Finance, Development and Economic Planning, on 4 November, and again on 18 January. We do not believe that further executions will promote national reconciliation in Sierra Leone.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussion he has had with President Kabbah of Sierra Leone on the execution of 24 army officers. [72725]

**Mr. Tony Lloyd:** I spoke personally to President Kabbah on 16 October about the military courts martial, to ask him to show clemency. I also wrote to President Kabbah on the same day to reiterate our concern. The Government of Sierra Leone can be in no doubt about our concern over the imposition of the death penalty.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the trial procedures to which the 24 executed officers were subjected in Sierra Leone. [72726]

**Mr. Tony Lloyd:** United Nations and other international observers monitoring the trials process in Sierra Leone have indicated that fair trials have been held under difficult circumstances. There are concerns, however, about the lack of a proper appeals process for the military courts martial. We have taken this up with the Government of Sierra Leone; and will continue to remind them of the need to provide fair trials for all those accused.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received on destruction of property in Freetown following the ECOMOG invasion. [72735]

**Mr. Tony Lloyd:** ECOMOG have not invaded Sierra Leone; their forces were invited by the Government of Sierra Leone to assist in the restoration of peace and security. There has been significant damage to property during the current conflict. The most serious damage was caused in January, when rebel forces entered Freetown, and indulged in wanton destruction of property. The eastern areas of the city have suffered particularly: up to eighty per cent. of property has been reported as destroyed or damaged.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the support given by Britain to the *(a)* Nigerian military and *(b)* ECOMOG forces in Sierra Leone. [72714]

**Mr. Tony Lloyd:** We have not given any bilateral support to the Nigerian military, as they are subject to the EU Common position on Nigeria which bans military co-operation. ECOMOG in Sierra Leone comprises Nigerian, Ghanaian, Guinean and Malian contingents. We have provided it with practical support to enable it to protect the legitimate Government and people of Sierra Leone from rebel violence. We have provided £3 million worth of practical logistic support; this includes £1 million worth of vehicles and communications equipment, as well as emergency medical supplies for the people of Sierra Leone. On 19 January, the Foreign Secretary announced a further £1 million of logistic support for ECOMOG and humanitarian assistance. We have also funded the recent airlift of the Ghanaian contingent to ECOMOG.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the support given by Her Majesty's Government to President Kabbah since September 1998. [72731]

**Mr. Tony Lloyd:** We continue to provide strong political and practical support to the democratically elected Government of Sierra Leone. Since the restoration of President Kabbah's legitimate Government in March 1998, we have committed over £20 million for rehabilitation and reconstruction following the military junta, of which £11 million has been spent. We have provided further humanitarian assistance to the people of Sierra Leone this year in response to the deterioration in the security situation.

### Usama bin Laden

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the whereabouts of Usama bin Laden. [72696]

**Mr. Tony Lloyd:** There have been a variety of reports about the whereabouts of Usama bin Laden, who moved to Afghanistan in 1996; we have no confirmation of his current whereabouts.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the placement by President Mugabe of Zimbabwe of top army officers in key civilian Government positions. [72729]

**Mr. Tony Lloyd:** I receive regular reports about developments in Zimbabwe, including on senior government appointments. In November 1998 Brigadier Muzonini (Rtd) and Brigadier Bonyongwe were appointed Director and Deputy Director respectively of the Central Intelligence Organisation.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will assess the report by the Catholic Commission for Justice and Peace on the murder and torture of civilians by the Zimbabwean Army and security agents. [72723]

**Mr. Tony Lloyd:** We are aware of the disturbing report by the Legal Resources Foundation and the Catholic Commission for Justice and Peace into the atrocities in Matabeleland during the 1980s. When I met President Mugabe in December 1998 I urged him to address the outstanding human rights issues, in the interest of national reconciliation.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the personal involvement of President Mugabe in civil rights abuses in Zimbabwe. [72722]

**Mr. Tony Lloyd:** President Mugabe has used emergency powers to curb industrial action, which we understand the Zimbabwean parliament has rejected. We have no reports that he was personally involved in the detention and apparent torture of journalists, but neither has he condemned these abuses. He has made a series of statements which undermine the independence of the Courts, Media, and civil rights groups.

### Christians

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries about which his Department has received reports of Christians suffering civil rights abuses because of their religion. [72704]

**Mr. Tony Lloyd:** We routinely receive information from our posts overseas and from a very wide range of academic, NGO, media and other sources, on the human rights situations worldwide, including religious freedom and the position of Christians. Over the past year we have received reports about countries including: Pakistan, India, Saudi Arabia, Sudan, Egypt, Indonesia and China.

We always view such matters seriously and frequently take them up with the governments concerned.

### Departmental Policies

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what systems he has in place to ensure that policies being developed by his Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72683]

**Mr. Tony Lloyd:** I refer the right hon. Member to the answer given today *Official Report*, columns *311-12*, by my hon. Friend the Under-Secretary of State for the Home Department, my hon. Friend for North Warickshire (Mr. O'Brien).

### Kenya

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Kenyan Government following the beating of Professor Wangare Maathai by security guards at Karura Forest. [72734]

**Mr. Tony Lloyd:** As part of the Democratic Development Group of diplomatic missions in Nairobi, we supported a collective statement expressing our deep concern over the violence at the Karura Forest. The statement underlined that the right to demonstrate peacefully arises directly from basic human rights, including freedom of expression and assembly. However, it also condemned the destruction of private property and the accompanying violence by demonstrators, as with the excessive reaction of the police. It also called for greater transparency and respect for the law in the allocation of public lands in Kenya, including the Karura Forest, something which our High Commissioner regularly raises with President Moi and senior Government Ministers.

### India

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Indian Government about the *(a)* torture and *(b)* murder of Christians in India. [72707]

**Mr. Fatchett:** I refer the hon. Member to the answer given to my hon. Friend the Member for Leicester, East (Mr. Vaz) on 28 January 1999, *Official Report*, columns *395-96*.

## PRIME MINISTER

### Ministerial Visits

Q15. **Mr. Steen:** To ask the Prime Minister if he will pay an official visit to the River Dart to discuss oyster farming. [71242]

**The Prime Minister:** I have no immediate to do so.

## SOCIAL SECURITY

### Minimum Income Guarantee

**Mr. Webb:** To ask the Secretary of State for Social Security what proportion of pensioners he expects to have incomes at least as great as the minimum income guarantee in their year of retirement once his pensions reforms are fully implemented. [71181]

**Mr. Timms:** The information is not available.

### Departmental Policies

**Mr. Maclean:** To ask the Secretary of State for Social Security what systems he has in place to ensure that policies being developed by his Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72688]

**Mr. Bayley:** I refer the hon. Member to the written answer my hon. Friend the Under-Secretary of State for the Home Department, my hon. Friend the Member for North Warwickshire (Mr. O'Brien) gave today, *Official Report*, columns *311-12*.

## CULTURE, MEDIA AND SPORT

### Film and Television Freelance Training Courses

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport how many students are currently undertaking FT2 courses. [72217]

**Janet Anderson** *[holding answer 22 February 1999]*: I understand from FT2 that there are currently 32 students undertaking FT2 courses, 20 on the new entrants programme, 6 on the research scheme and 6 on the set craft apprenticeships scheme.

### Internet (Public Libraries)

**Mr. Willis:** To ask the Secretary of State for Culture, Media and Sport what steps he is taking to monitor the terms under which free connections to the Internet for public libraries are being made; and if he will make a statement. [72084]

**Mr. Alan Howarth:** It is for Library Authorities to negotiate the terms governing connection to the Internet.

**Mr. Willis:** To ask the Secretary of State for Culture, Media and Sport what is the average *(a)* capital and *(b)* running cost per link to the Internet for public libraries; and if he will estimate the range of such costs. [72082]

**Mr. Alan Howarth:** This is a matter for individual Library Authorities to determine following commercial negotiation.

**Mr. Willis:** To ask the Secretary of State for Culture, Media and Sport how many and what percentage of public libraries have been connected to the Internet free of installation charge to date. [72086]

**Mr. Alan Howarth:** A survey conducted in 1997 suggested that 5 per cent. of service points had public Internet access. Information on the costs of installation is not held centrally.

**Mr. Willis:** To ask the Secretary of State for Culture, Media and Sport if he will list the companies which have made connections to the Internet for public libraries free of installation charges; how many connections have been made in each case; and if he will publish the terms under which these connections have been made. [72085]

**Mr. Alan Howarth:** This information is not held centrally.

### Film Industry

**Mr. Spring:** To ask the Secretary of State for Culture, Media and Sport what encouragement his Department is providing to secure the making of large budget films in Britain. [72323]

**Janet Anderson** *[holding answer 22 February 1999]*: My Department is keen to create the conditions to secure the production of films of all types in Britain. In seeking to attract large budget films from overseas, my Department provides funding to the British Film Commission to promote the benefits of filming in the UK internationally. In addition, my Department jointly funds the newly created British Film Office in Los Angeles, which promotes the UK within Hollywood.

Recent large budget films made wholly or partly in this country include 'The Mummy' and 'Saving Private Ryan'. The new James Bond film 'The World is not Enough' is currently shooting here.

## WALES

### Education, Flintshire

**Mr. Barry Jones:** To ask the Secretary of State for Wales if he will make a statement on the effect of the 1999-2000 revenue support grant on the provision of educational services in Flintshire. [72028]

**Mr. Hain:** My right hon. Friend in his statement to the House on 11 February 1999, *Official Report*, columns *483-89*, announced that the local government revenue settlement for 1999-2000 provided for an increase in net Total Standard Spending of £144 million, of which £70.2 million is identified for education. Flintshire County Borough Council's share of the £70.2 million is £3.494 million and I expect the authority to increase its education budget by at least this amount with the bulk being included in delegate schools budgets. Overall Central Government support for Flintshire has increased by £6.174 million or 5.67% over 1998-99.

### Pierhead Building, Cardiff Bay

**Mr. Swayne:** To ask the Secretary of State for Wales if he will make a statement about the future use of the Pierhead Building in Cardiff Bay. [72279]

**Mr. Michael:** The Pierhead Building is a unique and attractive building right at the heart of Cardiff Bay which stands next to the site for the new Assembly building. It provides a powerful visual link for the Assembly with the industrial and maritime heritage of Wales. Originally it has been thought that it could be used as the office accommodation for the First Secretary and Cabinet. After careful consideration I concluded that their offices should be in the same building as the offices of Assembly Members which will be located in Crickhowell House along with the temporary Chamber and committee rooms. This will encourage the Cabinet members and Assembly Members and their staff in working together as part of a single team.

Appropriate arrangements have now been achieved in Crickhowell House, allowing the space in Pierhead Building to be used to address other issues. It is planned to bring forward detailed plans in the near future enabling Pierhead Building to be used for educational and public information purposes and as a function hall. It will also provide office accommodation for a small number of staff.

### Departmental Policies

**Mr. Maclean:** To ask the Secretary of State for Wales what systems he has in place to ensure that policies being

developed by his Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72684]

**Mr. Michael:** The Welsh Office will play a full part in arrangements across Government to drive forward initiatives on crime reduction led by my right hon. Friend the Home Secretary. My Department with its multi-functional remit routinely take account of cross-cutting issues as part of policy development and I have made it clear that our contribution to the reduction of crime and disorder has high priority.

The Welsh Office is also taking a close interest in the audit reports and emerging strategies of the local crime and disorder reduction partnerships in Wales and considering the implications of these for wider policy development.

The recent Audit Commission report "Safety in Numbers - Promoting Community Safety" cited the Green Paper "Better Health - Better Wales" as an example of good practice in drawing out the connections between the effects of crime and people's health and well-being. This report made a number of recommendations to central Government, which I will be considering. These include monitoring and assessing good practice and ensuring a corporate approach across central Government. I have stressed the Government's expectations that all public organisations will contribute to crime reduction, and I have stressed the responsibilities of local government in Wales with the full support of the Welsh Local Government Association.

I have stressed the role of the NHS in Wales and my right hon. Friend the Home Secretary recently joined me to visit the accident and emergency unit in Cardiff where hospital staff, police and victim support have joined in a project to reduce violence. All public bodies in Wales are being encouraged to take a similarly creative approach.

## SCOTLAND

### Scottish Renewables Obligation

**Mrs. McKenna:** To ask the Secretary of State for Scotland if he has made a decision on the Third Order under the Scottish Renewables Obligation; and if he will make a statement. [73452]

**Mr. Dewar:** I have made arrangements for an order to be laid before Parliament tomorrow requiring the 2 Public Electricity Suppliers (ScottishPower and Scottish Hydro-Electric) in Scotland to make arrangements to secure 150MW DNC of new renewable electricity generating capacity from a range of renewable sources. There has been an excellent response by bidders to the tender invitation for SRO3. This represents a considerable success for our policy of creating an initial market within each of the most promising renewable technologies by encouraging strong competition between various projects. This has allowed me to set a larger order than previously envisaged when SRO3 was announced in December 1997.

I am particularly pleased to report that bid prices for SRO3 have been once again reduced, with bids for large wind projects especially low. The cheapest bid was a remarkable 1.89 pence per unit generated making large wind projects by far the cheapest renewable technology available under the order. I have, therefore, decided that large wind projects should make up a sizeable part of the order. A specific band for small wind projects is being introduced for the first time under SRO3. The aim is to encourage small, locally based companies and communities to get involved in electricity generation.

The prices tendered for biomass projects were relatively high compared with wind and waste to energy projects. I have, however, taken account of the wider benefits to agriculture and forestry and to the environment of such projects, and the need to enable the technology to establish itself in Scotland. For this reason, I have decided to allocate almost 9 per cent. of the order to this technology.

A band for wave power was proposed in SRO3 for the first time. Wave technology is very much at a formative stage and I am keen to help the technology gain a foothold in Scotland. I am pleased to report that bid prices were lower than expected and I have, therefore, decided to allocate a small part of the order to wave projects.

I have also decided to include a sizeable number of waste to energy projects and a small number of hydro electric projects in the order.

There are significant benefits stemming from the encouragement of renewable energy. These include a contribution to the Government's greenhouse gas emissions reduction target agreed following the December 1998 Kyoto conference. By making an order for a total of 150MW we are taking a considerable step towards meeting Government's new and strong drive for renewable generating capacity, while also promoting the renewable industry in Scotland.

We are aware of concerns about the possible effects on the environment and landscape of the development of renewable energy projects and expect developers to give particular care and attention to these sensitive issues. Successful developers will need to obtain planning permission for their projects if they have not already done so; award of a contract as a result of the Order does not confer any special advantage in the planning process and approval must be sought in the usual way.

I have made the order after considering carefully the advice of the Director General of Electricity Supply and after consulting the 2 Scottish Public Electricity Suppliers.

### Scottish Parliament

**Mr. Nigel Griffiths:** To ask the Secretary of State for Scotland who will be disqualified from being a member of the Scottish Parliament. [73489]

**Mr. McLeish:** Section 15 of the Scotland Act 1998 specifies that holding certain offices disqualifies people from being members of the Scottish Parliament. These include judges, civil servants, members of the armed forces, members of police forces and members of foreign legislatures and others who would not be able to sit and vote in the House of Commons. It also gives Her Majesty power by Order in Council to designate further office holders who will be disqualified from being MSPs. On 16 February, my right hon. Friend, the Secretary of State for Scotland, laid a draft Order before both Houses of Parliament which lists those office holders who should be

disqualified from being MSPs. The Order will be subject to affirmative resolution procedure in both Houses before being put to Her Majesty in Council.

In making these proposals, we have adopted broadly the same approach to disqualification as is applied in the House of Commons Disqualification Act 1975, so following well established and well understood precedents. People holding disqualifying offices will be required to resign those offices on formal consent to nomination.

Not all those office holders disqualified from being an MP will also be disqualified from being an MSP as we have adapted the disqualification to the circumstances of the Scottish Parliament. This Order will be for the first elections; it will be for the Parliament to consider the scope of the disqualification for subsequent elections.

### Scottish Consultative Council

**Mr. Russell Brown:** To ask the Secretary of State for Scotland if he will make a statement about the outcome of the first stage of the policy and financial reviews of the Scottish Consultative Council on the curriculum and the Scottish Council for Educational Technology. [73540]

**Mrs. Liddell:** The 'prior options' studies of the Scottish Consultative Council on the Curriculum (SCCC) and the Scottish Council for Educational Technology (SCET) began in December 1997. These studies raised issues of sufficient importance that a consultation document seeking comments on options for the future of both bodies was issued in October 1998. Responses were received from over 80 organisations and individuals.

The outcome of the consultation was unanimously in favour of integrating the development of curriculum and ICT materials and there was a majority view that advice on the curriculum and ICT should be located in one body.

I have concluded that there is a continuing need for independent advice and the development of materials relating to both the curriculum and ICT. I have agreed, in principle, that the best way of achieving that is the merger of SCCC and SCET.

I am therefore setting up a Merger Action Group to develop a detailed plan for the merger to be presented to the Scottish Executive by 15 September this year. The membership of the Action Group will be drawn from both bodies and will include others from the education sector. It will be chaired by a senior member of HM Inspectorate of Schools. From 1 July 1999 this will be a matter for the Scottish Parliament.

### Organic Aid Scheme

**Mr. Maclennan:** To ask the Secretary of State for Scotland what payments he has proposed under the Organic Aid Scheme for *(a)* Arable Area Payments Scheme eligible land, *(b)* ineligible land and *(c)* unimproved grassland or rough grazing. [72618]

**Mr. Macdonald:** The payment rates currently in operation for the Organic Aid Scheme in Scotland are as follows. Consideration is being given to the options for enhancing the OAS in Scotland. From 1 July 1999 this will be a matter for the Scottish Parliament.

*£ per hectare*

| | *Arable land or improved grassland* | *Rough grazing or unimproved grassland* |
|---|---|---|
| First year | 70 | 10 |
| Second year | 70 | 10 |
| Third year | 50 | 7 |
| Fourth year | 35 | 5 |
| Fifth year | 25 | 5 |

## NORTHERN IRELAND

### Terrorist Violence

8. **Mr. Bercow:** To ask the Secretary of State for Northern Ireland what evidence she has received of the involvement of paramilitary organisations in terrorist violence in recent weeks. [71205]

**Mr. Ingram:** There have been a number of acts of violence recently, including paramilitary assaults and attacks. I am in regular contact with security advisers to discuss these issues. I urge all those with evidence to come forward and help the RUC bring the perpetrators to justice.

### Punishment Beatings

9. **Mr. Connarty:** To ask the Secretary of State for Northern Ireland what discussion she has had with human rights organisation on investigations of punishment beatings in Northern Ireland. [71206]

**Mr. Ingram:** The Secretary of State has noted the interest taken in the subject of paramilitary assaults by human rights organisations. In particular, I have met in the past members of Families against Intimidation and Terror to discuss this subject and a further meeting is planned.

### Eleven City Tour

10. **Ms Southworth:** To ask the Secretary of State for Northern Ireland what assessment she has made of the eleven city tour's impact on the competitiveness of the Northern Ireland economy. [71207]

**Mr. Ingram:** Intense cultivation of contacts made on the Tour is well under way. Visits from prospective investors are flowing and a number of serious investment interests are under discussion. Securing projects can take several months or even years, however. It will therefore be some time before the Tour's full economic impact can be assessed.

### Decommissioning

11. **Mr. Townend:** To ask the Secretary of State for Northern Ireland what assessment she has made of when the decommissioning of illegally held arms and explosives will begin. [71208]

16. **Mr. Grieve:** To ask the Secretary of State for Northern Ireland what assessment she has made of when the decommissioning of illegally held arms and explosives will begin. [71213]

18. **Mr. Rammell:** To ask the Secretary of State for Northern Ireland if she will make a statement on the progress of decommissioning. [71215]

**Mr. Ingram:** I have welcomed the start the LVF made to decommissioning which took place on 18 December, and I urge them to continue. Discussions continue between representatives of other groups and the Decommissioning Commission. It is now time for them to start to decommission: they know very well that the Good Friday agreement must be implemented in full and that decommissioning is an indispensable part of that agreement.

20. **Mr. Fabricant:** To ask the Secretary of State for Northern Ireland what assessment she has made of when *(a)* PIRA and *(b)* the UDA will begin their decommissioning process. [71217]

### Drumcree

12. **Mr. Salter:** To ask the Secretary of State for Northern Ireland what progress is being made towards the resolution of the problems over the Orange Order parade at Drumcree. [71209]

15. **Mr. Thompson:** To ask the Secretary of State for Northern Ireland what steps are being taken or are proposed by the Government to resolve the impasse at Drumcree. [71212]

**Mr. Ingram:** The Prime Minister met the Orange Order in November and, more recently, a delegation from the Garvaghy Road Residents' Coalition. The Government are continuing their efforts to foster communication between both parties because they believe that agreement is still possible if goodwill exists.

### British-Irish Council

13. **Mrs. Fyfe:** To ask the Secretary of State for Northern Ireland what meetings she has had to discuss preparations for the British-Irish Council. [71210]

17. **Mr. Jim Marshall:** To ask the Secretary of State for Northern Ireland what meetings she has had to discuss preparations for the British-Irish Council. [71214]

**Mr. Paul Murphy:** In December, my right hon. Friend the Secretary of State met the Secretaries for Scotland and Wales, together with my hon. Friend the Member for Sheffield, Central (Mr. Caborn), to discuss preparations for the British-Irish Council. She also had separate discussions with my right hon. Friends the Members for Glasgow, Anniesland (Mr. Dewar) and Cardiff, South and Penarth (Mr. Michael) on recent visits to Scotland and Wales respectively. Last week, I visited the Isle of Man to bring the Isle of Man Government up to date on progress on the British-Irish Council, and I will be making a similar visit to Jersey and Guernsey in the near future. I will also be holding a meeting with a number of other Ministers on 25 February to take our preparations further.

In addition, I have regular meetings with the Northern Ireland parties on progress on the implementation of the Belfast agreement at which preparations for the BIC are discussed.

### Victims of Violence

14. **Mr. McCabe:** To ask the Secretary of State for Northern Ireland what initiatives have been taken to help victims of violence and their families. [71211]

22. **Kali Mountford:** To ask the Secretary of State for Northern Ireland what initiatives have been taken to help victims of violence and their families. [71219]

**Mr. Ingram:** I have announced a number of significant funding initiatives to support victims and a newsletter outlining progress has been placed in the House of Commons Library. Work is progressing on all these initiatives, and I am pleased to say that a new Trauma Centre is now operational. I hope to announce further measures in the near future.

### New Deal

19. **Mr. Jim Cunningham:** To ask the Secretary of State for Northern Ireland how many companies are signed up to the Government's New Deal initiative in Northern Ireland. [71216]

**Mr. McFall:** Since the launch of the New Deal on 6 April 1998, 1,851 Northern Ireland companies have each confirmed their support for New Deal by signing an Employer Agreement. This figure has steadily increased over the 10 months of New Deal's lifetime and already exceeds the target of 1,500 Agreements for the first full year.

### Energy Market

21. **Mrs. Gilroy:** To ask the Secretary of State for Northern Ireland what actions she has taken to improve the working of the energy market in Northern Ireland. [71218]

**Mr. Ingram:** I refer my hon. Friend to the answer I gave earlier to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn), *Official Report*, column *373*.

### Employment Relations Bill

23. **Rev. Martin Smyth:** To ask the Secretary of State for Northern Ireland what plans she has to seek to extend the provisions of the Employment Relations Bill to Northern Ireland, with particular reference to carers. [71220]

**Mr. Ingram:** The Employment Relations Bill introduces a right to time off for domestic incidents, and carers would benefit, for example, by availing themselves of time off to take an elderly parent to hospital following a fall. Replication in Northern Ireland of the provisions in the Bill will be a matter for the Northern Ireland Assembly.

### Peace Process

24. **Dr. Palmer:** To ask the Secretary of State for Northern Ireland if she will make a statement on the proposals for further progress in the peace process. [71221]

**Marjorie Mowlam:** I refer my hon. Friend to the reply I gave earlier to my hon. Friend the Member for Leominster (Mr. Temple-Morris), *Official Report*, column *377*.

### Trade Unions

25. **Mr. Mackinlay:** To ask the Secretary of State for Northern Ireland when she last met the Northern Ireland trade unions; and if she will make a statement on the matters discussed. [71222]

**Mr. Ingram:** The Secretary of State met the Northern Ireland Committee of the Irish Congress of Trade Unions on 2 December 1997. A range of topics was discussed including the peace process; fair employment including the report by the Standing Advisory Commission on Human Rights and the Policy Appraisal and Fair Treatment initiative; economic opportunities, trade union representation on public bodies; and policing.

### Health Service Pay

26. **Mr. John Smith:** To ask the Secretary of State for Northern Ireland what settlement has been agreed for chief executives' pay in the Northern Ireland health service this year. [71223]

**Mr. McFall:** In common with national policy, my predecessor the hon. Member for Clydebank and Milngavie (Mr. Worthington) wrote to the Chairmen of Health and Personal Social Services (HPSS) bodies in April 1998 asking that all practical steps be taken to ensure that the cost of individual pay rises for Senior Executives and other Senior Managers were restricted to 2.7% within the current financial year. Employers have been asked to include a compliance statement in their annual reports for 1998–99. I have recently announced a similar limit of 2.6% for next year for Chief Executives and other executives operating at board level.

### Violent Crime

27. **Mr. Wilkinson:** To ask the Secretary of State for Northern Ireland if she will make a statement on her policy to reduce the incidence of crimes of violence against the person perpetrated by members of paramilitary groups in Northern Ireland. [71224]

**Mr. Ingram:** My right hon. Friend the Secretary of State is on record as condemning all acts of violence, including those against the person perpetrated by members of paramilitary organisations. She has met with representatives of political parties and impressed on them the importance of bringing their influence to bear on paramilitary groups to stop such practices.

### Good Friday Agreement

28. **Mr. McDonnell:** To ask the Secretary of State for Northern Ireland what consultations she has had with the Northern Ireland parties on legislation to implement the Good Friday agreement. [71225]

**Marjorie Mowlam:** I refer my hon. Friend to the reply I gave earlier today, *Official Report*, column *329*, to my hon. Friend the Member for Amber Valley (Judy Mallaber).

### Prisoner Releases

29. **Dr. Tony Wright:** To ask the Secretary of State for Northern Ireland if she will make a statement on the release of terrorist prisoners. [71226]

**Mr. Ingram:** I refer my hon. Friend to the extensive debate on the Floor of the House regarding this issue on 9 December 1998, *Official Report*, columns 329–59. I also refer my hon. Friend to the further related debate on 27 January 1999, *Official Report*, columns 344–97, and in particular to columns 358–59.

30. **Mr. Garnier:** To ask the Secretary of State for Northern Ireland how many prisoners have been released under the accelerated release scheme set up by the Northern Ireland (Sentences) Act 1998 to date. [71227]

**Mr. Ingram:** To date there have been 242 prisoners released under the terms of the Northern Ireland (Sentences) Act 1998. This is drawn from information received by my right hon. Friend the Secretary of State as at 15 February 1999 from the Sentence Review Commissioners to whom prisoners apply for early release.

### BCCI

**Mr. Vaz:** To ask the Secretary of State for Northern Ireland if she will make a statement on the support she has given to councils that have lost money with BCCI. [71201]

**Mr. Ingram:** Lisburn Borough Council was the only district council in Northern Ireland which lost its investment with the collapse of BCCI. No direct support was given by the Department of the Environment for Northern Ireland as councils have the authority to make their own investment decisions. However, the Local Government Auditor did assist in a review of the council's investment procedures and provided advice on the way forward.

## AGRICULTURE, FISHERIES AND FOOD

### Synthetic Pyrethroid Products

**Jackie Ballard:** To ask the Minister of Agriculture, Fisheries and Food what studies his Department has commissioned on the safety of synthetic pyrethroid products. [71541]

**Mr. Rooker:** Applications for Marketing Authorisations for all veterinary medicinal products including synthetic pyrethroids must satisfy statutory criteria for safety, quality and efficacy. Applicants are required to submit details of scientific studies to the Veterinary Medicines Directorate, where they are carefully assessed by specialists in qualified various scientific disciplines including biology, pharmacy, veterinary practice, toxicology and ecotoxicology.

Synthetic pyrethroids used as pesticides are similarly subject to strict statutory control. Ministers approve the marketing or use of a pesticide only after rigorous evaluation of scientific data. No approval is given to pesticides that pose any unacceptable risk to human beings, non-target species or the wider environment. All approved pesticides are subject to review and, if appropriate, approvals can be restricted or revoked entirely. Given the above statutory regulatory system no studies on the safety of synthetic pyrethroids have been commissioned by the Department.

### KPMG

**Mr. Ruffley:** To ask the Minister of Agriculture, Fisheries and Food if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72002]

**Mr. Morley** *[holding answer 22 February 1999]*: From records held centrally, the services of KPMG have been sought on just one occasion since 1 April 1996 for a personnel study undertaken in March 1997 at a total VAT inclusive cost of £11,750. Information on the use of KPMG prior to 1 April 1996 can be provided only at disproportionate cost.

### Food and Drink Federation

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food when he last met the Food and Drink Federation; and what issues were discussed. [72733]

**Mr. Morley:** My right hon. Friend the Minister met the Director General of the Food and Drink Federation (FDF) for an introductory meeting on 3 August when discussions covered Genetically Modified Organisms and the Food Standards Agency. Since then he has had frequent contact with FDF on a wide range of issues. He is to be principal guest speaker at the FDF President's Dinner on 4 March.

### Inhumane Slaughtering

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the hon. Member for Sunderland, North (Mr. Etherington) of 11 February 1999, *Official Report*, column *414*, on inhumane slaughter, what plans he has to outlaw inhumane slaughtering in the United Kingdom. [72697]

**Mr. Morley:** The inhumane slaughter of farmed animals has long been contrary to the law in the United Kingdom. The Welfare of Animals (Slaughter or Killing) Regulations 1995, and parallel regulations in Northern Ireland, implement EU requirements by making it an offence to cause any animal avoidable excitement, pain or suffering.

The Government have this week laid a statutory instrument amending these regulations: this is not, however, because it is necessary to strengthen the law on inhumane slaughter, but is in order to confine the conduct of slaughter which is carried out without stunning for religious reasons to licensed slaughterhouses.

### Departmental Staff

**Mr. Chaytor:** To ask the Minister of Agriculture, Fisheries and Food if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70484]

**Mr. Morley** *[holding answer 15 February 1999]*: Information on numbers of staff in my Department and their regional distribution is contained in the Cabinet Office publication "Civil Service Statistics 1998", which is placed in the Library of the House. Civil Service Statistics also contain staffing figures for each of my Department's agencies but does not have information on the regional distribution of their staff so I have asked Agency Chief Executives to reply separately on this.

*Letter from Johnston McNeill to Mr. David Chaytor, dated 23 February 1999:*

As Chief Executive of the Meat Hygiene Service (MHS) your question to the Minister of Agriculture, Fisheries and Food requesting a list of the total staff and their locations in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English Regions has been passed to me to reply as regards this Executive Agency.

The MHS is not able to provide information on staffing numbers which correlate to the Regions you have requested. MHS Regions were set up on a geographical basis depending on the location of licensed fresh meat premises at which the Agency is required to provide an inspection service. The Regions are North, Central, South and East, South and West, Wales and Scotland. Total MHS staff based in these Regions are as follows:

| *Region* | *Total staff* |
|---|---|
| North | 472 |
| Central | 316 |
| South and East | 268 |
| South and West | 243 |
| Wales | 250 |
| Scotland | 193 |

MHS Headquarters staff are included in the Northern Region data. For operational reasons, the MHS includes some part of Cumbria in its Scotland Region and parts of Herefordshire and Shropshire in its Wales Region.

*Letter from G. K. Bruce to Mr. David Chaytor, dated 11 February 1999:*

The Minister of Agriculture, Fisheries and Food has asked me to reply, in respect of the Pesticides Safety Directorate (PSD), to your question concerning the location of staff in this Agency.

There are currently 199 staff in the Agency all of whom are based in the Yorkshire and Humberside region.

*Letter from P. I. Stanley to Mr. David Chaytor, dated 23 February 1999:*

The Minister of Agriculture, Fisheries and Food has asked me to reply, in respect of the Central Science Laboratory (CSL), to your question concerning the number of staff employed and their location.

CSL employs a total of 565 staff. Details of the locations at which the staff are based are given below.

| *Region* | *Number of staff* |
|---|---|
| Wales | 1 |
| South East | 5 |
| South West | 8 |
| West Midlands | 2 |
| North West | 1 |
| North East | 1 |
| Yorkshire and Humberside | 425 |
| East Midlands | 1 |
| Eastern | 121 |

These figures exclude casual staff and seasonal employees.

*Letter from P. W. Greig-Smith to Mr. David Chaytor, dated 23 February 1999:*

The Minister has asked me to reply to your question concerning the total number of staff in his Department, and their location. I am replying on behalf of the Centre for Environment, Fisheries & Aquaculture Science (CEFAS).

The following table gives the regional distribution of CEFAS staff as at 10 February 1999:

| *Permanent staff* | *Non-industrial* | *Industrial* |
|---|---|---|
| South East | 61 | 5 |
| South West | 62 | 1 |
| North West | 3 | 0 |
| Eastern | 272 | 31 |
| Wales | 15 | 5 |
| Totals | 413 | 42 |

*Letter from T. W. A. Little to Mr. David Chaytor, dated 23 February 1999:*

The Minister has asked me to reply to your question on the total number of staff employed by the Veterinary Laboratories Agency. Figures are as follows:

| | *Number of staff* |
|---|---|
| *England* | |
| Bury St. Edmunds, Suffolk | 28 |
| Cambridge, Cambridgeshire | 2 |
| Langford, North Somerset | 22 |
| Luddington, Warwickshire | 35 |
| Newcastle, Tyne & Wear | 23 |
| Penrith, Cumbria | 22 |
| Preston, Lancashire | 25 |
| Shrewsbury, Shropshire | 31 |
| Starcross, Devon | 27 |
| Sutton Bonington, Leicestershire | 36 |
| Thirsk, North Yorkshire | 28 |
| Truro, Cornwall | 9 |
| Winchester, Hampshire | 28 |
| Weybridge, Surrey | 736 |
| Total number of staff in England | 1,052 |
| *Scotland* | |
| Lasswade, Midlothian | 27 |
| Total number of staff in Scotland | 27 |
| *Wales* | |
| Aberystwyth, Dyfed | 10 |
| Carmarthen, Carmarthenshire | 19 |
| Total number of staff in Wales | 29 |
| Total number of staff employed by VLA | 1,108 |

*Letter from Sarah Nason to Mr. David Chaytor, dated 11 February 1999:*

The Minister has asked me to reply, in respect of the Farming and Rural Conservation Agency (FRCA), to your question seeking the distribution of staff in London, Wales, Scotland and each of the English regions. The information, for permanent staff on a full time equivalent basis, is as follows:

| | *Number of permanent staff* |
|---|---|
| London | 22 |
| South East | 62 |
| Total London and SE | 84 |
| South West | 94.5 |
| West Midlands | 62.5 |
| North West | 13.5 |
| North East | 11 |
| Merseyside | 0 |
| Yorkshire and Humberside | 60 |
| East Midlands | 8 |
| Eastern | 64.5 |
| Wales | 45.5 |
| Scotland | 0 |
| Northern Ireland | 0 |
| Unreported/elsewhere | 0 |
| Total | 443.5 |

*Letter from J. M. Rutter to Mr. David Chaytor, dated 12 February 1999:*

The Minister has asked me to reply to your question about the regional distribution of staff employed in the Veterinary Medicines Directorate as these figures are not held centrally.

The Cabinet Office publication "Civil Service Statistics 1998" shows that the VMD employs 110 staff. 109 staff are located at Addlestone (South-East Region) and 1 member of staff is located at Carlisle (North-West Region).

## CABINET OFFICE

### KPMG

**Mr. Ruffley:** To ask the Minister for the Cabinet Office if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72003]

**Mr. Kilfoyle** *[holding answer on 22 February 1999]:* The information requested for the period before 1 May 1997 could be provided only at disproportionate cost.

Since 1 May 1997, KPMG have provided the following services to the Cabinet Office, its Agencies and COI:

1. Seminar on cross-departmental working
2. Pilot study on the use of the Government Procurement Card in the central Cabinet Office
3. Development of IS strategy for the Government of Barbados

4. Secondment to the Better Regulation Unit
5. Internal audit needs assessment for TBA
6. Assistance with TBA's Year 2000 contingency strategy
7. Internal audit service to CCTA.

There is no charge to the Cabinet Office for the services at items 1 and 2 above.

The then Overseas Development Administration reimbursed the Cabinet Office the full cost of item 3.

The total cost since 1 May 1997 of items 3 to 7 is £151,663, including VAT.

### Better Regulation Policy

**Mr. Steen:** To ask the Minister for the Cabinet Office what steps the Government have taken to give priority to their better regulation policy. [71941]

**Mr. Kilfoyle:** I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office on 21 October 1998, *Official Report*, column *1152*.

In addition, the Better Regulation Task Force is currently reviewing the role of regulation in relation to productivity, the operation of fit person regimes, the applicability of self-regulation, and law on anti-discrimination and enforcement practice. The productivity review was first announced in the pre-Budget Statement of 3 November 1998, *Official Report*, columns 681–702. The Task Force will shortly offer initial findings on the impact of regulations on business start-up, success and growth and will publish full reports on all reviews by the summer.

We continue to work actively with our European partners to ensure further progress towards effective regulation across Europe.

**Mr. Steen:** To ask the Minister for the Cabinet Office what discussions he has had with businesses with regard to improving the clarity of regulations. [71881]

**Mr. Kilfoyle:** We are working with others to help business to understand and comply with regulations and to ensure constructive and consistent enforcement. We aim to make the regulatory system more transparent, accessible and helpful. The Access Business group of departmental Ministers, local government and business is looking at a number of issues, including Direct Access Government, which provides business and the self-employed with 24-hour access to regulatory guidance and forms via the Internet.

The Enforcement Concordat sets out for businesses, and society in general, what they can expect of enforcers. Enforcers will give to business clear explanations of what they need to do and by when, opportunities to resolve differences before enforcement action is taken (unless immediate action is required), and an explanation of their rights of appeal. There are now 88 local authorities in England and Wales and 19 in Scotland who have signed up to the Concordat.

My Department has actively promoted the setting up of local business partnerships between business and enforcement communities. These are designed to maximise regulatory understanding and compliance at least burden.

**Mr. Steen:** To ask the Minister for the Cabinet Office what steps he has taken to ensure that regulations are enforced consistently across the European Union; and if he will make a statement. [71882]

**Mr. Kilfoyle:** Failure by a Member State to enforce adequate Community legislation is itself a breach of Community law. As such, it is primarily a matter for the European Commission. Where the UK becomes aware of such a breach, we can draw it to the attention of the Commission. Direct action by the UK can be taken by the UK pursuant to Article 170 TEC. Wider political, policy or legal concerns would influence whether such action would be appropriate in any particular case.

In the area of the Single Market, we have a unit in the Department of Trade and Industry (Action Single Market) which co-ordinates complaints from UK companies and seeks bilaterally with the Member State in question and with the Commission to remove obstacles to provision of goods or services in that Member State.

**Mr. Steen:** To ask the Minister for the Cabinet Office what steps the Government have taken to improve regulatory impact assessment procedures. [71883]

**Mr. Kilfoyle:** As part of their Better Regulation Initiative, the Government want to encourage good practice at all stages of regulatory work.

Last August, the Better Regulation Unit published new guidance to help Departments in applying the Task Force's principles of good regulation and in assessing the impact of regulatory proposals.

The publication of the Guide also heralds the introduction of a more comprehensive system of regulatory reporting. Every Department will be required to publish an account (in their Departmental Reports in March this year) of their regulatory activity with examples of how they have improved the quality and effectiveness of regulation through the application of the Task Force's principles.

Almost all Departments have now received training on the new Guidance, with some Departments setting up their own training programmes.

### Deregulation

**Mr. Steen:** To ask the Minister for the Cabinet Office what rules and regulations the Government have *(a)* abolished and *(b)* simplified since 1 May 1997 in order to reduce costs imposed on businesses. [72075]

**Mr. Kilfoyle:** The Cabinet Office has been informed of 74 amending or repealing regulations made between 1 May 1997 and 31 December 1998 which resulted in compliance cost savings to business and others. A list of these has been placed in the Libraries of the House.

### EU Laws (Goldplating)

**Mr. Steen:** To ask the Minister for the Cabinet Office what steps he has taken to prevent the goldplating of EU laws by member states. [71942]

**Mr. Kilfoyle:** Over-implementation of EC legislation—goldplating—may amount to a breach of Community law. If it does, it is primarily a matter for the European Commission. Where the UK becomes aware of such a

breach, we can draw it to the attention of the Commission. Direct action by the UK can be taken by the UK pursuant to Article 170 TEC. Wider political, policy or legal concerns would influence whether such action would be appropriate in any particular case.

The Government are committed to ensuring that departments do not add any unnecessary measures—goldplating—when implementing EC legislation into UK domestic law.

## EDUCATION AND EMPLOYMENT

### Asylum Seekers

**Mr. Townend:** To ask the Secretary of State for Education and Employment what assessment he has made of the impact that asylum seekers, both legal and illegal, have made on levels of employment and unemployment. [72302]

**Mr. Blunkett:** No such assessment has been made.

### Post-16 Student Support

**Dr. Kumar:** To ask the Secretary of State for Education and Employment what plans he has to extend the post-16 student support provision pilots onto a national basis; and if he will make a statement. [72051]

**Mr. Mudie:** The Education Maintenance Allowance pilots will run in 15 pilot Local Education Authorities across England from September 1999. We intend at this stage to run the pilots for three years, covering two cohorts. We will be evaluating the pilots closely from the start, and if the evaluation shows them to be successful in significantly raising post-16 participation, retention and achievement, we plan to introduce the Allowance nationally.

### Sixth Forms

**Mr. Lepper:** To ask the Secretary of State for Education and Employment what research he has *(a)* commissioned and *(b)* evaluated on comparisons between class sizes for A level subjects in sixth form colleges and school sixth forms. [R] [72312]

**Mr. Mudie:** My right hon. Friend, the Secretary of State, has neither commissioned nor evaluated research on this issue.

**Mr. Lepper:** To ask the Secretary of State for Education and Employment what progress he has made on the equalisation of funding in relation to 16 to 19 year old students in *(a)* school sixth forms and *(b)* sixth form colleges. [R] [72311]

**Mr. Mudie:** Future levels of funding available to school sixth forms and Further Education (FE) sector colleges, including sixth form colleges, for their 16–19 students will reflect the outcome of the Government's Comprehensive Spending Review and local authorities' decisions on the level of spending they devote to schools from their overall spending settlement. The differential between school and FE sector unit funding is eased by the relaxation of the required efficiency gain in the FE sector in 1999–2000 as announced in December following the Comprehensive Spending Review.

### New Deal

**Mr. Maclean:** To ask the Secretary of State for Education and Employment what proportion of those leaving the New Deal for 18 to 24-year-olds for a destination other than unsubsidised employment up to the most recent date for which information is available are now claiming welfare benefits; and at what cost. [71641]

**Mr. Blunkett:** The information on numbers leaving New Deal to claim benefits is contained in the Department for Education and Employment Statistical First Release. This release, prepared by the Government Statistical Service, was placed in the Library on 28 January. The latest set of figures will be placed in the Library on 25 February. It is not possible to give the cost of the benefits as it is not known how long those concerned will remain on them.

### School Transport (Rural Areas)

**Mr. Maclean:** To ask the Secretary of State for Education and Employment if he will make a statement on his policy towards the provision of school transport to Roman Catholic schools for children in rural areas. [72700]

**Mr. Charles Clarke:** Local Education Authorities must by law have regard to the wishes of Roman Catholic parents for their children to attend Roman Catholic schools, including in rural areas. Where a school is beyond the statutory walking distance, but is not the nearest suitable school, authorities have discretion whether to provide free transport. In exercising that discretion they must consider each request seriously. The Department is monitoring carefully the provision of denominational transport in local education authorities in England.

### School Funding (Cumbria)

**Mr. Maclean:** To ask the Secretary of State for Education and Employment if he will make a statement on the effects of the 1999–2000 revenue support grant on the provision of education services in Cumbria. [72703]

**Ms Estelle Morris:** We have increased Cumbria's education SSA for 1999–2000 by well over £9 million which should help raise standards. My right hon. Friend has received a large number of representations from Cumbria schools welcoming the education SSA increase, but criticising Cumbria County Council's budget plans. We expect all Local Education Authorities, including Cumbria, to use all of the education SSA increase to support education services, especially schools.

**Mr. Maclean:** To ask the Secretary of State for Education and Employment for what reasons Cumbria was not included with other local authorities when allocating nursery funding for three years olds in 1999–2000. [72724]

**Ms Hodge:** In 1999–2000 the additional funding for early education for three-year-olds has been distributed between the fifty authorities with the highest levels of social need assessed by the Government's Index of Local Deprivation augmented by measures of low birth weight and births to teenage mothers. Funding will be distributed across all authorities from April 2000.

### Labour and Social Affairs Council

**Mr. Maclean:** To ask the Secretary of State for Education and Employment if he will list the issues

for discussion before the Labour and Social Affairs Council on 9 March, indicating the position he proposes to take on each issue. [72739]

**Mr. Blunkett:** I am unable to attend this meeting of the Council because it clashes with the Budget Statement. My right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities will attend in my place.

The first part of the meeting will be discussions with representatives of applicant countries, outside the formal enlargement screening process. The UK Government strongly support the enlargement of the European Union.

The Presidency will give an oral report on the Informal Meeting of Social Affairs Ministers which my right hon. Friends the Minister of State for Trade and Industry and the Minister for Employment, Welfare to Work and Equal Opportunities attended in Bonn on 4–6 February.

The Presidency will also report on their ideas for a European Employment Pact. The Conclusions of the Vienna Council call for the agreement of an Employment Pact in time for the Cologne European Council in June. We believe the Pact should be based in the existing process of European Employment Guidelines and National Employment Action Plans.

There will also be a presentation of the 1999 Employment and Labour Market Committee work programme.

The Council will discuss the proposed reform of the Standing Committee on Employment which aims to enable this tripartite body to make a more efficient and appropriate contribution to the employment strategy.

There will be discussion of a Resolution on a Code of Conduct which invites Member States to improve administrative co-operation between their authorities in three areas: transnational hiring-out of workers, combating benefit fraud and illegal employment.

The Presidency will report to the Council on the progress negotiations for measures on the organisation of working time for those sectors currently excluded from the Working Time Directive. No discussion is expected.

The Presidency will also give information on how it plans to proceed in the second half of its Presidency on the proposed European Company Statute. No substantive discussion is expected.

### Internet Connections

**Mr. Willis:** To ask the Secretary of State for Education and Employment at what cost to *(a)* the Government, *(b)* schools and *(c)* local authorities connections to the Internet for schools have been made. [72076]

**Mr. Charles Clarke:** Information relating specifically to the cost of schools' connection to the Internet is not held centrally.

**Mr. Willis:** To ask the Secretary of State for Education and Employment what is the average *(a)* capital and *(b)* running cost per link to the Internet for (i) primary schools and (ii) secondary schools; and if he will estimate the range of such costs. [72081]

**Mr. Charles Clarke:** Oftel and the telecoms industry have now reached agreement on how the commitment to wire up schools to the superhighway free of charge will be implemented. Schools will have a choice of free connections and of technologies, either ISDN2 or equivalent from BT or the cable companies. They are, of course, under no obligation to restrict their usage to these times, packages or telecoms providers included in this deal, and if this is the case, their costs will vary accordingly.

The detailed terms of the offer are contained in the Oftel statement "Access to the Superhighways for Schools" (October 1997). Main features are:

| *Company/technology* | £ |
|---|---|
| BT (10 hours per school day 8am-6pm) | |
| ISDN2 | 790 p.a. |
| PSTN | 445 p.a. plus £100 connection charge |
| Cable companies | |
| ISDN | 600 p.a. |
| PSTN | 100 p.a. for schools up to 250 pupils |
| | 250 p.a. for schools from 251–500 pupils |
| | 500 p.a. for schools with 501+ pupils |

Other companies may choose to offer similar tariff structures—as a commercial decision for the individual companies involved.

**Mr. Willis:** To ask the Secretary of State for Education and Employment if he will list the companies which have made connections to the Internet for schools free of installation charges; how many connections have been made in each case; and if he will publish the terms under which these connections have been made. [72079]

**Mr. Charles Clarke:** Under the agreement between Oftel and the telecoms industry schools will have a choice of free connections and of technologies, either ISDN2 or equivalent from BT or the cable companies.

The detailed terms of the offer are contained in the Oftel statement "Access to the Superhighways for Schools" (October 1997). Main features are:

| *Company/technology* | £ |
|---|---|
| BT (10 hours per school day 8am-6pm) | |
| ISDN | 790 p.a. |
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| Cable companies | |
| ISDN | 600 p.a. |
| PSTN | 100 p.a. for schools up to 250 pupils |
| | 250 p.a. for schools from 251–500 pupils |
| | 500 p.a. for schools with 501+ pupils |

Other companies may choose to offer similar tariff structures—as a commercial decision for the individual companies involved.

The Department does not hold figures for schools' connection to the Internet by individual companies.

**Mr. Willis:** To ask the Secretary of State for Education and Employment what representations he has received

from *(a)* BT, *(b)* other providers, *(c)* schools and *(d)* local authorities on Internet connections. [72080]

**Mr. Charles Clarke:** The Department received representations from all the above groups and others on a range of issues including Internet connections as part of the consultation exercise on plans for the National Grid for Learning undertaken in 1997. A report on the outcomes of that consultation can be found on the National Grid for Learning website at: http://www.vtc.ngfl.gov.uk/vtc/library/pub.html.

**Mr. Willis:** To ask the Secretary of State for Education and Employment what steps he is taking to monitor the terms under which free connections to the Internet for schools are being made; and if he will make a statement. [72077]

**Mr. Charles Clarke:** Current arrangements for schools' connection to and use of the Internet at reduced cost were brokered by Oftel and allow for schools to benefit from access to the Internet for a fixed annual fee through a BT ISDN2 connection between 9am and 6pm or for unlimited access through an equivalent cable connection.

The DfEE, in conjunction with other Government Departments, Oftel and the British Educational Communications and Technology Agency, continue to monitor schools' use of the Internet, through statistical surveys and in other ways, and to explore with Oftel and the telecommunications industry the scope for extending such agreements.

**Mr. Willis:** To ask the Secretary of State for Education and Employment how many times he has met representatives of BT to discuss Internet connections to schools. [72087]

**Mr. Charles Clarke:** My right hon. Friend the Secretary of State has met the BT Chairman for discussion on a range of issues. In addition, officials remain in touch with BT through correspondence and meetings, and through public consultation. Other Ministers have also had contact with representatives of the company. These meetings have typically covered a range of issues rather than specifically relating to Internet connections to schools.

**Mr. Willis:** To ask the Secretary of State for Education and Employment how many and what percentage of *(a)* primary and *(b)* secondary schools have been connected to the Internet free of installation charge to date. [72078]

**Mr. Charles Clarke:** The Department published last year the results of a survey of ICT in provision in schools which indicated that 17 per cent. of primary schools and 83 per cent. of secondary schools were connected to the Internet by March 1998. This is in comparison to the previous year's survey (published in 1997) which indicated that 5 per cent. of primary schools and 47 per cent. of secondary schools were connected to the Internet at the time. Subsequent annual surveys will indicate the change in growth of schools with such connections. The Government are committed to ensuring that all schools are connected to the Internet by 2002.

Precise figures are not held on how many of these schools benefited from the free connection deals such as those offered by BT and cable companies.

## Education SSAs

**Dr. Tony Wright:** To ask the Secretary of State for Education and Employment if he will estimate the funding made available in the 1999–2000 SSA for (i) a primary school with 250 pupils and (ii) a secondary school with 900 pupils in *(a)* Hertfordshire and *(b)* Staffordshire; and what factors underlie the differences in allocations between the two counties. [72200]

**Ms Estelle Morris:** The following table sets out the information requested. The differences in allocations are very largely due to the way the area cost adjustment is calculated, although the ethnicity factor also has a small effect in allocating more education SSA per pupil to Hertfordshire.

| *Local Education Authority* | *SSA funding for 250 pupil primary school* | *SSA funding for 900 pupil secondary school* |
|---|---|---|
| Hertfordshire | 593,000 | 2,721,000 |
| Staffordshire | 538,000 | 2,483,000 |

## National Minimum Wage

**Mr. Burden:** To ask the Secretary of State for Education and Employment (1) what guidance he has issued to *(a)* job centres and *(b)* other parts of the Employment Service on their role in monitoring the introduction of the national minimum wage; [71496]

(2) whether job centres will be permitted *(a)* to process and *(b)* to display job vacancies notified to them at pay rates below the national minimum wage. [71497]

**Mr. Andrew Smith:** Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

*Letter from Leigh Lewis to Mr. Richard Burden, dated 24 February 1999:*

As the Employment Service is an Executive Agency the Secretary of State for Education and Employment has asked me to reply to your two questions concerning the Employment Service's preparations for the introduction and monitoring of the National Minimum Wage and whether the Service will advertise jobs at a wage below the legal minimum. These are issues which fall within the responsibilities delegate to me as Chief Executive of the Agency.

We have already issued guidance to Jobcentres and other relevant parts of the Agency that from 1 April they must only process and display vacancies which comply with the requirements of the National Minimum Wage Act and its associated regulations. All Jobcentre Managers will be required to check that this guidance is being followed. Vacancy takers in Jobcentres will advise employers using the Employment Service who may seek to offer rates below the National Minimum Wage of the requirements of the legislation.

The Employment Service is working closely with the Department of Trade and Industry, who have responsibility for the National Minimum Wage Act 1998, and through them with the Inland Revenue who are charged with its enforcement. Any complaints received at Jobcentres about employers who may not be meeting the requirements of the Act will be passed to the Inland Revenue to investigate.

I hope this is helpful.

### School Teachers

**Dr. Tony Wright:** To ask the Secretary of State for Education and Employment what is the average annual cost of employing a school teacher in England. [72201]

**Ms Estelle Morris:** The estimated average cost of employing a full-time teacher (including heads and deputies) in the maintained nursery, primary, secondary and special sector in England at April 1999:

| | £ |
|---|---|
| Average salary | 25,400 |
| Employer costs[1] | 3,800 |
| Total cost | 29,200 |

[1] Includes 7.6 per cent. National Insurance contributions and 7.2 per cent. pension costs

## HEALTH

### Nurses

**Mr. Syms:** To ask the Secretary of State for Health how many nurses left permanent nursing jobs to work for agencies in *(a)* 1997 and *(b)* 1998. [67381]

**Mr. Denham:** Information on the number of nurses who left permanent nursing jobs to work for agencies is not available centrally.

**Mr. Syms:** To ask the Secretary of State for Health how many vacant nursing posts there are currently. [67374]

**Mr. Denham:** Based on various figures from various sources, there are probably in the region of 9,000 vacancies lasting three months or longer.

**Mr. Syms:** To ask the Secretary of State for Health if he will make a statement on the impact of the shortage of nurses. [67372]

**Mr. Denham:** We recognise that staff shortages, particularly in nursing, are a major concern for National Health Service employers seeking to deliver high quality patient care. Many of the problems stem from the decision, made under the previous Administration, to cut the number of training places. This year, 16,873 student nurses are expected to start training—the highest figure for six years. If nurse training since 1992 had matched the current level, there could now be an extra 11,000 nurses available in the NHS today.

**Mr. Syms:** To ask the Secretary of State for Health how much money was spent on agency nurses in each year between 1979 and 1999. [67377]

**Mr. Denham:** The table contains data outlining the expenditure on nurses not employed directly by the National Health Service for the years 1987–88 to 1997–88. Information on the cost of nurses not employed directly by the NHS prior to 1987–88 is not available.

| *Year* | *Expenditure 1997–98 prices (£)* |
|---|---|
| 1997–98 | 216,338,567 |
| 1996–97 | 196,475,548 |
| 1995–96 | 176,296,636 |
| 1994–95 | 144,526,300 |
| 1993–94 | 116,764,528 |
| 1992–93 | 115,750,219 |
| 1991–92 | 121,044,540 |
| 1990–91 | 149,647,856 |
| 1189–90 | 180,869,011 |
| 1988–89 | 164,858,723 |
| 1987–88 | 142,003,654 |

*Note:*

The 1997–98 figure is provisional.

*Source:*

1. Annual financial returns of NHS trusts, 1991–92 to 1997–98.
2. Annual financial returns of health authorities, 1996–97 and 1997–98.
3. Annual financial returns of district and regional health authorities and the special health authorities for the London postgraduate teaching hospitals, 1991–92 to 1995–96.
4. Annual accounts of district and regional health authorities and the special health authorities for the London postgraduate teaching hospitals, 1987–88 to 1990–91.

**Mr. Syms:** To ask the Secretary of State for Health how much money was spent by the NHS in 1997 and 1998 to recruit nurses, broken down by health authority. [67376]

**Mr. Denham:** The information requested is not available centrally.

**Mr. Syms:** To ask the Secretary of State for Health what action is being taken to tackle the shortage of nurses; and how much this action has cost, broken down by project, over the last year. [67382]

**Mr. Denham:** We have agreed the best, real terms pay rise for nurses for 10 years, backed with a £100 million allocation from the Modernisation Fund. On 1 February, a high profile, multi-media nurse recruitment campaign was launched. This builds on the £50 million package which was announced last September to expand part-time training places, target enrolled nurses to retrain and return to the National Health Service (2,700 over the next three years) and widen access to training and support existing NHS staff to become qualified nurses (200 staff this year and 1,000 in the following three years). In addition, an extra £4 million was allocated in 1998–99 specifically to support "return to practice" initiatives on getting former nurses back to the NHS.

**Mr. Syms:** To ask the Secretary of State for Health what estimate he has made of the number of UK trained nurses who are of working age and who are currently not working as nurses. [67383]

**Mr. Denham:** Analysis of the United Kingdom Central Council for Nursing, Midwifery and Health Visiting Register suggests that up to 140,000 qualified nurses, under 55 years old, are not working as nurses.

**Mr. Syms:** To ask the Secretary of State for Health what plans he has to introduce more family friendly employment practices for nurses. [67379]

**Mr. Denham:** The Human Resources Framework (Health Service Circular 1998/162) is a major step forward in our drive to meet the aspirations of both staff and employers in the provision of flexible employment policies and working practices to reconcile work and

family life. Work being undertaken by the Government's Women's Unit, and the development of a series of resource packs, aims to share innovation, good practice and support their local implementation.

### Genetically Modified Food

**Mr. Llew Smith:** To ask the Secretary of State for Health if he will list each of the research projects *(a)* conducted and *(b)* sponsored by his Department into the health implications of genetically modified food. [72526]

**Ms Jowell:** None by this Department. However, colleagues in the Ministry of Agriculture, Fisheries and Food sponsor research on food safety generally, including genetically modified foods.

### Multiple Sclerosis

**Mr. Corbett:** To ask the Secretary of State for Health if he will publish his response to the findings of the report, "A Survey of Multiple Sclerosis Provision in England 1998–99", published by the Association for Quality Care in Health. [66061]

**Mr. Hutton** *[holding answer 18 January 1999]:* Under the present system it is for health authorities and general practitioners to plan the services for people in their care, taking into account the needs of the local population and the priorities set for the use of available resources. The move to new commissioning arrangements will bring about improvements in services for people with conditions like multiple sclerosis. Longer term agreements, reflecting dialogue between clinicians and focusing on health improvement will increase the emphasis on programmes of care that cross the traditional boundaries to meet patient's needs best.

### Nurse Recruitment Hotline

**Dr. Harris:** To ask the Secretary of State for Health what estimate he has made of *(a)* the number of inquiries to the Nursing Recruitment Hotline since its inception and *(b)* the number of nursing vacancies in the NHS for each month since May 1997. [69785]

**Mr. Denham:** As at 23 February 1999, the number of inquiries to the National Health Service telephone response line for the national nursing recruitment campaign was 36,515. Based on various figures from various sources, there are probably in the region of 9,000 vacancies lasting three months or longer.

### Nurses (Herefordshire)

**Mr. Keetch:** To ask the Secretary of State for Health what estimate he has made of the current number of fully-trained nurses in hospitals in Herefordshire. [70741]

**Mr. Denham:** There are currently (as of 10 February 1999) 360 trained nurses in post in Herefordshire Acute Hospitals, and 18 vacancies. In Herefordshire Community Hospitals there are currently 48 funded posts and 3 vacancies.

*Source:*

Herefordshire Hospitals National Health Service Trust.

### Primary Care Groups (Derbyshire)

**Mr. McLoughlin:** To ask the Secretary of State for Health (1) how many chief executives of primary health care groups have been appointed in South Derbyshire and North Derbyshire; [71434]

(2) what is the annual cost to South Derbyshire and North Derbyshire Health Authorities of employing the chief executives for the primary health care groups in their area. [71436]

**Mr. Denham:** Within North and Southern Derbyshire health authorities there are a total of ten primary care groups. Each of these will have a chief executive whose salary will be approved by the Health Authority's Remuneration Committee.

To date, seven chief executives have been appointed. National guidance gave a framework for salaries ranging between £34,000–50,000.

All these costs will be met within the funds released by the closure of the general practitioner fundholding scheme.

### Winter Pressures

**Sir Alastair Goodlad:** To ask the Secretary of State for Health how much extra money was provided to the NHS in the Mersey region in connection with the 1998 winter pressures; and how and where it was spent. [71306]

**Mr. Denham:** £12.2 million was made available from winter pressure funds and management cost savings to the National Health Service in the Merseyside and Cheshire area (within the former Mersey Regional Health Authority boundary) to help cope with winter pressures. The tables show the purposes for which and the health authorities to whom it was allocated.

| *Purpose of allocation* | *£000* |
|---|---|
| Avoiding inappropriate admissions | 780 |
| Improved hospital care of emergencies | 3,820 |
| Intensive care | 700 |
| Facilitating hospital discharge | 2,860 |
| Community care | 2,250 |
| Maintaining elective activity | 1,280 |
| Other | 530 |

| *Health authority allocation* | *£000* |
|---|---|
| Liverpool | 2,740 |
| North Cheshire | 1,400 |
| Sefton | 1,260 |
| South Cheshire | 2,220 |
| St. Helens and Knowsley | 1,530 |
| Wirral | 3,070 |

### Patients (Nationality)

**Mr. Maclean:** To ask the Secretary of State for Health what records the NHS maintains of the nationality of patients. [71095]

**Mr. Denham:** The National Health Service does not routinely maintain records of the nationality of patients.

## AIDS

**Jackie Ballard:** To ask the Secretary of State for Health (1) if he will list the amounts of funding provided, by each authority area, for AIDS support for *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000; [72308]

(2) if he will make a statement on the allocation of the AIDS support grant for 1999–2000. [72309]

**Ms Jowell:** The level of AIDS Support Grant to local authorities for 1999–2000 will be £15.5 million (an increase of almost 12 per cent. on 1998–99) and the planning figures for 2000–01 and 2001–02 are £16 million and £16.5 million respectively. We expect to announce the 1999–2000 AIDS Support Grant allocations to local authorities shortly.

Information on the amounts of funding provided, by each authority area, for AIDS Support Grant for 1997–98 and 1998–99 has been placed in the Library.

## Schizophrenia

**Sir Alastair Goodlad:** To ask the Secretary of State for Health what data he has collated as to how many people discharged from hospital following a main diagnosis of schizophrenia psychoses and subsequently taken by the police under the Mental Health Act 1983 to hospital have been refused admission in the last year for which figures are available. [72580]

**Mr. Hutton:** This information is not available centrally. However, the Department has commissioned the Royal College of Psychiatrists' Research Unit to co-ordinate a programme of research into the use of the Mental Health Act 1983. The research will consider in detail variations in use, assessment and the decision-making process, and analysis of existing data sets. Interim reports will be made available to the expert group undertaking the first phase of the review into mental health legislation. The final reports are due to be made available to the Department on 31 December 1999.

## Carers

**Mr. Sayeed:** To ask the Secretary of State for Health (1) what plans he has to establish a national register of carers for the elderly; [72150]

(2) what guidance his Department has issued on recommended procedures for ensuring a high standard of care when employing a carer for an elderly relative; [72151]

(3) what vetting procedures and guidelines his Department recommends are required with regard to the employment of carers for the elderly. [72152]

**Mr. Hutton:** In 1993 the Social Services Inspectorate published "Developing Quality Standards for Home Support Services" which was sent to all social services authorities and made available to the independent sector.

The Social Services White Paper, "Modernising Social Services", included a commitment to introducing a regulatory framework for domiciliary care for the first time. This framework will include legally enforceable standards for registered domiciliary care providers and included in this will be procedures for the vetting and recruitment of care staff.

The White Paper also included proposals to establish the General Social Care Council. The purpose of the Council is to increase the protection of all service users, their carers and the general public. It will have a registration function based on the successful completion of approved training. The first task of the new Council will be to draw up enforceable codes of conduct and practice for all social care staff.

The General Social Care Council will draw up a code of practice for employers that will set out the need for employers to have sound recruitment practices to prevent unsuitable people from entering the workforce. This code will be enforced through the registration and inspection of services.

## Caesarean Sections

**Dr. Starkey:** To ask the Secretary of State for Health how many caesarean sections took place in each of the last five years in England; and what they were in each year as a percentage of all deliveries. [72540]

**Mr. Hutton:** Information about the percentage of deliveries by caesarean section in England over the last 5 years is contained in the table.

| *Year* | *Estimated number of caesarean sections* | *Percentage of deliveries by caesarean section* |
|---|---|---|
| 1992–93 | 86,200 | 13.8 |
| 1993–94 | 93,000 | 15.0 |
| 1994–95 | 93,500 | 15.5 |
| 1995–96 | 94,800 | 16 |
| 1996–97 | 101,000 | 17 |

Provisional figures pending further work to validate data.

*Source:*

Hospital Episode Statistics (Maternity)

Department of Health: Statistics Division SD2B

## Diesel Engine Emissions

**Mr. Dalyell:** To ask the Secretary of State for Health what assessment he has made of the impact on health of a reduction in the use of diesel engines in urban areas. [71110]

**Ms Jowell:** Diesel engines are a major source of particles, particularly in urban areas and especially when air quality is poor. Particles have serious effects on health. The Report on the "Quantification of Health Effects of Air Pollution in the United Kingdom" published in 1998 by the Committee on the Medical Effects of Air Pollutants (COMEAP) estimated that up to 8,100 people who are already very ill have their deaths brought forward each year in urban Great Britain as a result of exposure to particles and that they are also responsible for up to 10,500 admissions to hospital for respiratory conditions. A proportion of these will be the result of exposure to particles from motor vehicles and from diesel. The measures set out in the review of the United Kingdom National Air Quality Strategy published last month, including the agreement in Europe for tighter limits on vehicle emissions and improved fuel quality under the Auto Oil programme, will lead to reductions in levels of particles in the UK.

The relative merits of petrol-driven cars and light vehicles over diesel equivalents in urban areas was discussed at a meeting of COMEAP on 19 February and a full statement on this subject will be issued by the Committee shortly. In arriving at a conclusion, the Committee was unable to take account of the indirect effects of vehicle-generated air pollutants on health, such as climate change; it is also based on current knowledge and recognises that future technological improvements may mean the position will need to be reassessed at some future date. Nevertheless, it concluded that because of the damage to health from particles, at the present time petrol vehicles would be preferred to diesel where the majority of a vehicles' journeys take place in urban areas.

### Internet Connections

**Dr. Harris:** To ask the Secretary of State for Health (1) if he will estimate the costs to *(a)* the Government, *(b)* hospitals and GPs' surgeries and *(c)* local authorities, of connections to the Internet for hospitals and GPs' surgeries to date; [71987]

(2) which companies have carried out connections to the Internet for *(a)* hospitals and *(b)* GPs' surgeries free of installation charges; how many connections have been made in each case; and if he will publish the terms under which such connections have been made; [71991]

(3) how many and what percentage of *(a)* hospitals and *(b)* GPs' surgeries have been connected to the Internet free of installation charge to date; [71989]

(4) what steps he is taking to monitor the terms under which free connections to the Internet for hospitals and GPs' surgeries are being made; and if he will make a statement; [71992]

(5) what is the average *(a)* capital and [illegible]ual running cost per link to the Internet for (i) hosp[illegible]and (ii) GPs' surgeries; and if he will estimate the range within which such costs fall. [71986]

**Ms Jowell:** Direct connection to the Internet by hospitals and general practitioners' surgeries is a matter for individual agreement between the National Health Service user and the Internet service provider. No information is collected or held centrally on the number of capital and running costs of such links.

A secure route to the Internet is available for hospitals and GPs' surgeries through the NHS's own intranet, NHSnet, and the additional cost of this service is between £340 and £400 a year for each NHS organisation. The costs of these connections are met by the individual NHS user organisations.

**Dr. Harris:** To ask the Secretary of State for Health (1) how many times he has met representatives of BT to discuss Internet connections to hospitals and GPs' surgeries; [71988]

(2) what representations he has received from *(a)* BT, *(b)* other service providers, *(c)* hospitals and GPs' surgeries and *(d)* local authorities on Internet connections. [71990]

**Ms Jowell:** My right hon. Friend the Secretary of State has not met representatives of British Telecom to discuss Internet connections to hospitals and general practitioners' surgeries, nor has he received representations from BT, other service providers, hospitals and GPs' surgeries or local authorities on Internet connections.

### Mental Health Services

**Helen Jones:** To ask the Secretary of State for Health if he will *(a)* list the (i) number of working groups currently considering a national framework for mental health services and (ii) the names of those serving on each group and *(b)* state how many members of the (1) Black and (2) other ethnic minority communities are on each group. [72283]

**Mr. Hutton:** There were eight sub-groups contributing to the development of the National Service Framework for Mental Health. A list of the individuals is in the table. Individual members were not asked about their ethnic or cultural background, but they reflect a wide range of interests, experience and expertise, including those from a black and minority ethnic group perspective.

*Sub-group 1*

Professor Graham Thornicroft
Ms June McKerrow
Dr. David Melzer
Dr. Jenny Bywaters
Ms Sue Gallagher
Mr. Gary Hogman
Mr. Hari Sewell
Mr. Eddie Kane
Professor Glynn Harrison

*Sub-group 2*

Dr. Huw Lloyd
Dr. Lynne Friedli
Professor David Kingdon
Mr. Tony Russell
Mr. Robert McLean
Mr. Phil Draper
Dr. Alan Cohen
Dr. Geraldine Strathdee
Dr. Andree Tylee

*Sub-group 3*

Ms Marion Beeforth
Ms Bernadette Collins
Ms Pat Gunan
Dr. Robert Dolan
Ms Geraldine White
Ms Pearl Baker
Dr. Eleanor Cole
Professor Glenys Parry
Professor Jan Scott
Dr. Janet Parrott

*Sub-group 4*

Mr. Cliff Prior
Dr. Sarah Davenport
Ms Madeleine Drake
Mr. Bill Kilgallon
Ms Cathy Ormston
Ms Ruth Dixon
Dr. Frank Holloway
Dr. Elizabeth Kuipers
Mr. Derry Murphy

*Sub-group 5*
Dr. Paul Lelliott
Ms Judi Clements
Ms Margaret Pedler
Mr. Tom Sandford
Ms Ethna Kilduff
Roberta Graley
Ms Karen Campbell
Professor Peter Huxley
Dr. Sonia Johnson
Professor Peter Tyrerl
Mrs. Susan Knight

*Sub-group 6*
Mr. Don Brand
Ms Cath Cunningham
Ms Jeni Bremner
Ms Jane MacKay
Professor Martin Knapp
Professor Geoff Shepherd
Professor Louis Appleby
Professor Tom Burns

*Sub-group 7*
Mr. Chris Heginbotham
Ms Julia Essex
Mr. Martin Barkley
Mr. David Joanidds
Dr. Edward Peck
Mr. Charles Waddicor
Ms Veronica Dewan
Ms Fiona Wise
Dr. Simon Baugh
Dr. Julie Hollyman

*Sub-group 8*
Dr. Matt Muijen
Ms Jenny Bernard
Ms Judy Croton
Mr. David Burchell
Ms Kay Beaumont
Professor Kevin Gourney
Dr. Robert Kendell
Ms Mary Nettle
Ms Marjorie Wallace
Ms Premila Trivedi

**Helen Jones:** To ask the Secretary of State for Health how many members of the group currently considering a review of the Mental Health Act are members of *(a)* Black and *(b)* other ethnic minority communities. [72284]

**Mr. Hutton:** The twelve members of the expert group undertaking the first phase of the review of the Mental Health Act 1983 were appointed on the basis of their expertise in key areas rather than because they represent particular organisations. However, one expert group member is African.

## Showa Denko

**Mr. Maclean:** To ask the Secretary of State for Health if the NHS purchases drugs from Showa Denko. [72695]

**Ms Jowell:** We are not aware of the National Health Service purchasing any drugs from Showa Denko.

## Eosinophilia Myalgia Syndrome

**Mr. Maclean:** To ask the Secretary of State for Health (1) what assessment his Department has made of the alleged linkage of L-tryptophan to Eosinophilia Myalgia Syndrome; [72702]

(2) how many Eosinophilia Myalgia Syndrome sufferers there are in the UK; and if he will estimate the number who contracted it from L-tryptophan; [72686]

(3) what information he has collated on genetically modified L-tryptophan. [72685]

**Ms Jowell:** There is no system of mandatory notification in the United Kingdom of cases of Eosinophilia Myalgia Syndrome (EMS) and no central register. Cases of EMS are thought to occur only in association with exposure to L-tryptophan. There were 11 possible cases reported to the Committee on Safety of Medicines by 1991, and there have been 7 possible cases subsequent to the reintroduction of Optimax in 1994, although a causal relationship for these cases has not been established. Several of the cases do not meet the internationally agreed definition of Eosinophilia Myalgia Syndrome. It is not known how many of these patients continue to have symptoms: several of the patients recovered completely after stopping their medicine.

EMS was first recognised as a condition in late-1989. There was extensive investigation into the association between EMS and L-tryptophan by the Medicines Control Agency at that time and the issue was considered in detail by the Committee on Safety of Medicines. It is considered likely that the reported cases of EMS were caused by an impurity or contaminant in L-tryptophan made by a single manufacturer in Japan.

The assessment then and subsequently included review of the worldwide published literature, examination of data submitted by the manufacturers of L-tryptophan and involved liaison with other regulatory authorities in Europe and the USA. In addition, there has been continuing evaluation of individual cases of adverse reactions reported in the United Kingdom under the Yellow Card scheme and via a monitoring scheme operated by the Marketing Authorisation Holder.

L-tryptophan is a simple chemical which cannot be modified genetically. As for all medicines made using biotechnology methods, all the steps taken in the manufacturing process are carefully controlled and have to comply with the specifications stipulated in the marketing authorisation (licence) for the product. All the relevant information is made available by the manufacturers and assessed by the Medicines Control Agency at the time of submission of an application for marketing authorisation and may be subject to ongoing site inspections.

## Chronic Illnesses

**Mr. Maclean:** To ask the Secretary of State for Health if he will list the 20 most prevalent chronic illnesses in terms of numbers of known sufferers [72718]

**Mr. Hutton:** Hospital episode statistics record diagnostic information for those people admitted to hospital. Information is recorded using the international classification of diseases (ICD10). There is no category in this classification for "chronic illnesses".

### Hip Replacements

**Mr. Maclean:** To ask the Secretary of State for Health what is the average age of people receiving hip replacement operations. [72716]

**Mr. Hutton:** In 1997–98 the average age was 68.

### Mesothelioma

**Mr. Maclean:** To ask the Secretary of State for Health what assessment his Department has made of the claims that SV40 virus is linked to Mesothelioma; and what estimates his Department has made of the future number of Mesothelioma sufferers. [72710]

**Ms Jowell:** This matter has been carefully considered by the Joint Committee on Vaccination and Immunisation (JCVI), the Government's independent expert advisory committee. Concern about the possible impact of Simian Virus 40 on the human population was raised in the early 1960s. SV40 was found in some inactivated polio vaccines produced in the late 1950s and early 1960s. Since the discovery of SV40 in 1960 it has been stipulated that all viruses in addition to poliovirus in inactivated polio vaccine (IPV), should be inactivated. When live oral polio vaccine (OPV) became available in 1962, it also had to be free of all known viruses (other than the three polio viruses the vaccine protects against). All the relevant samples of OPV in the UK repository, going back to 1966, have been checked by the National Institute for Biological Standards and Control and no infectious SV40 virus was detected. Currently used vaccines are rigorously checked to ensure their safety and efficacy and are free of SV40.

Although SV40 has been isolated from some human tumours, there is no evidence that SV40 virus is causing the tumours. Research studies in people who received SV40 contaminated IPV have found no increase in cancers when compared with people who did not receive contaminated IPV. The JCVI agreed with the conclusions of these studies.

Professor Julian Peto and colleagues have recently completed epidemiological research which was published in the *British Journal of Cancer* this year. They estimated that the number of men dying from mesothelioma in Western Europe will almost double over the next 20 years from 5,000 in 1998 to about 9,000 in 2018. For Britain, the predicted annual deaths from mesothelioma in years 2015–19 is 1,750, almost twice the current rate. This is around 6 per cent. of the current 30,000 lung cancer deaths annually. Mesothelioma rates are a quantitative indicator of the population's past exposure—mainly occupational—to asbestos.

### Hospital Beds

**Mr. Maclean:** To ask the Secretary of State for Health how many hospital beds there are per 1,000 of the population in *(a)* Cumbria and *(b)* England. [72689]

**Mr. Denham:** The most recent available data are for the financial year 1997–98. In that year the average daily number of available beds per 1,000 of the population in (a) Cumbria was 4.32 and (b) England was 3.93.

# Written Answers to Questions

*Thursday 25 February 1999*

## CULTURE, MEDIA AND SPORT

### Departmental Cash and Running Costs Limits

**Miss Begg:** To ask the Secretary of State for Culture, Media and Sport what changes he proposes to make to his Department's cash limits and running costs for 1998–99. [71118]

**Mr. Chris Smith:** Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class X, Vote 1 will be increased by £468,000 from £885,816,000 to £886,284,000.

This is to enable the Tate Gallery to use the proceeds of £1,900,000 from the sale of its store at Acton to finance the remaining conversion works at their new store at Southwark and the relocation of library and archive facilities to Millbank; to provide for increases in provision of £97,000 for the Public Lending Right to maintain the rate per loan at 2.07 pence; £215,000 for works on occupied Royal Palaces and state monuments in line with end year flexibility as announced by my right hon. Friend the Chief Secretary to the Treasury on 14 July 1998, *Official Report*, columns *131–36*; £80,000 to English Heritage and £135,000 to the Royal Parks for the costs associated with public consultation on a memorial garden for the late Diana, Princess of Wales; £23,000 to the Library and Information Commission for the cost of movement of transfer values for staff into the Principal Civil Service Pension Scheme; £120,000 and £450,000 in gross running costs for the transfer of provisions for refunds of VAT on contracted out services from net receipts to Appropriations in Aid; to provide for a reimbursement of £189,000 on payments made to the Inland Revenue for assets accepted in lieu of tax; to provide for a transfer of £15,000 from the Inland Revenue for services provided by the Museums and Galleries Commission on pre-eminent quality testing and to provide for a reduction of £97,000 in the requirement for the Department's contribution to the Council of Europe's Audiovisual Eureka in Brussels and the European Audiovisual Observatory in Strasbourg.

The increases will be offset by transfers, savings or charged to the Reserve, and will not, therefore, add to the planned total of public expenditure.

### Internet (Public Libraries)

**Mr. Willis:** To ask the Secretary of State for Culture, Media and Sport at what cost to *(a)* the Government, *(b)* libraries and *(c)* local authorities, connections to the Internet for public libraries have been made. [72083]

**Mr. Alan Howarth** *[holding answer 24 February 1999]*: The Government have pledged £70 million of National Lottery funding to train public library staff and create digitised material which will support the development of the Public Libraries Network. In addition, £6 million of pump-priming investment in the network infrastructure is being provided over two years (1998–99 and 1999–2000) through the DCMS/Wolfson Challenge Fund. Information on the costs incurred by libraries and local authorities is not held centrally.

### Speedway

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport what representations he has received about the broadcasting of speedway events. [73114]

**Mr. Chris Smith:** I have received three representations on this subject since May 1997.

### Turner Collection of Scientific Manuscripts

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the whereabouts of the Turner Collection of scientific manuscripts. [73115]

**Mr. Chris Smith:** Following Keele University's sale of the Turner collection, the exact present location of the collection is unknown. The disposal raises important issues about the future operation of the export licence system, which I am now considering.

### Centre for Young Musicians

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport what representations he has received about the future funding of the Centre for Young Musicians; and if he will make a statement. [73113]

**Mr. Chris Smith:** I have received several representations, each from the Centre for Young Musicians, regarding future funding. Government funding for the Centre is a matter for my right hon. Friend the Secretary of State for Education and Employment.

### Talk Radio

**Mr. Fallon:** To ask the Secretary of State for Culture, Media and Sport if he will take steps to enable Talk Radio to become a member of the European Broadcasting Union. [73246]

**Mr. Chris Smith:** This is entirely a matter for the European Broadcasting Union.

### National Minimum Wage (Tourism Industry)

**Mr. Loughton:** To ask the Secretary of State for Culture, Media and Sport what representations he has received regarding the effect of the national minimum wage on the tourism industry. [71614]

**Janet Anderson:** I have received representations on this subject from a number of companies and associations in the tourism, hospitality and leisure industry. I understand the Low Pay Commission (LPC) had a good and productive dialogue with many representatives of the

tourism industry. This is reflected in the recommendations the LPC made. All the industry's major representative organisations were included in the recent consultation exercise about the draft regulations which will implement the National Minimum Wage.

### Brit Awards

**Mr. Maclean:** To ask the Secretary of State for Culture, Media and Sport if he will list those Ministers in his Department who were present at the recent Brit Awards in an official capacity, indicating the organisation acting as their sponsor or host. [73495]

**Mr. Chris Smith:** My hon. Friend the Minister for Tourism, Film and Broadcasting and I attended as guests of the British Phonographic Industry.

### School Playing Fields

**Mr. Spring:** To ask the Secretary of State for Culture, Media and Sport how many planning applications for the sale of school playing fields have *(a)* been considered and *(b)* been objected to by the Sports Council since 1 January. [70980]

**Mr. Banks** *[holding answer 15 February 1999]:* Since 1 January 1999 the English Sports Council has considered 26 planning applications in respect of school playing fields and objected in 6 cases.

## NORTHERN IRELAND

### RUC (Complaints and Discipline Department)

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland if she will estimate for each of the last four years for which figures are available the principal items of expenditure from the total annual budget of the Complaints and Discipline Department of the Royal Ulster Constabulary; and how many officers and staff were employed and at what salary grades. [69656]

**Mr. Ingram:** The main expenditure for the Complaints and Discipline Department of the Royal Ulster Constabulary is on staff costs. Other expenditure would include accommodation and supplies e.g. Stationery, and are dealt with on a force-wide basis.

The personnel costs for both police and civilian support staff are estimated as follows:

| *Year* | *£ million* |
|---|---|
| 1997–98 | 4.5 |
| 1998–99 | 4.8 |

*Note:*
Costs for the previous two years are not readily available.

The personnel costs include salaries, allowances and ERNI.

The numbers and grades of officers and support staff are as follows:

| *Rank/Grade* | *Complement December 1995* | *Complement December 1996* | *Complement December 1997* | *Complement December 1998* | *Actual December 1998* |
|---|---|---|---|---|---|
| ACC | 1 | 1 | 1 | 1 | 1 |
| Superintendent | 12 | 12 | 12 | 11 | 11 |
| Chief Inspector | 25 | 26 | 26 | 26 | 26 |
| Inspector | 10 | 10 | 10 | 10 | 16 |
| Sergeant | 9 | 9 | 9 | 9 | 10 |
| Constable | 9 | 9 | 9 | 9 | 16 |
| EO1 | — | 1 | 1 | 1 | 1 |
| EO2 | — | 3 | 3 | 3 | 2 |
| AO | — | 9 | 9 | 9 | 9 |
| AA | 11 | 12 | 12 | 12 | 11 |
| Pers Secretary | 1 | 1 | 1 | 1 | 0 |
| Typing Manager | 1 | 1 | 1 | 1 | 1 |
| Typists | 10 | 10 | 11 | 11 | 11 |
| Total | 66 (X) | 103 | 103 | 104 | 115 |

(X) Also covers B Department
Figures for the civilian staff complement are not readily available.
Includes officers temporarily seconded to assist with particular investigations.

### Action for Community Employment

**Mr. Beggs:** To ask the Secretary of State for Northern Ireland how many Action for Community Employment worker posts are attached to pre-school playgroups in Northern Ireland; and if she will make a statement on future funding for ACE workers employed by pre-school playgroups. [71489]

**Mr. Ingram:** Responsibility for the subject in question has been delegated to the Training and Employment Agency under its chief executive, Mr. Ian Walters. I have asked him to arrange for a reply to be given.

*Letter from Ian Walters to Mr. Roy Beggs, dated 23 February 1999:*

The Secretary of State for Northern Ireland has asked me as Chief Executive of the Training and Employment Agency to reply to your question about pre-school playgroups supported through the Action for Community Employment (ACE) programme.

At 31 December 1998, the latest date for which figures are available, 118 ACE schemes were delivering programmes for children aged under 5, the majority of which were playgroups. The number of ACE participants directly involved with these schemes was 444.

The Minister, Mr. McFall, has set up a dedicated team of officials drawn from the Training and Employment Agency, the Department of Health and Social Services and the Department of Education. The team is undertaking a survey of the contribution which existing schemes currently make to their local communities.

The team is also providing advice and assistance to ACE schemes which decide to make the transition to New Deal and the replacement for ACE, Worktrain. ACE schemes are being encouraged to become involved in the delivery of these new programmes so that their expertise is not lost and they can continue to serve the community. Approximately one third of ACE schemes are already members of the consortia which are delivering New Deal.

I hope that you find this information useful.

## Departmental Asset Sales

**Mr. Malcolm Bruce:** To ask the Secretary of State for Northern Ireland if she will list the items sold by her Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if she will estimate the total cash raised from such sales to date; and if she will make a statement. [70417]

**Mr. Paul Murphy:** The information is not readily available in the format requested (by item). The following information was available from the Northern Ireland Office and the Northern Ireland Departments, with the exception of The Department of Education for Northern Ireland who could answer the question only at disproportionate cost.

£

| *Department* | *Land and buildings* | *Vehicles plan and machinery* | *Furniture and equipment* | *Total* |
|---|---|---|---|---|
| *NIO* | | | | |
| Department | 362,000 | — | — | 362,000 |
| Probation Board for Northern Ireland | — | — | 109 | 109 |
| Juvenile Justice Board | — | 735 | — | 735 |
| Forensic Science Agency of Northern Ireland | — | — | 36 | 36 |
| Northern Ireland Prison Service | 1,400,000 | 6,330 | — | 1,406,330 |
| Police Authority for Northern Ireland | 377,000 | 752,985 | — | 1,129,985 |
| *DANI* | | | | |
| Rivers Agency | — | 177,967 | — | 177,967 |
| Forest Service | 425,596 | 32,963 | — | 458,559 |
| Northern Ireland Fishery Harbour Authority | 12,000 | — | — | 12,000 |
| Fisheries Conservancy Board | — | 2,000 | — | 2,000 |
| Breen Farm | 14,000 | — | — | 14,000 |
| Livestock and Meat Commission | 580,000 | — | — | 580,000 |
| Agri-Food Development Service | 740,000 | 27,505 | — | 767,505 |
| *DED* | | | | |
| DED HQ and IDB | 8,654,000 | 8,000 | — | 8,662,000 |
| Training and Employment Agency | 2,000,000 | 38,000 | 36,000 | 2,074,000 |
| Industrial Research Technology Unit | 10,000 | 1,000 | — | 11,000 |
| Ulster Sheltered Employment Ltd. | — | — | 6,000 | 6,000 |
| Enterprise Ulster | — | — | 2,000 | 2,000 |
| Construction Industry Training Board | — | — | 14,000 | 14,000 |
| *DFD* | — | 2,500 | — | 2,500 |
| *DHSS* | | | | |
| Core Department | 2,592,000 | — | 10,000 | 2,602,000 |
| Social Security Agency | — | — | 1,000 | 1,000 |
| Health and Social Services Trust | No breakdown available | | | 321,000 |
| Northern Ireland Services Agency for the Health and Social Services | No breakdown available | | | 8,000 |
| Northern Ireland Blood Transfusion Service | No breakdown available | | | 5,000 |
| *DOE* | | | | |
| Core Department | 3,196,137 | — | — | 3,196,137 |
| Water Service | 690,715 | 390,784 | — | 1,081,499 |
| Roads Service | 604,715 | 98,391 | — | 703,106 |
| Environment and Heritage Service | — | 7,879 | — | 7,879 |
| Ordnance Survey of Northern Ireland | — | 200 | — | 200 |
| Rate Collection Agency | — | 650 | 1,139 | 1,789 |
| Fire Authority of Northern Ireland | — | 39,770 | 461 | 40,231 |
| Northern Ireland Housing Executive | 123,998,000 | 4,000 | — | 124,002,000 |
| Laganside Corporation | 1,235,000 | — | — | 1,235,000 |
| Northern Ireland Transport Holding Company | 3,350,533 | 26,000 | — | 3,376,533 |
| Total | | | | 152,264,100 |

## Disabled People (Access)

**Rev. Martin Smyth:** To ask the Secretary of State for Northern Ireland (1) what directions she has given to her officials in the Road Service of the Department of the Environment for Northern Ireland to comply with best practice with regard to the needs of disabled people in the implementation of pedestrianisation in Belfast; [70723]

(2) what steps she is taking to ensure that the standards with regard to vehicular access for disabled people to the centre of Belfast match those recommended by the Department of the Environment, Transport and the Regions; [70721]

(3) what representations she has received from the Disabled Drivers Association regarding the proposals for pedestrianisation of parts of central Belfast; and what plans she has to meet representatives of the association. [70722]

**Mr. Paul Murphy:** Responsibility for the subject in question has been delegated to the Roads Service under its chief executive, Mr. W. S. McCoubrey. I have asked him to arrange for a reply to be given.

*Letter from W. J. McCoubrey to Rev. Martin Smyth, dated 18 February 1999:*

The Secretary of State for Northern Ireland has asked me to respond to your 3 recently tabled Parliamentary Questions about the Department's proposals to restrict vehicular access to Belfast city centre.

First, you asked what steps the Secretary of State is taking to ensure that the standards with regard to vehicular access for disabled people to the centre of Belfast match those recommended by the Department of the Environment, Transport and the Regions (DETR). Whilst the DETR has not published standards with regard to vehicular access, guidelines are contained in its Local Transport Note 1/87, "Getting the Right Balance". I can confirm that the Department of the Environment for Northern Ireland has taken these guidelines into account when formulating its proposals for Belfast city centre.

Secondly, you asked what directions the Secretary of State has given to Roads Service officials to comply with the best practice with regard to the needs of disabled people in implementing the Department's proposals for restricting vehicular access to the city centre. The Secretary of State has not given any directions to officials on this matter. However, 2 Departmental Ministers were involved in the consultations between the Department and groups representing the disabled prior to the formal publication of the proposals.

Thirdly, you asked what representations the Secretary of State has received from The Disabled Drivers' Association regarding the Department's proposals and what plans she has to meet representatives of the Association. The Disabled Drivers' Association wrote to the Secretary of State on 13 January 1999 asking her to examine the Department's proposals and to meet representatives of the Association to discuss the matter. In her reply, the Secretary of State advised that she was aware of the Department's proposals and indicated that the forthcoming public inquiry (to be held on 23 February 1999) will provide an ideal opportunity for all interested parties to air their views about the Department's proposals. The Secretary of State has no plans to meet representatives of the Association.

I trust the above information is helpful.

## Departmental Expenditure

**Mr. Don Foster:** To ask the Secretary of State for Northern Ireland, pursuant to her answer of 11 January 1999, *Official Report*, column *1*, if she will list the expenditure not included in her answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if she will list the bodies which incurred the expenditure. [71029]

**Mr. Paul Murphy:** The information for the Northern Ireland Departments is as follows:

£

| | *Market Research* | *Publications/ Publicity* |
|---|---|---|
| *(a) Task Forces and Review Bodies* | | |
| *NIO* | | |
| Criminal Injuries Compensation Review | 0 | 6,480 |
| NI Drugs Strategy Review | 20,497 | 2,190 |
| Independent Commission on Policing | 0 | 33,782 |
| Criminal Justice Review Group | 14,000 | 8,000 |
| *DED* | | |
| Review of Training Centres and FE Colleges in NI | 16,000 | 7,341 |
| *DENI* | | |
| Youth Service Policy Review Group | 8,460 | 24,471 |
| *DHSS* | | |
| Policy Development and Review Unit | 0 | 1,089 |
| *(b) Focus Groups* | | |
| *DED* | | |
| Organisation of the Unemployed (New Deal Focus Group) | 1,260 | 0 |
| NI Euro Preparations Forum | 0 | 301 |

**Mr. Don Foster:** To ask the Secretary of State for Northern Ireland, pursuant to her answer of 11 January 1999, *Official Report*, column *1*, if she will list the expenditure not included in her answer incurred by *(a)* her agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for her Department. [71028]

**Mr. Paul Murphy:** *(a)* The information for the Northern Ireland Office and the Northern Ireland Departments is as follows:

| | *Amount (£)* |
|---|---|
| Public Opinion Research[1] | 295,350 |
| Television radio newspaper advertising[2] | 5,140,390 |
| Direct mail[3] | 413,146 |

[1] The information for the Northern Ireland Housing Executive could be obtained only at disproportionate cost.

[2] Includes a figure for the Department of the Environment for Northern Ireland, which was not previously available.

[3] The information for the Police Authority for Northern Ireland and the National Museums and Galleries of Northern Ireland could be obtained only at disproportionate cost.

All figures exclude the Department of Health and Social Services and the Education and Library Boards as the information is not readily available and could be obtained only at disproportionate cost.

*(b)* £20,734 on media monitoring for the Northern Ireland Information Service.

**Mr. Moss:** To ask the Secretary of State for Northern Ireland if she will list in real terms the annual percentage change in spending in Northern Ireland between 1996–97 and 2001–02 on *(a)* education, *(b)* health, *(c)* transport, *(d)* housing, *(e)* police and *(f)* local government. [71398]

**Mr. Paul Murphy:** The information requested is contained in the following table:

*Annual percentage change in expenditure on previous year in real terms* [1]

| | *Outturn 1997–98* | *Estimated outturn 1998–99* | *Plans 1999–2000* | *2000–2001* | *2001–2002* |
|---|---|---|---|---|---|
| *(a)* Education (including Culture & Recreation) | –0.9 | 0.3 | 3.2 | 4.2 | 1.4 |
| *(b)* Health (including Personal Social Services) | 4.2 | 3.4 | 2.5 | 4 | 2.6 |
| *(c)* Transport (including Roads) | –4.9 | 2.2 | –6.3 | –0.3 | 3.4 |
| *(d)* Housing | –6.2 | –13.8 | –3.2 | –3.6 | –1.8 |
| *(e)* Police [2] | 1.3 | –3.8 | –2.5 | –3.8 | –2.9 |
| *(f)* Local Government [3] | –8 | 3 | –2.5 | 0.3 | 0.9 |

[1] Adjusted by GDP deflator series. Figures *exclude* the "ring-fenced" allocations for Welfare to Work, Chancellor's Initiative and EU Peace and Reconciliation programme.
[2] Police Authority for Northern Ireland (PANI) Grant.
[3] Central Government support to District Councils. Excludes local authority self-financed expenditure.

## Pedestrianisation (Belfast)

**Mr. McGrady:** To ask the Secretary of State for Northern Ireland (1) how many objections her Department has received to the proposed pedestrianisation of parts of Belfast; from whom they have been received; and what are the main grounds for objection put forward by each objector; [71552]

(2) what instructions she has given her officials in the Roads Service of the Department of the Environment in respect of requests for meetings from organisations of disabled people to discuss the access needs of disabled people in the implementation of pedestrianisation in Belfast. [71554]

**Mr. Paul Murphy:** Responsibility for the subject in question has been delegated to the Roads Service under its chief executive, Mr. W. J. McCoubrey. I have asked him to arrange for a reply to be given.

*Letter from W. J. McCoubrey to Mr. Eddie McGrady, dated 22 February 1999:*

The Secretary of State for Northern Ireland has asked me to respond to your two recently tabled Parliamentary Questions about the Department's proposals to restrict vehicular access to Belfast city centre.

First, you asked what instructions the Secretary of State has given to officials in Roads Service in respect of requests for meetings from organisations representing disabled people to discuss the access needs of disabled people in implementing the Department's proposals. The Secretary of State has not given any such instructions. In the 3-year period prior to publication of the Department's proposals Departmental officials held a number of meetings with organisations representing disabled people in an endeavour to reach agreement. The Minister, Lord Dubs, and his predecessor each attended one of these meetings.

Secondly, you asked the Secretary of State how many objections her Department has received to the Department's proposals; who they have been received from; and what are the main grounds for objection put forward by each objector. The Department published its Notice of Intention to make the proposed legislation restricting vehicular access to Belfast city centre on 17 June 1998, allowing 28 days for objections and other representations. During the prescribed period 31 objections and 6 letters containing general comments were received. Since then a further 43 representations have been submitted. The objections have been received from a wide range of organisations and individuals, including political representatives. The main ground for objection is that the Department's proposed legislation does not include an exemption to permit Orange Badge holders to drive into and park in the streets within the pedestrian priority area. Other grounds for objection are that:

taxis will not be allowed access to the city centre;

the proposed seating and shelter provision for disabled people within the pedestrian priority area is inadequate;

other modes of access to the city centre do not exist;

parking spaces have not been set aside for the exclusive use of Shopmobility Belfast users;

the distance between the proposed disabled parking bays and the shops is too great;

an alternative 2-tier Orange Badge system is required to cater for the needs of people who are disabled and those who are more profoundly disabled;

an overall review of the Orange Badge system is required.

I trust the above information is helpful.

## New Deal

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how many New Deal places have been offered in Northern Ireland, broken down by industry; and how many have been taken up in each month to date. [71412]

**Mr. Ingram:** Responsibility for the subject in question has been delegated to the Training and Employment Agency under its chief executive, Mr. Ian Walters. I have asked him to arrange for a reply to be given.

*Letter from Ian Walters to Mr. Malcolm Moss, dated 23 February 1999:*

The Secretary of State for Northern Ireland has asked me as Chief Executive of the Training & Employment Agency to reply to your question on New Deal.

The latest information available on the numbers of Employment Option vacancies offered by employers and placements, broken down by industry, are shown in the attached table. Out of the total of 1,749 vacancies 784 have been filled and decisions are awaited from employers on 1,800 submissions. (A submission is the referral of one New Deal participant for one vacancy. New Deal participants are often submitted for more than one vacancy).

In addition, 1,668 New Deal participants had moved into unsubsidised jobs.

Information on the uptake of Employment Option vacancies by sector each month is not currently available. A new computer system is being installed which will make this information more readily available.

*Employment option vacancies and placements by sector*

| | *Vacancies* | *Placements* |
|---|---|---|
| Agriculture and Horticulture | 91 | 62 |
| Forestry | 1 | 1 |
| Fishing | 2 | — |
| Mineral Oil Processing | 1 | — |
| Production and Distribution of Electricity/Gas/Other Forms of Energy | 15 | 13 |
| Water Supply Industry | 2 | — |
| Metal Manufacturing | 10 | 5 |
| Extraction of Minerals NES | 3 | 1 |
| Manufacture of Nonmetallic Mineral Product | 31 | 12 |
| Chemical Industry | 9 | 5 |
| Production of Man-made Fibres | 4 | 1 |
| Manufacture of Metal Goods NES | 18 | 4 |
| Mechanical Engineering | 47 | 18 |
| Manufacture of Office Machinery and DP Equipment | 15 | 6 |
| Electrical and Electronic Engineering | 54 | 25 |
| Manufacture of Motor Vehicles and Parts Thereof | 26 | 16 |
| Manufacture of Other Transport Equipment | 4 | 1 |
| Instrument Engineering | 4 | 2 |
| Food/Drink/Tobacco/Manufacturing Industries | 50 | 20 |
| Food/Drink/Tobacco/Manufacturing Industries | 11 | 6 |
| Textile Industry | 40 | 11 |
| Manufacture of Leather and Leather Goods | 1 | — |
| Footwear and Clothing Industries | 24 | 10 |
| Timber and Wooden Furniture Industries | 36 | 18 |
| Manufacture Paper and Paper Products, Printing/Publishing | 39 | 19 |
| Processing of Rubber and Plastics | 9 | 4 |
| Other Manufacturing Industries | 13 | 5 |
| Construction | 190 | 102 |
| Wholesale Distribution x Dealing in Scrap/Waste | 41 | 23 |
| Dealing in Scrap and Waste Materials | 6 | 2 |
| Commission Agents | 2 | — |
| Retail Distribution | 247 | 109 |
| Hotels and Catering | 137 | 49 |
| Repair of Consumer Goods and Vehicles | 20 | 8 |
| Other Inland Transport | 23 | 11 |
| Supporting Services to Transport | 4 | 2 |
| Miscellaneous Transport Services and Storage NES | 2 | 2 |
| Postal Service and Telecommunications | 4 | 1 |
| Banking and Finance | 11 | 2 |
| Insurance x Compulsory Social Security | 7 | 3 |
| Business Services | 106 | 41 |
| Renting of Movables | 11 | 3 |
| Owning and Dealing in Real Estate | 4 | 1 |
| Public Administration/National Defence/Compulsory Social Security | 30 | 9 |
| Sanitary Services | 24 | 12 |
| Education | 43 | 29 |
| Research and Development | 3 | — |
| Medical and Other Health Services: Veterinary Services | 41 | 12 |
| Other Services to the General Public | 67 | 33 |
| Recreational Services and Other Cultural Services | 67 | 23 |
| Personal Services | 84 | 42 |
| Domestic Services | 15 | — |
| Total | 1,749 | 784 |

*Note:*
These figures are based on the latest information available and are subject to audit.

### Millennium Compliance

**Mr. Moss:** To ask the Secretary of State for Northern Ireland if all Departments are Year 2000 compliant; and if she will make a statement on the progress of the Year 2000 bug-busters in Northern Ireland. [71529]

**Mr. Paul Murphy:** I refer the hon. Member to the quarterly statements made in the House by the President of the Council. These statements cover the whole of the United Kingdom. The President of the Council is due to make a further statement in March to update the House on progress towards compliance. Information on the compliance situation in each department is laid before the House each quarter and is published on the internet.

The take up of Year 2000 bug buster training by small and medium sized companies in Northern Ireland has, since its launch on 16 October 1998, been extremely reassuring and compares very favourably with participation levels in the rest of the United Kingdom.

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how many Year 2000 bug-busters have successfully completed their training; and how many are currently employed to tackle the problem in Northern Ireland. [71544]

**Mr. Paul Murphy:** At 15 February 1999, 883 employees of Northern Ireland companies had successfully completed bug buster training with a further 293 due to complete training by the end of February 1999. There are 6 accredited providers appointed to deliver the Government's bug buster programme Northern Ireland. Approximately 65 local companies are offering solutions to Year 2000 problems.

### Computer Science Students

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how many students are studying for computer science degrees in Northern Ireland colleges; and how many of these are studying *(a)* business information systems and *(b)* programming; and how many computer science degrees have been awarded in the past five years. [71560]

**Mr. McFall:** Students enrolled on first degree and postgraduate courses in Computer Science at Northern Ireland institutions 1997–98:

| | *Full-time* | *Part-time* | *Total* |
|---|---|---|---|
| First degree | 1,006 | 90 | 1,096 |
| Postgraduate | 274 | 355 | 629 |
| Total | 1,280 | 445 | 1,725 |

Information on the number of these students studying *(a)* business information systems and *(b)* programming is not readily available.

Students gaining higher education qualifications in Computer Science at the Northern Ireland universities:

| | *1993–94*[1] | *1994–95*[2] | *1995–96* | *1996–97* | *1997–98* |
|---|---|---|---|---|---|
| Postgraduate | n/a | 207 | 144[3] | 333 | 445 |
| First Degrees | 208 | 220 | 220 | 250 | 238 |

[1] From returns made directly by the universities which relate only to the awarding of first degrees.
[2] Information from 1994–95 onwards is taken from the Individualised Student Record collected by Higher Education Statistics Agency (HESA).
[3] In 1995–96, it appears that students receiving interim awards on linked Postgraduate Certificate, postgraduate Diploma and Masters courses were not recorded by the University of Ulster.

### Paramilitary Violence

**Mr. William Ross:** To ask the Secretary of State for Northern Ireland (1) if she will publish for the week ended Saturday 13 February the number of *(a)* punishment beatings and *(b)* punishment shootings which took place in Northern Ireland, indicating how many in each category were committed by (i) Loyalist and (ii) Republican groups; [72551]

(2) if she will publish for the week ended Saturday 13 February the number of violent incidents involving paramilitary groups which took place in Northern Ireland, indicating how many involved *(a)* Loyalist and *(b)* Republican groups. [72550]

**Mr. Ingram:** During the period 7 February to 13 February, there were 5 shooting incidents and 4 bombing incidents. The number of casualties as a result of paramilitary-style attacks during this period are as illustrated below:

| | *By Loyalist* | *By Republican* |
|---|---|---|
| Assaults | 7 | 1 |
| Shootings | 5 | 0 |
| Total | 12 | 1 |

*Notes:*
1. Figures may be subject to minor amendment in the light of further information becoming available.
2. The bombings cannot as yet be attributed to any grouping.
3. All 5 shooting incidents relate in this instance to paramilitary-style attacks (as illustrated in the table).

## TRADE AND INDUSTRY

### Electronic Transactions

10. **Fiona Mactaggart:** To ask the Secretary of State for Trade and Industry if he will make a statement on his progress in developing a modernised commercial regime for electronic transactions. [71606]

**Mr. Wills:** The Government are committed to developing the UK as the best place in the world for trading electronically and to helping many more small businesses exploit the opportunities of electronic commerce, with the goal of tripling the number of SMEs wired up to the digital market place from 350,000 to 1 million by 2002. The White Paper "Our Competitive Future: Building the Knowledge Drive Economy" set out a wide range of actions to help achieve these goals. My right hon. Friend the Secretary of State will be publishing an implementation plan for the White Paper shortly.

### Social Chapter

11. **Mr. Leigh:** To ask the Secretary of State for Trade and Industry what estimate his Department has made of the annual cost of the social chapter's (i) parental leave directive, (ii) works councils' directive and (iii) part time workers' directive to British business. [71607]

**Mr. Ian McCartney:** Impact assessments for all these measures have been presented to Parliament. European Works Councils were estimated to cost £18 million per year. Measures to implement the Parental Leave Directive are estimated to cost £36 million per year. The costs of the Part Time Work Directive are likely to be small. We expect the benefits of all these and other social partnership measures to far outweigh any costs by combating unregulated absenteeism. For example, survey evidence from the CBI suggests that the annual cost of sick absence in the UK could be as much as £25 billion.

### Insolvency

12. **Mr. Derek Twigg:** To ask the Secretary of State for Trade and Industry if he will introduce measures to

ensure that companies with strong potential for long-term growth are not forced into insolvency because of short-term difficulties. [71608]

**Mr. Byers:** I have recently set up a review to consider existing procedures for business rescues and what more can be done to enable fundamentally sound business to survive short-term difficulties. It will report by the end of July.

21. **Mr. Gareth Thomas:** To ask the Secretary of State for Trade and Industry what plans he has for helping entrepreneurs whose businesses fail through no fault of their own. [71619]

**Dr. Howells:** As announced in the Competitiveness White Paper, officials are considering whether insolvency law (and particularly bankruptcy law) and practice inhibit enterprise. An initial report will be made to Ministers by the end of April 1999, which will consider what changes might be made to current law and practice.

### Science and Engineering

13. **Mr. Plaskitt:** To ask the Secretary of State for Trade and Industry what plans he has for encouraging young people to enter careers in science and engineering. [71610]

**Mr. Battle:** The Government have developed and supported a wide range of initiatives:

The Public Understanding of Science, Engineering and Technology programme, to raise general awareness of these subjects.

A unit dedicated to Promoting SET for Women.

I recently announced £1.5 million support for the promotion of engineering, with £425,000 p.a. allocated to Quinco, the engineering community's new five year campaign.

We continue to support SETNET which aims to ensure that information on promotional schemes for school children to consider careers in science, engineering and mathematics is accessible to teachers and potential industrial sponsors.

### Employment Relations Bill

14. **Mr. Flight:** To ask the Secretary of State for Trade and Industry what assessment his Department has made of the impact on small businesses of the measures included in the Employment Relations Bill; and if he will make a statement. [71611]

**Mr. Ian McCartney:** Businesses of all sizes will benefit from the measures in the Bill. Decent minimum standards protect responsible employers from being undercut by less responsible employers. The culture of partnership we are encouraging should raise employee commitment and thus promote greater staff retention, reduced absenteeism and greater productivity.

### Offshore Wind Power

15. **Dr. George Turner:** To ask the Secretary of State for Trade and Industry what assessment he has made of the prospects for offshore wind power generation. [71612]

**Mr. Battle:** I launched a consultation paper on incorporating offshore wind energy into future non-fossil fuel obligation arrangements at the British Wind Energy Association's conference in Cardiff on 2 September 1998. The responses which have been received are being assessed by my officials. Meanwhile, the Crown Estate have announced the arrangements they have made with developers to undertake wind speed measurements on five potential offshore windfarm sites. I expect to launch a consultation on future new and renewable energy policy shortly.

### Transco

16. **Mr. Gardiner:** To ask the Secretary of State for Trade and Industry what response he has made to the Ofgas report into anti-competitive practices by Transco; and what measures he proposes to assist and protect public gas transporters. [71613]

**Mr. Battle:** This report is a matter for the Director General of Gas Supply, who has since made and announced an Enforcement Order on Transco. The Competition Act 1998 will from next year provide tough new powers for the investigation and prohibition of anti-competitive agreements and abuse of market power, exercisable by the sectoral regulators (including the DGGS) concurrently with the Director General of Fair Trading.

The Government have also conducted a review of utility regulation the main conclusions of which were set out in our response to consultation, "A Fair Deal for Consumers: Modernising the Framework for Utility Regulation", published in July 1998. We are committed to legislating on utility reform as soon as Parliamentary time permits.

### Sports Viewing Rights

17. **Mr. Hawkins:** To ask the Secretary of State for Trade and Industry if he will make a statement about the ownership of sports viewing rights. [71615]

**Dr. Howells:** The sale of broadcasting rights is one way in which sport can generate the income that it needs in order both to publicise and encourage participation in sport and to secure finances to help improve facilities.

### Assisted Area Status (Lancaster)

19. **Mr. Dawson:** To ask the Secretary of State for Trade and Industry what assessment he has made of Lancaster's application for assisted area status. [71617]

**Mr. Wills:** The Government are considering carefully the needs of all areas, including Lancaster, under the current review of the Assisted Areas.

### Parental Leave Directive

20. **Mr. Heald:** To ask the Secretary of State for Trade and Industry if he will make a statement about the costs to employers of the administration of the parental leave directive. [71618]

**Mr. Ian McCartney:** We have published our estimate of the costs to employers of parental leave in the Regulatory Impact Assessment for the Employment Relations Bill. We will be consulting on the details of the parental leave scheme in the draft regulations which we will publish before the Summer. We aim to keep employers' administrative costs to a minimum and will make a further assessment of these when the details are settled.

### Business Regulation

22. **Mr. Steen:** To ask the Secretary of State for Trade and Industry what deregulation or better regulations his Department plans to help businesses compete more effectively with those of other nations. [71620]

**Dr. Howells:** The Competitiveness White Paper in December set out 75 commitments to help British business compete more effectively. Specific regulatory measures include:

an effective modern competition framework;

removal of obstacles that stand in the way of electronic commerce;

reform of telecommunications regulation; and

seeking the removal of remaining barriers on trade in future international trade negotiations.

### Dubelle Foundation

23. **Mr. Stevenson:** To ask the Secretary of State for Trade and Industry what measures are being taken to investigate the activities of the Dubelle Foundation. [71621]

**Dr. Howells:** The Department of Trade and Industry does not comment on the affairs of an individual company in relation to possible investigations.

### National Minimum Wage

24. **Mr. Forth:** To ask the Secretary of State for Trade and Industry what assessment he has made of the impact of the minimum wage on the competitiveness of British industry; and if he will make a statement. [71622]

**Mr. Ian McCartney:** The introduction of the national minimum wage will enable companies to compete on the basis of the quality of the goods and services they provide not just on price based on low pay. The minimum wage will help to improve productivity. It will create a better rewarded and more committed workforce, which will encourage investment in training, reduce staff turnover and help raise productivity.

33. **Angela Smith:** To ask the Secretary of State for Trade and Industry what plans he has for monitoring compliance with the national minimum wage. [71631]

**Mr. Ian McCartney:** Inland Revenue officers will be responsible for ensuring compliance with the national minimum wage and that work will be monitored by means of a service level agreement with my Department. More generally, we have asked the Low Pay Commission to monitor and evaluate the introduction and impact of the national minimum wage.

### Trade Liberalisation

25. **Dr. Palmer:** To ask the Secretary of State for Trade and Industry what approach he intends to take in pursuing international trade liberalisation. [71623]

**Mr. Wilson:** The Government seek actively to work with the EU and with the UK's major trading partners, through such mechanisms as the Transatlantic Economic Partnership and the Asia-Europe meeting, to encourage the reduction of barriers to trade in overseas markets. In particular, the Government share the European Union's support for a comprehensive new Round of trade liberalisation negotiations to be launched at the World Trade Organisation's next Ministerial meeting, to be held in Seattle, USA in November-December this year. A comprehensive Round offers the best chance of ensuring real gains for all participants, including developing countries.

### Libya (Sanctions)

26. **Mr. Dalyell:** To ask the Secretary of State for Trade and Industry if he will make a statement on the outcome of his meeting with representatives of the British Libyan Interest Group to discuss the effects on trade between Britain and Libya of economic sanctions. [71624]

**Mr. Wilson:** I have not met representatives of the British Libyan Business Group. However, DTI Officials recently met the BLBG Secretariat to listen to their views and will continue with that dialogue. Officials keep me fully informed.

### Genetic Material (Patenting)

27. **Mr. Baker:** To ask the Secretary of State for Trade and Industry if he will set out his responsibilities in respect of issues relating to patenting of genetic material. [71625]

**Mr. Battle:** The Secretary of State for Trade and Industry has responsibility for the Patents Act 1977 and associated Rules, and for making any amendments to this legislation which, for example, may be required to implement the European Directive (98/44/EC) on patents for biotechnological inventions. This legislation is administered by the Comptroller General of Patents, Designs and Trade Marks who has responsibility for granting patents under the criteria specified in this legislation. Rights granted can be challenged before the courts.

### Competitiveness White Paper

28. **Mr. Flynn:** To ask the Secretary of State for Trade and Industry what plans he has for the implementation of the measures proposed in the Competitiveness White Paper in the areas of new technology. [71626]

**Mr. Battle:** The Government have appointed an Implementation Manager, as promised in paragraph 5.10 of the Competitiveness White Paper. We will publish the Implementation Plan for the commitments including developing new technologies we gave in the Competitiveness White Paper shortly.

### Manufacturing (West Midlands)

29. **Mr. Purchase:** To ask the Secretary of State for Trade and Industry what plans he has to improve competitiveness in manufacturing in the west midlands. [71627]

**Mr. Battle:** The Government's support to help improve the competitiveness of West Midlands manufacturing companies is extensive, focused mainly through the 10 regional Business Link partnerships. The West Midlands Regional Supply Office also provides specialist help in linking purchasers with suppliers and supply chain development with a particular focus on a number of industrial sectors.

Specific initiatives to improve manufacturing performance in the West Midlands include:

The World Class Supplier—Accelerate Project. This programme is designed to improve the competitiveness of automotive component manufacturers and is supported by many of the region's major manufacturing companies. The project aims to assist over 3,000 SMEs through establishing 40 networks with the aim of safeguarding 26,000 jobs and levering £10.3 million investment.

The West Midlands Manufacturing Challenge is helping companies improve by offering a free analysis of their position undertaken by a manufacturing specialist who identifies areas for improvement. To date it has assisted over 750 companies and aims to support 2,000 by the end of this year. One firm which used the programme reduced delivery times by 3 weeks and another increased productivity by 50 per cent.

### Car Purchasing (EU)

30. **Mr. Burgon:** To ask the Secretary of State for Trade and Industry what steps his Department has taken to make it easier for United Kingdom consumers to buy cars from elsewhere in the EU. [71628]

**Dr. Howells:** The Department seeks to ensure that all infringements of EC competition law which restrict imports of cars into the UK are vigorously pursued by the European Commission. We welcome the establishment of manufacturers' hotlines which will make it easier for consumers to purchase cars elsewhere in the EU. We have placed a list of the numbers for use of UK consumers in the House of Commons Library.

### EU Structural Funds

31. **Mrs. Virginia Bottomley:** To ask the Secretary of State for Trade and Industry if he will make a statement about reform of EU structural funds. [71629]

**Mr. Wills:** The discussions between Member States and the Commission on the reform of the Structural and Cohesion Funds will continue until the March 1999 deadline set by the Cardiff Council last June.

The UK is negotiating for an outcome that is fair and affordable to all future and existing Member States, particularly the UK.

### Unsolicited E-mail

32. **Ms Moran:** To ask the Secretary of State for Trade and Industry what measures he intends to take to tackle the costs to business of unsolicited e-mail known as spam. [71630]

**Mr. Wills:** The Government are aware that unsolicited email is a potentially difficult area for business. There are several industry initiatives aimed at tackling this problem. Most Internet Service Providers (ISPs) have installed systems aimed at combating unsolicited email, and the London Internet Exchange (LINX) is producing a set of best practice guidelines for ISPs on this subject. In addition the Direct Marketing Association is working on an email preference scheme, to operate in a similar way to the conventional mail preference service but with global rather than national coverage. Such initiatives will be aided by the draft Electronic Commerce Directive which would require all unsolicited commercial communications by email to be indicated as such. The Government will monitor the effectiveness of these approaches and consider whether any further action is required in the light of their impact on the problem.

### Rover (Longbridge)

**Ms Stuart:** To ask the Secretary of State for Trade and Industry what assessment he has made of the contribution of the partnership between unions and management at Rover Longbridge to the continuation of motor car production at the plant. [71616]

**Mr. Byers:** I have been most impressed by the positive response of the Unions and the management at Rover to the challenges now facing the company. There is no doubt that the agreement reached last year to introduce flexible working patterns and to reduce costs has played a significant role in helping to secure the Mini investment.

### Superphenix Fast Reactor

**Mr. Llew Smith:** To ask the Secretary of State for Trade and Industry if British Energy has retained the shareholding inherited from the Central Electricity Generating Board in the holding company NERSA in respect of ownership of the Superphenix fast reactor in France. [69603]

**Mr. Battle:** The shareholding was retained in Magnox Electric plc at the time of British Energy's privatisation, and is now held by BNFL.

### Energy Charges

**Dan Norris:** To ask the Secretary of State for Trade and Industry what plans he has to remove the right of *(a)* water, *(b)* electricity and *(c)* gas suppliers to make standing charges payable by (i) pensioner households and (ii) households receiving income support; and if he will make a statement. [71054]

**Mr. Battle:** Clearly it is essential that special care should be taken to ensure that vulnerable groups of customers have access to reliable, affordable, water and energy supplies. That is why this Government have vigorously taken forward work on modernising the framework for utility regulation. The Government's review of water charging in England and Wales raised concerns about the effect of high standing charges on low income, low water users such as pensioners living alone. The Government will consider further how these effects can best be mitigated within the new framework proposed in the Water Industry Bill now before Parliament. Also, we are encouraging the regulator for gas and electricity to review the Social Dimension in his Action Plan, with a view to determining what further initiatives can provide effective help to the fuel poor.

Standing charges have been the usual means of utility companies making a charge for the fixed costs of providing a service which do not vary according to the level of usage. Such costs generally include meter reading, accounting and billing, maintenance of infrastructure, and provision of emergency services, although there is no requirement for these costs to be recovered by means of a standing charge.

With the spread of competition in the gas and electricity markets, many customers already have a choice of who should supply them with these important utility services.

Soon, that choice will extend to all such customers. Some gas and electricity suppliers recognise that standing charges are either not popular or appropriate for every individual customer, and have decided to offer different terms which exclude any standing charge. Customers will be able to choose what is best for their own particular needs.

It is our objective that all groups of customers should benefit from increasing efficiency by receiving quality service at the best possible prices.

## Military Exports (Bahrain)

**Mr. Canavan:** To ask the Secretary of State for Trade and Industry how many licences have been granted since 1 May 1997 for the export of arms to Bahrain; and if he will provide details of the arms covered by each licence and the declared purpose. [71301]

**Dr. Howells** *[holding answer 15 February 1999]:* The entry in the relevant legislation under which the export of goods is controlled is known as their rating. The Export Control Organisation's computer databases have been interrogated and the following results were obtained. Between 2 May 1997 and 29 January 1999, 45 Standard Individual Export Licences (SIELs) and 26 Open Individual Export Licences (OIELs) were issued covering the export to consignees or end-users in Bahrain of goods subject to export control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, the so-called Military List. Individual licences may cover a range of goods with various ratings. Where this is so, the licence is included in the Table in the total for all of the relevant ratings.

*Individual licences issued between 2 May 1997 and 29 January 1999 covering the export to Bahrain of goods on the Military List*

| *Rating* | *Number of SIELs issued covering goods with this rating* | *Number of OIELs issued covering goods with this rating* |
|---|---|---|
| ML1 | 14 | 1 |
| ML2 | 8 | 0 |
| ML3 | 12 | 0 |
| ML4 | 1 | 2 |
| ML5 | 5 | 7 |
| ML6 | 1 | 0 |
| ML7 | 0 | 1 |
| ML8 | 0 | 1 |
| ML9 | 0 | 1 |
| ML10 | 0 | 4 |
| ML11 | 5 | 11 |
| ML13 | 3 | 2 |
| ML14 | 0 | 1 |
| ML15 | 0 | 2 |
| ML18 | 0 | 1 |
| ML21 | 0 | 2 |
| ML22 | 0 | 2 |
| PL5006 | 3 | 0 |
| PL5017 | 3 | 1 |
| PL5030 | 1 | 0 |

This information does not cover any Media OIELs that may have been issued during this period. Media OIELs authorise the export to all destinations of protective clothing, mainly for the protection of aid agency workers and journalists, when working in areas of conflict.

This information should be considered in light of the answer given by my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *870–71*.

Details of the military equipment for which licences are granted will be given in the Government's annual report on strategic export controls for the relevant period.

As regards the additional information requested about the stated end use, this could be compiled only by examining the original case papers for each of the licences concerned, and this together with any inquiries necessary under the Code of Practice on Access to Government Information, would entail disproportionate cost.

In addition, goods on the Military List may have been exported to Bahrain under certain Open General Export Licences; copies of all Open General Export Licences valid at any time during the period are in the Library of the House.

## Military Exports (Indonesia)

**Mr. Alan Simpson:** To ask the Secretary of State for Trade and Industry (1) if he will list *(a)* the licence applications for military exports to Indonesia which have been refused in the past five years and *(b)* the reasons for the refusals; [71923]

(2) if he will list the export licence applications for military exports to Indonesia which have been refused in the past five years. [72017]

**Dr. Howells:** The Export Control Organisation's computer databases have been interrogated and the following results were obtained. In the calendar years 1994 to 1998, 21 applications for Standard Individual Export Licences (SIELs) and one application for an Open Individual Export Licence (OIEL) were refused covering the export to consignees or end-users in Indonesia of goods subject to export control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, the so-called Military List. The entry in the relevant legislation under which the export of goods is controlled is known as their rating. Applications for individual licences may cover a range of goods with various ratings. Where this is so, the application is included in the total for all of the relevant ratings.

*Number of applications for SIELs refused in each calendar year covering the export to Indonesia of goods on the Military List*

| *Rating* | *1994* | *1995* | *1996* | *1997* | *1998* |
|---|---|---|---|---|---|
| ML1 | 1 | 2 | 3 | 3 | 1 |
| ML2 | 1 | 1 | 0 | 0 | 0 |
| ML3 | 3 | 0 | 1 | 0 | 0 |
| ML4 | 0 | 0 | 0 | 1 | 0 |
| ML5 | 1 | 0 | 0 | 0 | 0 |
| ML6 | 0 | 0 | 0 | 1 | 0 |
| ML7 | 1 | 0 | 0 | 0 | 0 |
| ML14 | 0 | 0 | 0 | 1 | 0 |
| ML15 | 1 | 0 | 0 | 0 | 0 |
| PL5002 | 0 | 0 | 0 | 1 | 0 |
| PL5017 | 0 | 0 | 0 | 1 | 0 |
| PL5018 | 3 | 0 | 1 | 0 | 0 |
| PL5021 | 2 | 0 | 0 | 0 | 0 |
| Total number of applications | 5 | 3 | 4 | 8 | 1 |

The single application for an OIEL was refused in 1996, and covered goods with the ratings ML4, ML11, ML14 and ML24.

This information does not cover any applications for Media OIELs that may have been refused during this period. Media OIELs authorise the export to all destinations of protective clothing, mainly for the protection of aid agency workers and journalists, when working in areas of conflict.

This information should be considered in light of the answer given by my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *870–71*.

The decisions to refuse these applications were taken in accordance with the criteria applied at the relevant times.

### Renewable Energy

**Mrs. Brinton:** To ask the Secretary of State for Trade and Industry when his Department's review of renewable energy will be published. [72300]

**Mr. Battle:** I plan to publish a paper on my review of renewable energy policy shortly which will analyse the status and prospects for renewables and present policies for developing renewables further.

### Milk

**Mr. Luff:** To ask the Secretary of State for Trade and Industry when he expects to receive the report of the Monopolies and Mergers Commission on the supply of raw milk in Great Britain; and if he will make it his policy *(a)* to publish that report and *(b)* to undertake a public consultation on its recommendations before he makes a decision on them. [72310]

**Dr. Howells** *[holding answer 22 February 1999]*: The Monopolies and Mergers Commission (MMC) is required to deliver its report on the supply of raw milk in Great Britain to my right hon. Friend the Secretary of State for Trade and Industry by 26 February 1999. The Secretary of State is required to publish all monopoly reports, and will announce what action he intends to take, if any, when he publishes the report.

### Hallmarks

**Mr. Luff:** To ask the Secretary of State for Trade and Industry if articles of the 10 carat gold standard hallmarked in Ireland may be placed on the market in the United Kingdom; and what assessment he has made of the consequences for British competitiveness of such marketing. [72589]

**Dr. Howells:** Following the amendments to the Hallmarking Act 1973 which came into effect on 1 January, the United Kingdom, in accordance with Article 30 of the EC Treaty and European case law concerning the free circulation of goods, has permitted articles of precious metal hallmarked in Ireland to be marketed here without further hallmarking by a UK assay office. I can confirm that this would include articles of 10 carat gold.

Manufacturers can have articles of gold hallmarked by UK Assay Offices to standards of fineness including 9, 14, 18 and 22 carat (375, 585, 750 and 916.6 parts per thousand respectively) as well as new "pure" standards of 990 and 999 parts per thousand. Given that there is no reason to believe that UK consumers are likely to prefer the 10 carat standard over any of the standards of fineness available here, I do not believe that UK manufactures are likely to be placed at a competitive disadvantage as a result. It is generally agreed that a proliferation of standards is not in the interests of consumers and the United Kingdom seeks to give a lead in this matter by not introducing further standards into the UK hallmarking system. However, DTI will look very carefully at the position in the light of future experience.

**Mr. Luff:** To ask the Secretary of State for Trade and Industry if all the European Economic Area states have amended their laws to permit articles hallmarked in the United Kingdom to be sold in their states; and if he will make a statement. [72590]

**Dr. Howells:** Only those EEA States which have a mandatory requirement for hallmarking under their law and have in the past required imported articles to be re-hallmarked in their country before being placed on the market they would need to amend their laws to permit articles hallmarked in the United Kingdom to be placed on their markets without further marking. The DTI is obtaining up-to-date information from the Commission about which countries have now made the necessary changes to their legislation. I will write to the hon. Member as soon as the information is available and will place a copy of the reply in the Libraries of the House.

In any event, it should be noted that the legal position concerning the free circulation of goods in the EU Member States is set out in Article 30 of the EC Treaty and European caselaw. Notwithstanding whether a Member State has amended its national legislation the Treaty and caselaw will have effect and under these provisions I understand that UK hallmarks should be accepted throughout the European Community. The other EEA States (i.e. Norway, Iceland and Liechtenstein) are governed by the EEA Agreement (1992).

### Electronic Publishing Industry

**Mr. Todd:** To ask the Secretary of State for Trade and Industry if he will publish the report sponsored by his Department on the electronic publishing industry. [73940]

**Mr. Wills:** The Report, The Advance of Electronic Publishing, which examines the barriers and drivers of the electronic publishing and content industries, was published today. Copies are available in the Library of the House. It can also be accessed on the Internet at www.isi.gov.uk/new/advance.html.

### European Airlines (State Aids)

**Miss McIntosh:** To ask the Secretary of State for Trade and Industry what representations he has received on state aids to European airlines; and if he will make a statement. [71595]

**Dr. Howells:** State aid to the airline industry is a matter for my right hon. Friend of the Minister of Transport.

My right hon. Friend the Secretary of State for Trade and Industry, who has overall responsibility for State aid policy, has not received any representations.

I understand that my right hon. Friend the Minister of Transport has received 6 representations in all; 2 from members of the public, 3 from MPs on behalf of constituents and one direct from the hon. Member herself.

### Benefit Payments (Post Offices)

**Mr. Field:** To ask the Secretary of State for Trade and Industry how many post offices have had the new Benefits Agency/POCL system installed to date; how many remain to have the system installed; how many have had the system installed in each week throughout the period of installation to date; and how many will have the system installed in each remaining week of the implementation period. [73031]

**Mr. Ian McCartney:** The Post Office tell me that at present 204 post offices have been automated and are paying Child Benefit by Payment Card as part of a limited trial of the new Benefits Agency/Post Office Counters system; 18,610 post offices remain to have the system installed; the system was installed in the 204 post offices in the trial in 1997 at the rate of 20 offices per week; and national roll-out of the system to every post office, which will only commence once final acceptance trials have been completed, is scheduled to take place at a rate of some 300 post offices a week.

### Dounreay

**Ms Roseanna Cunningham:** To ask the Secretary of State for Trade and Industry when he expects to reach a decision regarding the future of the PFR Reprocessing Plant at Dounreay; what consultation he will carry out prior to reaching that decision; when he expects to receive options studies from the UK Atomic Energy Authority with regard to this decision; if he will place a copy of the option studies in the Library; when he plans to announce his decision; and if he will make a statement. [72334]

**Mr. Battle:** A comprehensive review by UKAEA of the options for handling PFR and other fuels awaiting treatment at Dounreay is nearing completion. I await UKAEA's formal proposals which will be subject to full and careful scrutiny in due course. I also intend to consult relevant Government advisory bodies and allow sufficient time to give proper consideration to the issues before making a decision. In accordance with the Code of Practice on Access to Government Information, the relevant facts and analysis of the facts important in framing the Government's decision on this issue will be published when we announce our decision.

### Au Pairs

**Mr. Dismore:** To ask the Secretary of State for Trade and Industry to what extent the cost of board, lodging and similar incidentals is taken into account in the regulation of the terms and conditions applying to the employment of au pairs; and if he will make a statement. [71976]

**Mr. Mike O'Brien:** I have been asked to reply.

Under the Immigration Rules, overseas nationals living in the United Kingdom as au pairs live as part of the family. The recommended weekly allowance is kept under review.

### Vaux Brewery

**Mr. Mullin:** To ask the Secretary of State for Trade and Industry what recent discussions he has had about the future of Vaux Brewery; and if he will make a statement. [73260]

**Mr. Byers:** I am aware of the importance that many in the region attach to the future of the Vaux brewery in Sunderland. I am also aware of reports that Vaux is looking to sell its brewing interests. I am conscious of my hon. Friend's personal interest in this issue and would be happy to meet him to discuss his concerns.

## EDUCATION AND EMPLOYMENT

### Early Education (Three-year-olds)

**Mr. Hancock:** To ask the Secretary of State for Education and Employment, pursuant to his answer of 1 February 1999, *Official Report*, column *483*, what plans he has to measure the present participation rate of three-year-olds in early education in Southampton in order to measure progress with his target to double that rate. [71980]

**Ms Hodge:** The Government's target is to double the proportion of three-year-old children in free early education places to 66 per cent. across England by 2001–02; a target participation rate will be set for each Local Education Authority which will enable us to meet that national target. The present participation rate and plans for expansion will be described in each Local Education Authority area's Early Years Development and Child Care Plan.

### Education Expenditure (West Sussex)

**Mr. Soames:** To ask the Secretary of State for Education and Employment if he will make a statement on the effects of the 1999–2000 revenue support grant on the provision of education services in West Sussex. [73129]

**Ms Estelle Morris:** The revenue support grant settlement for 1999–2000 for West Sussex includes an underlying increase of £15.5 million or 6.1 per cent. in the education standard spending assessment, after allowing for local authority changes of function. This is sufficient to meet the pressures faced by education services in West Sussex if, as my right hon. Friend the Secretary of State has urged it to do, the County Council uses all of the cash increase in the education SSA to support education, especially schools.

**Mr. Soames:** To ask the Secretary of State for Education and Employment if he will make a statement on the provision of capital funding for schools in West Sussex in 1999–2000. [73130]

**Ms Estelle Morris:** An allocation of £3,329,969 was announced through the Annual Capital Guideline on 16 December 1998.

Announcements on the Class Size and New Deal for Schools allocations for 1999–2000 will be made shortly.

### Grammar Schools (Ballots)

**Mrs. Gillan:** To ask the Secretary of State for Education and Employment if additional funding will be made available to local education authorities to cover the administration costs of running ballots on the future of grammar schools; and if he will make a statement. [73188]

**Ms Estelle Morris:** The responsibility for administering ballots on the future admission arrangements of grammar schools will not fall to local authorities. My right hon. Friend the Secretary of State has appointed Electoral Reform (Ballot Services) Limited to act as the ballot administration company. The Department for Education and Employment will reimburse the costs incurred by the company in providing this service.

## HOME DEPARTMENT

### Immigration Consultation Papers

**Mr. Malins:** To ask the Secretary of State for the Home Department if he will list the responses his Department received in respect of the consultation papers on *(a)* the Control of Unscrupulous Immigration Advisers, *(b)* the Review of Appeals and *(c)* the White Paper, Fairer, Faster and Firmer, indicating how many were (i) in favour and (ii) opposed to (1) a single tier of immigration appeals, (2) a presumption in favour of hearings on the papers rather than oral hearings for appeals, (3) the introduction of a charge towards the cost of an appeal against a refusal of an application for entry clearance as a visitor, (4) including the legal profession in a statutory regulation scheme for immigration advisers, (5) cash payments rather than benefits in kind being made to asylum seekers, (6) the dispersal of asylum seekers to accommodation throughout the United Kingdom without their consent, (7) magistrates hearing bail applications, (8) administrative removal for overstayers rather than deportation and a right of appeal and (9) the removal of a right of appeal against a decision which does not result in the applicant having to leave the United Kingdom. [70383]

**Mr. Mike O'Brien:** I will write to the hon. Member.

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Secretary of State for the Home Department what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71273]

**Mr. Straw:** We have already done much work to ensure that the Department's policies meet the needs of disabled people and that we comply with our legal requirements. We shall continue to do so, not only by complying fully with new duties in the Disability Discrimination Act but by aiming to exceed them where appropriate.

We have promulgated within the Department the guidance "Policy Appraisal for Equal Treatment" which the Cabinet Office issued to all Government Departments in November 1998, and which was signed jointly by the Home Secretary, the Secretary of State for Education and Employment and the Minister for Women. All ministerial submissions on new policy initiatives or significant policy changes are now assessed for any adverse impact not only on disabled people but on any minority or disadvantaged group.

Different areas of the Home Office have different requirements. Two examples of good practice where specialist provision is available are the Immigration and Nationality Department Public Inquiry Office at Croydon, which includes interview booths being wheelchair accessible and fitted with induction loops, the provision of hand rails, special access arrangements for callers with disability, low level pay phones and adapted toilet facilities.

The Passport Agency provides, among other things, staff trained in sign language, textphones, the Typetalk service provided by BT and the Royal National Institute for the Deaf, literature in alternative formats and Braille stickers to identify a passport.

My hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), the Under-Secretary, chairs a Working Party on Electoral Procedures which considers disability access to electoral services of all kinds.

Consolidated and enhanced guidance which includes advice on national access standards will be issued shortly to all returning officers.

### Departmental Expenditure

**Mr. Maclean:** To ask the Secretary of State for the Home Department what *(a)* reviews, *(b)* task forces and *(c)* advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71509]

**Mr. Straw:** A list of the reviews, task forces and advisory groups established by my Department since 1 May 1997 are listed in the table. Terms of reference have been given where a report date cannot be specified.

| *Review* | *Actual report date* | *Anticipated report date* | *Comments* |
|---|---|---|---|
| Review of the law relating to bribery corruption | 31 July 1998 | | |
| Review of arrangements for confiscation of criminal assets | 1 November 1998 | | |
| Review of community fire safety | 3 November 1997 | | |
| Interdepartmental review of the treatment of vulnerable and intimidated witnesses | 10 June 1998 | | |

| *Review* | *Actual report date* | *Anticipated report date* | *Comments* |
|---|---|---|---|
| Strategic review of national police training | October 1998 | | |
| Interdepartmental review of police pensions | Reported by way of a consultation paper on 31 March 1998 | | |
| Review of prison nursing services | Subsumed into the review of long-term future of prison health care | | |
| Review of prison service drug strategy | Subsumed into the review of long-term future of prison health care | | |
| Future of prison service review of long term health care | Report completed in September 1998 | Announcement expected in March 1999 | |
| Review of prison investigation strategy | | New procedure expected to be implemented by Summer 1999 | |
| Review of sex offences | | Outcome expected to be announced in December 1999 | |
| Working party on electoral procedures | | Due to report in Summer 1999 | |
| Review of local civil protection in England and Wales | 21 July 1998 | | |
| Review on the interdepartmental working group on preventing unsuitable people from working with children | 25 January 1999 | | |
| Review on the control of unscrupulous immigration advisers | Draft clauses for statutory regulatory scheme contained on the Immigration and Nationality Bill introduced on 9 February 1999 | | |
| Review on the control of unscrupulous immigration advisers | Draft clauses for statutory regulatory scheme contained in the Immigration and Nationality Bill introduced on 9 February 1999 | | |
| Review of immigration and asylum appeals | Consultation paper issued on 13 July 1998. Draft clauses for new system of immigration and asylum appeals contained in the Immigration and Asylum Bill introduced on 9 February 1999 | | |
| Review to consider permanent UK-wide counter terrorism legislation | 17 December 1998 | | |
| Review of measures to deal with protection of communities from known sex offenders who pose a continuing risk | Measures announced in the Crime and Disorder Act on 31 July 1998 | | |
| Review of anti-social behaviour | Measures announced in the Crime and Disorder Act on 31 July 1998 | | |
| Review on measures on community safety | Measures announced in the Crime and Disorder Act on 31 July 1998 | | |
| Prisons—Probation Review | Consultation paper published in August 1998 | Outcome expected to be announced shortly | |

| *Review* | *Actual report date* | *Anticipated report date* | *Comments* |
|---|---|---|---|
| Review of welfare services to the courts | Consultation paper published on 29 July 1998 | Outcome expected to be announced shortly | Lord Chancellor's Department, Home Office and the Department of Health |
| Review on the United Kingdom's position under various International Human Rights Instruments | | Originally expected to complete in 1998. Outcome now expected to be announced shortly | Foreign and Commonwealth and Home Office |
| Review of the Prison Service's Quantum Project | | Outcome expected to be announced shortly | |
| The Prime Minister's task force on the active community | | | Initially announced by the Prime Minister on 26 March 1998 and subsequently. The subject of a speech he made on 21 January 1999 in which he announced the establishment of a working group under the Chairmanship of Lord Warner. The question of a separate task force remains under review |
| Task force on youth justice | Measures announced in the Crime and Disorder Act 1998 | | To encourage and develop active citizenship and social responsibility amongst young people. Established in June 1997 and wound up in July 1998 |
| Ministerial task force on relations between Government and the voluntary, volunteering and community sectors | | | To oversee, monitor the implementation of the compact between the Government and the voluntary sectors |
| *Advisory Groups* | | | |
| Advisory board on restricted patients | | | To provide the Home Secretary with advice to assist with decisions about those patients subject to special restrictions set out in Section 41 of the Mental Health Act 1983 whose potential risk to the public safety is considered to be particularly difficult to assess |
| Advisory panel for the Youth Facilitator Programme | | | To advise, promote and contribute to training networks and support facilitators via the programme advisers |
| Older Volunteers Initiative Group | | | To provide advice, support and ideas on how to support and encourage volunteering by older people provide |
| Race Relations Forum | | | To advise the Home Secretary on issues affecting ethnic minority communities |
| Immigration and Nationality Directorate Complaints Audit Committee | | | To satisfy itself as to the effectiveness of the procedures for investigating complaints and to draw the Immigration and Nationality Department's attention to any weaknesses, and to report to the Secretary of State |

I have also established a number of Non-Departmental Public Bodies to which I have not referred, but which provide regular advice and information to my Department. Details of these can be found in "Public Bodies 1998". Details of costs incurred are generally subsumed within the Departmental running budget and are not held centrally. This could, therefore, be obtained only at disproportionate cost.

### Christmas Day Trading

**Mr. Sayeed:** To ask the Secretary of State for the Home Department what plans the Government have to prevent or control the opening of shops on Christmas Day. [72606]

**Mr. George Howarth:** Shops may choose their opening hours, except on Sundays if they are over 280 square metres in area. The restrictions affect Christmas Day but only when it falls on a Sunday. We have no plans to change the present law.

### Female Prisoner Accommodation

**Mr. Wilshire:** To ask the Secretary of State for the Home Department if he will list all accommodation for female prisoners and females on remand showing *(a)* location, *(b)* nominal capacity, *(c)* actual number of inmates on 1 January (i) 1997, (ii) 1998 and (iii) 1999 and *(d)* the forecast number of inmates on 1 January (x) 2000 and (y) 2001. [72306]

**Mr. George Howarth:** The information requested for the female prison population and certified normal accommodation (CAN or uncrowded female prison capacity) is for the last day of the month and is given for the appropriate month ends in the table. The available information on the projected female prison population by alternative scenarios is given in table 1 of Home Office Statistical Bulletin 1/99 "Projections of long term trends in the prison population to 2006" published on 20 January 1999, a copy of which is in the Library, and on the Home Office Web Site: http://www. homeoffice. gov. uk/rds/index. htm.

The table listing average projected populations gives figures for the central scenario, higher and lower scenarios. No projections are available by individual Prison Service establishment.

*Female prison population in England and Wales by establishment, 31 December 1996–31 December 1998*

| | 31 December 1996 | | | 31 December 1997 | | | 31 December 1998 | | |
|---|---|---|---|---|---|---|---|---|---|
| *Establishment* | *All females* | *Remand* | *CNA* | *All females* | *Remand* | *CNA* | *All females* | *Remand* | *CNA* |
| Askham Grange | 118 | 0 | 130 | 119 | 0 | 130 | 123 | 0 | 130 |
| Brockhill | 151 | 5 | 159 | 118 | 54 | 159 | 141 | 86 | 145 |
| Bullwood Hall | 123 | 0 | 125 | 140 | 0 | 140 | 127 | 0 | 140 |
| Cookham Wood | 146 | 0 | 120 | 130 | 0 | 120 | 155 | 0 | 120 |
| Drake Hall | 224 | 0 | 281 | 225 | 0 | 281 | 231 | 0 | 295 |
| Durham | 44 | 1 | 49 | 46 | 1 | 47 | 93 | 0 | 44 |
| East Sutton Park | 86 | 0 | 94 | 88 | 0 | 94 | 90 | 0 | 94 |
| Eastwood Park | 117 | 56 | 135 | 152 | 60 | 255 | 252 | 90 | 255 |
| Foston Hall | 0 | 0 | 0 | 121 | 0 | 134 | 130 | 0 | 130 |
| Highpoint | 74 | 0 | 207 | 202 | 0 | 207 | 197 | 0 | 208 |
| Holloway | 576 | 298 | 517 | 502 | 273 | 517 | 505 | 265 | 517 |
| Low Newton | 41 | 25 | 36 | 73 | 23 | 49 | 65 | 33 | 49 |
| New Hall | 207 | 58 | 207 | 341 | 77 | 327 | 347 | 93 | 327 |
| Risley | 142 | 109 | 155 | 146 | 99 | 155 | 161 | 112 | 155 |
| Send | 0 | 0 | 0 | 0 | 0 | 0 | 79 | 0 | 80 |
| Styal | 246 | 2 | 245 | 279 | 2 | 284 | 278 | 2 | 412 |
| Winchester | 79 | 0 | 66 | 83 | 0 | 82 | 92 | 0 | 82 |
| Total | 2,374 | 554 | 2,526 | 2,765 | 589 | 2,981 | 3,066 | 681 | 3,183 |

*Average projected female population in England and Wales, 1999–2001*

| *Date* | *All females* | *Remand* |
|---|---|---|
| 1999 | 3,200 | 700 |
| 2000 | 3,400 | 700 |
| 2001 | 3,500 | 700 |

### Prisoner Releases (Home Detention Curfew)

**Mr. Clappison:** To ask the Secretary of State for the Home Department what advice has been issued to prison governors concerning the arrangements for probation supervision of persons released on home detention curfew. [72357]

**Mr. George Howarth:** Prison governors have been advised that, where a prisoner is due to be subject to supervision by the Probation Service upon his or her discharge from custody, supervision will commence on the date that the prisoner is placed on home detention curfew. The duration of the supervision is unaffected by the home detention curfew, as the date that the supervision ends is set at the three-quarter point of sentence less the period spent on home detention curfew, in accordance with the requirements of the Crime and Disorder Act 1998.

**Mr. Clappison:** To ask the Secretary of State for the Home Department what home circumstances reports have been requested in respect of potential release on home detention curfew where prisoners have convictions for *(a)* sexual offences, *(b)* arson and *(c)* offences of violence. [72369]

**Mr. George Howarth:** No prisoner can be placed on home detention curfew without a home circumstances report from the Probation Service, whatever the prisoner's convictions. The Prison Service may also ask the Probation Service to comment on other issues of concern as appropriate, for instance due to the nature of the offence. The only cases where it is not necessary to obtain a home circumstances report are where it is apparent at an early stage in the assessment process that the prisoner is clearly unsuitable for home detention curfew.

No offender required to register under Part I of the Sex Offenders Act 1997 will be assessed for home detention curfew other than in exceptional circumstances. If the offender is considered for home detention curfew, a rigorous enhanced risk assessment will be undertaken, including consideration of the proposed curfew address.

In addition, such an offender would be placed on home detention curfew only following authorisation by the Director General of the Prison Service.

**Mr. Clappison:** To ask the Secretary of State for the Home Department what proportion of the prisoners released on home detention curfew on or after 28 January 1999 are subject to supervision. [72352]

**Mr. George Howarth:** The information requested is not yet available. I will write to the hon. Member when it has been collated.

**Mr. Clappison:** To ask the Secretary of State for the Home Department what prison risk assessment on inmates eligible for release on home detention curfew is carried out prior to a request for a probation home circumstances report; and if any advice has been given to clarify procedures. [72358]

**Mr. George Howarth:** Advice on the risk assessment of inmates eligible for the home detention curfew scheme is given in Prison Service Order 6700, a copy of which is in the Library. Before comments from the home probation service are requested, (a) the prisoner will have been asked to provide details of his or her home address, (b) information on the prisoner's suitability will have been sought from a member of prison staff in daily contact with the prisoner, and (c) the member of staff conducting the initial risk assessment will have reviewed the documentation available to determine whether there are any particular issues on which the Probation Service should be invited to comment.

If it is decided from this review of the documentation that the prisoner is clearly unsuitable for home detention curfew and that information from the home probation service would add nothing to the assessment, the reviewing officer can forward the assessment to the governor for confirmation of this decision without the involvement of the home probation service. The decision not to seek input from the home probation service must be confirmed by the governor.

### Prisoner Discharges (Mental Hospitals)

**Mr. Cousins:** To ask the Secretary of State for the Home Department if he will estimate *(a)* the number of prisoners discharged to the care of mental hospitals in each of the last three calendar years, *(b)* the average length of each discharge and *(c)* the numbers of prisoners discharged to each receiving hospital; and if he will make a statement on the financial arrangements between prisons and hospitals for such discharges. [72609]

**Mr. George Howarth:** The latest relevant available information relates to numbers of prisoners transferred to hospitals as restricted patients and is as follows:

*Table 1: Numbers of prisoners transferred to the care of mental hospitals as restricted patients in years 1995 to 1997*

| | 1995 | 1996 | 1997 |
|---|---|---|---|
| Transferred from prison to hospital after sentence[1] | 249 | 264 | 251 |
| Transferred from prison to hospital while unsentenced or untried[2] | 473 | 481 | 494 |
| All transfers from Prison Service establishments | 722 | 745 | 745 |

[1] Transfers from Prison Service establishments under section 47 of the Mental Health Act 1983 with restrictions under section 49
[2] Transfers under section 48 of the Mental Health Act 1983.

These figures do not include transfers to hospital where the prisoners are not admitted as a restricted patient or where prisoners are immediately admitted to hospital following discharge from prison at the completion of sentence.

Discharges of prisoners to hospital are for an indeterminate amount of time. This means that it is not possible to calculate the average length of each discharge. It is, however, possible to tabulate at the end of each year the number of transferred prisoners who have been held in hospital for different periods of time.

*Table 2: Restricted patients detained in hospital at the end of the year who had been originally transferred from Prison Service establishments by period spent in hospital*

| | 1995 | 1996 | 1997 |
|---|---|---|---|
| *Unsentenced or untried* | | | |
| Under 3 months | 111 | 91 | 99 |
| 3 to 6 months | 34 | 25 | 42 |
| over 6 months | 39 | 53 | 89 |
| All sentenced or untried | 184 | 169 | 230 |
| *Patients transferred after sentence* | | | |
| Under 2 years | 176 | 161 | 152 |
| Over 2 to 5 years | 94 | 97 | 94 |
| Over 5 to 10 years | 55 | 56 | 66 |
| Over 10 to 20 years | 44 | 57 | 66 |
| Over 20 years | 11 | 11 | 11 |
| All patients transferred after sentence | 380 | 382 | 389 |
| All patients detained who were originally transferred from Prison Service establishments | 564 | 551 | 619 |

The table relating to the numbers of prisoners discharged to each receiving hospital in the year 1995 to 1997 is lengthy so a copy has been placed in the library.

The Prison Service meets the costs of a prisoner's health care inside prison walls itself. That would include any assessment or treatment for mental disorder. If a prisoner needs to be admitted to an outside hospital for treatment for mental disorder, either while in prison custody or on release, the costs of such treatment would be borne by the NHS.

### Au Pairs

**Mr. Dismore:** To ask the Secretary of State for the Home Department what restrictions on hours of work apply to au pairs; and if he will make a statement. [71969]

**Mr. Mike O'Brien:** Under the Immigration Rules, overseas nationals living in the United Kingdom as au pairs may help in the home for no more than five hours a day, with two days off per week, in return for a reasonable allowance.

**Mr. Dismore:** To ask the Secretary of State for the Home Department what plans he has to issue updated guidance on the employment and status of au pairs. [71968]

**Mr. Mike O'Brien:** There are no plans at present to change the immigration status of overseas nationals living in the United Kingdom as au pairs or to change the guidance.

**Mr. Dismore:** To ask the Secretary of State for the Home Department what is the immigration status of au pairs; and if he will make a statement. [71967]

**Mr. Mike O'Brien:** Under the Immigration Rules, an au pair must be unmarried, aged between 17 and 27 and without dependants, and come from one of the designated countries. They may stay in the United Kingdom for up to two years, living as part of an English speaking family and learning the language. They may help in the home for more than five hours a day, with two days off per week, in return for a reasonable allowance.

### Offenders (Mental Illness)

**Sir Alastair Goodlad:** To ask the Secretary of State for the Home Department how many of those people convicted of crimes in England and Wales in *(a)* 1998 and *(b)* each of the previous two years had previously been admitted to National Health Service mental illness hospitals and units with a main diagnosis of schizophrenia psychoses. [72290]

**Mr. George Howarth:** The information requested is not available centrally. National Statistics about convicted offenders do not categorise in terms of the past mental and psychological problems of offenders.

Information is available on offenders who are admitted to hospital under the provisions of mental health legislation. In 1997, the number of mentally disordered offenders admitted to hospital under a court order, or by direction of the Home Secretary restricting their discharge, was 1,074. Most of these admissions related to patients with a diagnosis of mental illness or mental illness with another disorder (986 in total). Schizophrenia psychosis is a form of mental illness, but the statistics do not record diagnoses to this level of detail.

Reconviction rates for restricted patients are available. The reconviction rate for standard list offences within two years of discharge for patients discharged between 1977 and 1993 was 12 per cent., with the rate for those with a diagnosis of mental illness being 7 per cent. Standard list offences consist of all indictable offences and some of the more serious summary offences.

### Sexual Abuse Offences

**Mr. Chaytor:** To ask the Secretary of State for the Home Department what plans he has to ensure that police statistics on sexual abuse offences identify the nature of the relationship between victim and offender. [72050]

**Mr. Boateng:** At present, the data are not collected centrally. However, work is in hand through the National Strategy on Police Information Systems, which will allow offender-victim relationships to be examined centrally in due course. Ad hoc information has previously been collected and published in publications such as "Victims of violent crime recorded by the police England and Wales 1990–1994" by Lorraine Watson, which was published in July 1996; a copy is in the Library.

### Severe Personality Disorder

**Mrs. Lait:** To ask the Secretary of State for the Home Department what plans he has to include *(a)* paedophiles and *(b)* hebephiles within his proposed criteria for assessing people with severe personality disorder; and if he will make a statement. [73151]

**Mr. Boateng:** My right hon. Friend the Home Secretary made it clear in his statement to the House on 15 February 1999, *Official Report,* columns 601–13, that a consultation document will be published later in the spring on the options for the new framework within which indeterminate reviewable detention powers for dangerous severely personality disordered individuals will operate. The powers will be available whether or not someone was before the courts for an offence. Sexual deviancy alone does not constitute a mental disorder. However, assessments of both dangerousness and severe personality disorder would certainly take account of previous known criminal behaviour whether of a paedophiliac, hebephiliac or any other nature.

### Deportation

**Mr. Hancock:** To ask the Secretary of State for the Home Department what factors he takes into account when considering whether a prisoner released from a life sentence will be deported. [72936]

**Mr. Mike O'Brien:** The Immigration Rules require that, before a decision to deport is taken, full account must be taken of all relevant factors. These are listed in paragraph 364 of HC 395 Statement of Changes in Immigration Rules and include age; length of residence; strength of connections with the United Kingdom; personal history; domestic circumstances; compassionate factors; previous criminal record and the nature of any offence of which the person has been convicted and any representations received on the person's behalf. These factors would be taken into account in deciding whether a person released from a life sentence should be deported.

### Police (Chelmsford)

**Mr. Burns:** To ask the Secretary of State for the Home Department how many police officers there were in the Chelmsford Division of the Essex Constabulary on *(a)* 31 March 1997, *(b)* 31 March 1998 and *(c)* the latest available date. [72889]

**Mr. Boateng:** The information requested, which has been provided by the Chief Constable of the Essex Police, is set out in the table:

*Essex police—Chelmsford 'C' division*

| | *Number of police officers*[1] |
|---|---|
| 31 March 1997 | 209 |
| 31 March 1998 | 208 |
| 31 January 1999[2] | 207 |

[1] Full-time equivalents
[2] Latest available

### Police (Essex)

**Mr. Burns:** To ask the Secretary of State for the Home Department how many police officers there were in the Essex Constabulary on *(a)* 31 March 1997, *(b)* 31 March 1998 and *(c)* the latest available date. [72890]

**Mr. Boateng:** The information is set out in the table:

*Essex Police*

| | *Number of police officers* |
|---|---|
| 31 March 1997 | 2,961 |
| 31 March 1998 | 2,929 |
| 31 March 1999~ | 2,925 |

~ Full-time equivalents.

### Firearms (Licensing)

**Mr. Öpik:** To ask the Secretary of State for the Home Department (1) if Her Majesty's Inspectorate of Constabulary plans to reinspect the police forces covered in the 1993 study into the administration of firearms licensing to ensure that the deficiencies noted in the conclusions of that study have been rectified; and if he will make a statement; [72335]

(2) what action has been taken to implement the conclusions of the 1993 report of Her Majesty's Inspectorate of Constabulary into the administration of firearms licensing; and if he will make a statement. [72336]

**Mr. Boateng:** Since 1993, Her Majesty's Inspectorate of Constabulary (HMIC) have reported on 10 of the 12 firearms licensing departments covered by the 1993 report on the administration of firearms licensing. Forces were generally praised for their adoption of the recommendations of the report and for other measures to improve the functioning of the licensing system. Other forces have also been inspected on this matter as part of the regular inspection process. All inspection reports are published.

Following the tragic events at Dunblane and subsequent legislation, HMIC have concluded that recommendations in the 1993 report have been largely overtaken by events. HMIC do not therefore intend to pursue the recommendations of the report further but will continue to look at all aspects of police administration, including firearms licensing, during their inspections. The Government have made clear that they intend to keep the issue of firearms controls under close scrutiny to see what further measures, if any, might be needed to protect public safety.

### British Horseracing Board

**Mr. Soames:** To ask the Secretary of State for the Home Department when he last met the British Horseracing Board; and what was discussed. [73131]

**Mr. George Howarth:** The Home Secretary last met the Chairman and Chief Executive of the British Horseracing Board on 28 October. I last met them on 23 February. We discussed a range of issues relating to the future financing of the horseracing industry in this country.

### The Tote

**Mr. Soames:** To ask the Secretary of State for the Home Department if he will make a statement on the future of the Tote. [73132]

**Mr. George Howarth:** Not at present. The Steering Group which is conducting a Review of the Tote has not yet reported to Ministers.

## INTERNATIONAL DEVELOPMENT

### East Timor

**Dr. Tonge:** To ask the Secretary of State for International Development if she will list the aid projects that her Department is currently supporting in East Timor, indicating those projects with a gender dimension. [72662]

**Clare Short:** We are supporting the preparation of a programme to develop the capacity of civil society in East Timor. Particular care is being taken by the design team to address gender issues. We are also supporting the Water and Sanitation Programme of the International Committee of the Red Cross in East Timor. All quality humanitarian and development projects must take account of the gender dimension. £300,000 has been made available in the current financial year.

DFID are watching closely the political developments in East Timor and is considering what further assistance we can provide to the East Timorese people.

### Al-Shifa Factory

**Dr. Tonge:** To ask the Secretary of State for International Development what representations she has received concerning reports that the US bombing of the Al-Shifa factory destroyed drug supplies. [72661]

**Clare Short:** Correspondence dated 11 November and 1 December was received on this subject from a Member in another place. This was copied widely and reported in the media. Subsequent representations have been received from Members of this House and from members of the public including a letter dated 29 December 1998 from the acting Head of Mission of the Sudan Embassy in London.

### North Korea

**Mrs. Gillan:** To ask the Secretary of State for International Development what steps she is taking to alleviate the famine in North Korea. [73281]

**Clare Short:** Details of the Government's humanitarian assistance to North Korea were set out in my answer to a question from my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck), 11 February 1999, *Official Report*, column *340*.

### Democracy-building Projects

**Mrs. Gillan:** To ask the Secretary of State for International Development if she will list the democracy-building projects her Department has supported in *(a)* Uganda and *(b)* Indonesia. [73279]

**Clare Short:** *(a)* Uganda: since May 1997 we have supported the following democracy-building projects in Uganda:

| *Project* | *Amount committed* £ |
|---|---|
| Support to Parliament (ongoing) | 312,375 |
| Support to Local Government Elections (ongoing) | 250,000 |
| Support to Women Politicians (ongoing-preparatory) | 40,000 |
| Election Observers (finished) | 40,000 |

There are also some small democracy building elements to our portfolio of projects in Uganda aimed at supporting the implementation of the Beijing Platform for Action for Women, to which we have committed £500,000.

*(b)* Indonesia: I recently approved a contribution of up to £1 million to support a free, fair and inclusive election in Indonesia. Most of this will be channelled through the United Nations Development Programme and will support voter education, electoral administration and election monitoring. We are also supporting a three-year project implemented by the International Labour Organisation to develop workers capacity to organise and administer trade unions, and to represent workers interests effectively in consultations with employers and government.

## SCOTLAND

### Departmental Policies

**Mr. Maclean:** To ask the Secretary of State for Scotland what systems he has in place to ensure that policies being developed by his Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72670]

**Mr. McLeish** *[holding answer 24 February 1999]:* The normal management of the Scottish Office's wide-ranging responsibilities ensures a corporate approach to crime reduction. This is demonstrated in the report "A Safer Scotland: Tackling Crime and its Causes", published on 9 February 1999, which brings together the Scottish Office's policies on health, education, employment, housing criminal justice and other matters which have an impact on community safety and crime reduction. Internal Scottish office Groups on Crime Prevention and other relevant policies ensure that the opportunities for criminal acts are minimised.

From 1 July this will be a matter for the Scottish Parliament.

### Forestry Commission

**Mr. Savidge:** To ask the Secretary of State for Scotland what changes are proposed to the cash limit for Class XIII Vote 10, Forestry Commission, for 1998–99. [73923]

**Mr. Dewar:** Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class XIII Vote 10 for 1998–99 will be increased by £3,900,000 from £47,425,000 to £51,325,000.

### Education Expenditure

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland what is his estimate of total *(a)* central Government and *(b)* local authority expenditure on education for (i) 1994–95, (ii) 1995–96, (iii) 1996–97, (iv) 1997–98, (v) 1998–99 and (vi) 1999–2000, expressed in 1997–98 prices. [72757]

**Mrs. Liddell:** The information is as follows:

*£ million (1997–98 prices)*

| | *Central government* | *Local authority* |
|---|---|---|
| 1994–95 | 1,308 | 2,481 |
| 1995–96 | 1,311 | 2,423 |
| 1996–97 | 1,316 | 2,364 |
| 1997–98 | 1,277 | 2,319 |
| 1998–99 | 1,290 | 2,368 |
| 1999–2000 | 1,375 | 2,457 |

As from July 1999, this will be a matter for the Scottish Parliament.

### Radioactive Waste

**Ms Roseanna Cunningham:** To ask the Secretary of State for Scotland when he expects to receive the update of the Committee on the Medical Aspects of Radiation in the Environment to their 1995 report on the Potential Health Effects and Possible Sources of Radioactive Particles Found in the Vicinity of the Dounreay Nuclear Establishment; and if he will place a copy of the report in the Library. [72333]

**Mr. Galbraith:** My right hon. Friend expects to receive advice from the Committee on the Medical Aspects of Radiation in the Environment shortly. The Committee itself publishes the advice it gives to the Government. A copy of the Committee's Report will be placed in the House of Commons Library.

### Legal Aid

**Ms Roseanna Cunningham:** To ask the Secretary of State for Scotland what is the total amount of legal aid granted in Scottish civil appeals to the House of Lords in each year of the last 10 years. [72555]

**Mr. McLeish:** The information is set out in the table.

*Total amount of legal aid paid in House of Lords cases*

| *Year* | *£* |
|---|---|
| 1988–89 | 36,238 |
| 1989–90 | 8,217 |
| 1990–91 | 47,127 |
| 1991–92 | 43,607 |
| 1992–93 | 44,553 |
| 1993–94 | 55,069 |
| 1994–95 | 30,073 |
| 1995–96 | 6,136 |
| 1996–97 | 33,000 |
| 1997–98 | 109,000 |

From 1 July 1999 legal aid in Scotland will be a matter for the Scottish Parliament.

### Fatal Accident Inquiries

**Mr. Maclennan:** To ask the Secretary of State for Scotland what is his policy on the *(a)* production of and *(b)* charging for fatal accident inquiry transcripts. [73189]

**Mr. Dewar:** The arrangements are prescribed in the Fatal Accident and Sudden Deaths Inquiry Rules, 1977. A transcript of the evidence in a Fatal Accident Inquiry will be extended only if the Sheriff so directs or if

requested within a period of three months of the Sheriff's Determination by any party who has an interest in the Inquiry.

Where the Sheriff has requested a transcript of the evidence the cost of transcription is met by the Scottish Court Service and interested parties may obtain copies at a cost of £1 per page for the first 10 pages and 30p per page thereafter. Where an interested party has requested a transcript they are responsible for the full cost of transcription.

From 1 July 1999 this will be a matter for the Scottish Parliament.

## Leukaemia

**Mr. Alasdair Morgan:** To ask the Secretary of State for Scotland if he will list for each year between 1974 and the latest available date, the incidence of leukaemia ICD(9) 204 to 208 in children aged 0 to four years in Dumfries and Galloway (i) in total, (ii) by electoral ward and (iii) by sex; and how many cases would have been predicted in Dumfries and Galloway during that period on the basis of national rates for these diseases. [72329]

**Mr. Galbraith:** The table shows numbers of incident cases of leukaemia in children aged 0–4 years resident in the Dumfries and Galloway Health Board area in each of the years 1974–96, and the numbers of cases which would be expected on the basis of incidence rates for Scotland as a whole. Because of the small number of cases overall it is not possible to provide figures broken down by electoral ward without jeopardising the confidentiality of individuals.

From 1 July 1999 this will be a matter for the Scottish Parliament.

*Observed and expected cases of leukaemia in children aged 0–4 years in the Dumfries and Galloway Health Board area in 1974–1996*

| | *Males* | | *Females* | |
|---|---|---|---|---|
| | *Observed* | *Expected* | *Observed* | *Expected* |
| 1974 | 0 | .39 | 0 | .18 |
| 1975 | 0 | .34 | 0 | .28 |
| 1976 | 2 | .49 | 1 | .24 |
| 1977 | 0 | .23 | 0 | .23 |
| 1978 | 1 | .46 | 0 | .18 |
| 1979 | 0 | .23 | 0 | .33 |
| 1980 | 0 | .41 | 0 | .23 |
| 1981 | 0 | .37 | 0 | .13 |
| 1982 | 0 | .21 | 0 | .27 |
| 1983 | 0 | .29 | 0 | .25 |
| 1984 | 1 | .40 | 2 | .24 |
| 1985 | 0 | .24 | 0 | .16 |
| 1986 | 0 | .30 | 0 | .19 |
| 1987 | 0 | .35 | 0 | .53 |
| 1988 | 0 | .41 | 1 | .27 |
| 1989 | 0 | .42 | 1 | .27 |
| 1990 | 0 | .39 | 0 | .33 |
| 1991 | 0 | .33 | 0 | .22 |
| 1992 | 1 | .46 | 0 | .30 |
| 1993 | 0 | .38 | 0 | .25 |
| 1994 | 0 | .49 | 0 | .36 |
| 1995 | 1 | .43 | 0 | .17 |
| 1996 | 0 | .33 | 0 | .14 |
| Total | 6 | 8.38 | 5 | 5.76 |

**Mr. Alasdair Morgan:** To ask the Secretary of State for Scotland how many cases of infant leukaemia (ICD(9)) 204 to 208 in children aged 0 to one year) *(a)* were reported in Scotland in each six-month period from 1974 to the latest available date and *(b)* would have been predicted during that period on the basis of average rates; and what assessment he has made of the reasons for discrepancies between the two. [72331]

**Mr. Galbraith:** The table sets out the information sought. Geographical variations and time trends in the incidence of cancer are monitored continuously by the Scottish Cancer Intelligence Unit (SCIU). Trends in the incidence of infant and childhood leukaemia in Scotland and other European countries are being evaluated in the European Childhood Leukaemia-Lymphoma Incidence Study (ECLIS), which is co-ordinated by the International Agency for Research on Cancer, and in which SCIU is participating. As will be seen, the total number of observed cases over the period is consistent with the number expected.

From 1 July 1999 this will be a matter for the Scottish Parliament.

*Observed and expected numbers of leukaemia in infants aged less than one year in Scotland in six month intervals of time from January 1974 to December 1996*
*Both sexes*

| *Year* | *Month* | *Observed* | *Expected* |
|---|---|---|---|
| 1974 | January to June | 1 | 1.06 |
| | July to December | 0 | 1.06 |
| 1975 | January to June | 1 | 1.02 |
| | July to December | 0 | 1.02 |
| 1976 | January to June | 0 | 1.00 |
| | July to December | 3 | 1.00 |
| 1977 | January to June | 1 | 0.92 |
| | July to December | 0 | 0.92 |
| 1978 | January to June | 1 | 0.94 |
| | July to December | 1 | 0.94 |
| 1979 | January to June | 0 | 0.99 |
| | July to December | 0 | 0.99 |
| 1980 | January to June | 2 | 1.02 |
| | July to December | 0 | 1.02 |
| 1981 | January to June | 2 | 1.03 |
| | July to December | 2 | 1.03 |
| 1982 | January to June | 0 | 1.00 |
| | July to December | 0 | 1.00 |
| 1983 | January to June | 1 | 0.98 |
| | July to December | 0 | 0.98 |
| 1984 | January to June | 3 | 0.96 |
| | July to December | 0 | 0.96 |
| 1985 | January to June | 0 | 0.98 |
| | July to December | 1 | 0.98 |
| 1986 | January to June | 0 | 1.00 |
| | July to December | 0 | 1.00 |
| 1987 | January to June | 3 | 0.98 |
| | July to December | 3 | 0.98 |
| 1988 | January to June | 3 | 1.00 |
| | July to December | 1 | 1.00 |
| 1989 | January to June | 0 | 0.97 |
| | July to December | 2 | 0.97 |
| 1990 | January to June | 1 | 0.96 |
| | July to December | 1 | 0.96 |
| 1991 | January to June | 0 | 0.99 |
| | July to December | 0 | 0.99 |
| 1992 | January to June | 3 | 1.00 |
| | July to December | 0 | 1.00 |
| 1993 | January to June | 2 | 0.96 |
| | July to December | 1 | 0.96 |

*Observed and expected numbers of leukaemia in infants aged less than one year in Scotland in six month intervals of time from January 1974 to December 1996*

*Both sexes*

| *Year* | *Month* | *Observed* | *Expected* |
|---|---|---|---|
| 1994 | January to June | 0 | 0.95 |
| | July to December | 1 | 0.95 |
| 1995 | January to June | 1 | 0.91 |
| | July to December | 1 | 0.91 |
| 1996 | January to June | 3 | 0.88 |
| | July to December | 0 | 0.88 |
| Total: 1974–1996 | | 45 | 45 |

*Source:*
Cancer Surveillance

### Brain Cancer

**Mr. Alasdair Morgan:** To ask the Secretary of State for Scotland if he will list for each year between 1974 and the latest available date, the incidence of brain cancer ICD(9) 191 in children aged 0 to four years in Dumfries and Galloway (i) in total, (ii) by electoral ward and (iii) by sex; and how many cases would have been predicted in Dumfries and Galloway during that period on the basis of national rates for these diseases. [72330]

**Mr. Galbraith:** The tables show numbers of incident cases of malignant tumours of the brain in children aged 0–4 years resident in the Dumfries and Galloway Health Board area in each of the years 1974–96, and the number of cases which would be expected on the basis of incidence rates for Scotland as a whole. Because of the small number of cases overall it is not possible to provide figures broken down by electoral ward without jeopardising the confidentiality of individuals.

From 1 July 1999 this will be a matter for the Scottish Parliament.

*Observed and expected cases of malignant brain tumours in children aged 0–4 years in the Dumfries and Galloway Health Board area in 1974–96*

| | *Males* | |
|---|---|---|
| | *Observed* | *Expected* |
| 1974 | 0 | .10 |
| 1975 | 0 | .18 |
| 1976 | 0 | .15 |
| 1977 | 0 | .10 |
| 1978 | 0 | .03 |
| 1979 | 1 | .08 |
| 1980 | 1 | .13 |
| 1981 | 0 | .05 |
| 1982 | 0 | .11 |
| 1983 | 0 | .19 |
| 1984 | 0 | .13 |
| 1985 | 0 | .16 |
| 1986 | 0 | .05 |
| 1987 | 0 | .24 |
| 1988 | 0 | .16 |
| 1989 | 1 | .11 |
| 1990 | 0 | .08 |
| 1991 | 0 | .20 |
| 1992 | 0 | .11 |
| 1993 | 0 | .08 |
| 1994 | 0 | .16 |
| 1995 | 0 | .11 |
| 1996 | 0 | .05 |
| Total | 3 | 2.79 |

| | *Females* | |
|---|---|---|
| | *Observed* | *Expected* |
| 1974 | 0 | .08 |
| 1975 | 0 | .10 |
| 1976 | 0 | .10 |
| 1977 | 0 | .08 |
| 1978 | 1 | .13 |
| 1979 | 0 | .05 |
| 1980 | 0 | .10 |
| 1981 | 0 | .08 |
| 1982 | 0 | .11 |
| 1983 | 0 | .22 |
| 1984 | 0 | .13 |
| 1985 | 0 | .11 |
| 1986 | 0 | .11 |
| 1987 | 0 | .08 |
| 1988 | 0 | .14 |
| 1989 | 0 | .14 |
| 1990 | 0 | .22 |
| 1991 | 0 | .08 |
| 1992 | 0 | .14 |
| 1993 | 0 | .08 |
| 1994 | 1 | .19 |
| 1995 | 0 | .06 |
| 1996 | 0 | .14 |
| Total | 2 | 2.66 |

*Source:*
Cancer Surveillance

## ENVIRONMENT, TRANSPORT AND THE REGIONS

### Road Safety Strategy

**Mr. Bradshaw:** To ask the Secretary of State for the Environment, Transport and the Regions when he plans to launch the road safety targets and strategy for the period up to 2010. [69408]

**Ms Glenda Jackson:** It is now intended to publish the road safety strategy and targets later this year, in order to reflect the findings of the ongoing review of speed policy. It may be necessary to issue provisional guidance in the interim, which we are considering.

**Mr. Jenkin:** To ask the Secretary of State for the Environment, Transport and the Regions when the Road Safety Strategy will be announced. [71077]

**Ms Glenda Jackson** *[holding answer 15 February 1999]:* It is now intended to publish the road safety strategy and targets later this year, in order to reflect the findings of the ongoing review of speed policy. It may be necessary to issue provisional guidance in the interim, which we are considering.

### House Building

**Mr. Kidney:** To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of *(a)* the number of new house building starts to be made in 1999–2000 by (i) private developers, (ii) registered social landlords and (iii) local authorities and *(b)* the number of existing empty homes to be brought back into use in 1999–2000 by (x) private owners, (y) registered social landlords and (z) local authorities. [72318]

**Mr. Raynsford:** The estimate of the number of existing empty local authority homes in England that local authorities propose to bring back into use in 1999–2000 is in preparation.

The Department does not forecast new housebuilding starts, nor the number of empty dwellings that will be brought back into use for other tenures.

### Departmental Policies

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions what systems he has in place to ensure that policies being developed by his Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72751]

**Mr. Prescott** *[holding answer 24 February 1999]:* Government Departments work closely on policy development and in those areas where my Department is involved it supports fully the Home Office's aim to reduce crime and the fear of crime. Our research programme monitors and evaluates the effects of new policy and other initiatives.

### Correspondence

**Mr. Gibb:** To ask the Secretary of State for the Environment, Transport and the Regions when he plans to reply to the letter from the hon. Member for Bognor Regis and Littlehampton of 12 November 1998. [73108]

**Ms Armstrong:** I wrote to the hon. Member on 18 February 1999, in reply to his letter of 14 January. As the hon. Member is aware, the Department has no trace of his original letter of 12 November.

### Regional Development Agencies

**Dr. George Turner:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each of the English regional development agencies the current estimate of *(a)* their total budget on a per capita basis and *(b)* the percentage of the budget attributable to their administrative function. [73004]

**Mr. Meale:** The budgets for 1999–2000 for each of the English regional development agencies will be announced shortly. The budgets for 1998–99 cover administration resources only, and are as follows. It is not meaningful to express these figures in per capita terms.

| *Agency* | £ |
|---|---|
| North East Regional Development Agency | 520,000 |
| Yorkshire and the Humber Regional Development Agency | 529,000 |
| North West Regional Development Agency | 327,000 |
| West Midlands Regional Development Agency | 384,000 |
| East Midlands Regional Development Agency | 406,000 |
| Eastern Regional Development Agency | 350,000 |
| South East Regional Development Agency | 461,000 |
| South West Regional Development Agency | 411,000 |
| Total | 3,388,000 |

### Centre for Young Musicians

**Mr. Peter Ainsworth:** To ask the Secretary of State for the Environment, Transport and the Regions if he plans to transfer responsibility for the Centre for Young Musicians to the Greater London authority. [73112]

**Mr. Raynsford:** I am considering with colleagues the future provision for the Centre for Young Musicians.

The Greater London Authority will be a strategic authority which will address London-wide issues and will, with the co-operation of the responsible statutory authorities, have the powers to co-ordinate and assist with the provision of specialist services which may need to be delivered on a London-wide basis. The Authority will have discretionary powers to pay grant to assist in the provision of such services.

We would expect the Centre for Young Musicians, which is a centre of excellence for the encouragement and training of young musicians, recruited from across the whole of London, to fall into the category of organisations which the GLA may choose to assist in this way.

### London Transport

**Mr. Brake:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list London Transport property *(a)* assets, *(b)* rights and *(c)* liabilities. [73258]

**Ms Glenda Jackson:** As at 31 March 1998 London Transport's assets were as follows:

| | *Assets* |
|---|---|
| Tunnels (including Jubilee Line Extension) | 305 kilometres |
| Railway carriages | 3,886 |
| Track | 1,093 kilometres |
| Bridges | 978 |
| Drainage Pumps | 700 |
| Underground stations | 245 |
| Escalators and lifts | 372 |
| Power stations | 2 |
| Sub-stations | 131 |
| Bus stations and stands | 63 |
| Bus shelters | 6,370 |

*Note:*
These figures are currently being updated for 31 March 1999.

Property held by London Regional Transport and that of any subsidiary company is held subject to the provisions of the London Regional Transport Act 1984.

Rights and liabilities attached to such property will arise from either the instruments by which that property is held or the enactments under which property was acquired for the statutory purposes of London Regional Transport or any subsidiary of London Regional Transport.

To identify and list each and every right and liability connected with property assets held by London Regional Transport would incur disproportionate cost, however, general information about the management of such property can be obtained from the London Transport Annual Report 1997–98.

Aside from property, LT has other assets and liabilities relating to staff contracts, small fixed assets and so on. Again, these could be listed only at disproportionate cost.

### Departmental Expenditure

**Mr. Malcolm Bruce:** To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the level of expenditure on education by local government area for each of the years *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 and *(d)* 1998–99, expressed in real terms at 1997–98 prices. [72758]

**Ms Armstrong:** The requested information has been placed in the Library of the House.

The information available on education expenditure by local government area relates to expenditure by local authorities. The changes in responsibility of local education authorities, reorganisation and concomitant boundary changes, means that expenditure by local authorities on education may not be directly comparable across the years in question. In particular, net current expenditure on education in 1997–98 did not include expenditure on the under five's education which was financed by the nursery voucher scheme. This produces, for most authorities, an apparent 'trough' in expenditure in that year. In addition, the level of expenditure on education by an authority across the years will be affected by changing pupil numbers.

*The all-England totals in £ million not including capital expenditure*

| *Year* | *1997–98 prices* |
|---|---|
| 1995–96 | 20,991 |
| 1996–97 | 20,811 |
| 1997–98 | 20,625 |
| 1998–99 | 21,334 |

### Northern Line

**Mr. Corbyn:** To ask the Secretary of State for the Environment, Transport and the Regions what representations have been received by his Department on the standard of service on the Northern Line of the London Underground; and if he will make a statement. [73155]

**Ms Glenda Jackson:** Over the last six months my Department has received a number of representations relating mainly to the standard of services on the Northern Line including 8 letters from Members of Parliament and 44 letters from the public.

Disruption on the Northern Line did increase over recent months; however when the new fleet of trains is in service, the reliability of the line should improve considerably. It is expected that a full Northern Line service will be provided completely by new trains by Autumn 1999.

### National Air Traffic Services

**Mr. Jenkin:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to meet UK airlines prior to taking any policy decision on the future of the National Air Traffic Services. [73184]

**Dr. Reid:** We concluded a public consultation on our proposals for National Air Traffic Services Ltd. on 31 January 1999. The responses received are currently being analysed and we are grateful to a number of UK airlines for their detailed responses. These have provided us with a clear understanding of the thinking of NATS' main customers as we consider how best to deliver our policies for the future of NATS.

### Pelican Crossings

**Mr. Jenkin:** To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* adults and *(b)* children were (i) injured and (ii) killed on pelican crossings in each of the last 10 years for which figures are available. [73186]

**Ms Glenda Jackson:** The information requested is shown in the following table:

*Child/adult casualties on Pedestrian crossings [1]: GB 1988–97*

*Casualties*

| | *Child* | | *Adult* | |
|---|---|---|---|---|
| *Year* | *Killed* | *Injured* | *Killed* | *Injured* |
| 1988 | 9 | 755 | 39 | 1,445 |
| 1989 | 7 | 689 | 39 | 1,424 |
| 1990 | 8 | 758 | 48 | 1,552 |
| 1991 | 2 | 679 | 59 | 1,274 |
| 1992 | 9 | 699 | 40 | 1,298 |
| 1993 | 6 | 659 | 48 | 1,197 |
| 1994 | 8 | 637 | 41 | 1,197 |
| 1995 | 3 | 620 | 27 | 1,140 |
| 1996 | 1 | 623 | 48 | 1,098 |
| 1997 | 6 | 610 | 32 | 1,124 |
| Total | 59 | 6,729 | 421 | 12,749 |

[1] Casualties include those on Pelican, Puffin or toucan crossings at the time of an accident, but exclude pedestrians on a refuge, central island or on zig zag markings on the approach/exit of a crossing.

### Congestion Charges

**Mr. Jenkin:** To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to paragraph 2.7 of "Breaking the Log Jam", how many and what proportion of responses to "Developing an Integrated Transport Policy—an Invitation to Contribute", supported the view that congestion charges would be valuable and effective. [73183]

**Ms Glenda Jackson:** The Department's publication "*The Government's Consultation On Developing An Integrated Transport Policy: A Report*" contains a tabular analysis of the comments made by respondents on a number of demand management measures, including congestion charging and a levy on private non-residential parking. In each case a majority of those referring to those two measures were in favour. Copies of the report were placed in the Library at the time of publication, in July 1998.

### Eurostar (Wheelchair Access)

**Dan Norris:** To ask the Secretary of State for the Environment, Transport and the Regions (1) what steps he has taken to ensure that the Eurostar Channel Tunnel rail service is more widely available to wheelchair users; [73508]

(2) when he expects provision to be increased on the Eurostar Channel Tunnel rail services for wheelchair users. [73507]

**Ms Glenda Jackson:** The Eurostar trains were designed and built to be fully wheelchair accessible. Each train provides accommodation for two people to travel in their own wheelchairs. In the first 6 months of 1997 (the latest period for which figures are available) out of over 20,000 wheelchair spaces offered (120 spaces every day on 60 services), only 400 were taken up. Eurostar therefore have no plans to increase current levels of provision.

### Heritage Notifications

**Ms Perham:** To ask the Secretary of State for the Environment, Transport and the Regions what progress he is making in reviewing the current heritage notification arrangements in London. [73593]

**Mr. Raynsford:** My hon. Friend the Minister for the Arts and I have today issued a consultation paper proposing a number of changes in the current handling of listing building consent applications in London. Since the abolition of the Greater London Council, English Heritage has been working with the London Boroughs to build up their expertise in handling these applications. As a result, we now feel able to propose a significant reduction in the number which will in future need to be notified to English Heritage. This will enable decisions to be issued more quickly. However, certain changes, for example those to Grade I and II* buildings, will still need to be sent to English Heritage. Copies of the consultation paper have been placed in the Libraries of both Houses.

This consultation is the first stage in a wider review of heritage notifications promised in the Modernising Planning policy statement by my hon. Friend the Minister for the Regions, Regeneration and Planning in January 1998 as one of a range of initiatives being taken to improve the effectiveness of local authority planning services. My officials are now talking to English Heritage about the notification arrangements outside London with a view to drawing up further consultation proposals for speeding up this aspect of the planning process.

### Greater London Authority

**Ms Buck:** To ask the Secretary of State for the Environment, Transport and the Regions if he will set out the transitional arrangements proposed for financing the Greater London authority and the functional bodies in 2000–01 and for financing their predecessor organisations. [73921]

**Mr. Raynsford:** Subject to the passage of the Greater London Authority Bill, the Greater London Authority will assume its responsibilities on 3 July 2000. Special arrangements will be needed to cater for this start part way through the financial year. We shall therefore begin discussions with interested parties on the broad framework of transitional arrangements. Under these, the Secretary of State would set a budget and precept for the GLA, including the functional bodies, as if they were in existence for the full financial year 2000–01. He would receive precept income from the London Boroughs. That income, together with redistributed business rates, revenue support grant and other grants would be paid to the predecessor organisations in respect of the period up to 3 July, and to the GLA in respect of the remainder of the year. Following consideration of the broad framework, there will then be further discussions on the detailed application of the transitional arrangements.

### Genetically Modified Crops

**Mr. Mitchell:** To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the oral answer by the Minister for the Cabinet Office of 10 February, *Official Report*, column 308, on biotechnology and genetic modification of crops, what action Her Majesty's Government have taken in pressing *(a)* the European Commission, and *(b)* other EU institutions for enhanced statutory control; and if he will make a statement on the policy of Her Majesty's Government in respect of current (i) United Kingdom and (ii) Community legislation on those matters. [72179]

**Mr. Meacher** *[holding answer 22 February 1999]:* The main instrument governing the release into the environment of GMOs is the EC Directive 90–220. This is currently undergoing revision following the publication of a Commission proposal in February 1998. The proposal seeks to make a number of significant changes to the Directive such as strengthening provisions on environmental risk assessment and monitoring, streamlining some procedures, ensuring greater transparency and better labelling requirements, and providing for the consultation of EU ethics and scientific committees.

The UK is taking a leading role in negotiations in the Council on the revision, though progress depends on the priority given to the dossier by the EU Presidency. The European Parliament adopted its Opinion on the revision of the Directive on 11 February, which also proposes tougher controls on the release of GMOs.

While negotiations on the revision of Directive 90–220 continue, European Environment Ministers agreed unanimously last December to use the flexibility within the existing directive to introduce new requirements for risk assessment and monitoring, based upon new texts which are likely to form part of the revised directive. The UK already requires such risk assessments to be carried out before a consent may be granted, and the Government are currently considering how the monitoring requirements may be introduced.

**Mr. Mitchell:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the terms of reference and membership of the Cabinet Committee on food standards; and if it will consider the adequacy and content of the Environmental Protection Act 1990 and of Directive 90/220 of the European Community concerning rules for the growing of genetically modified crops. [72220]

**Mr. Meacher** *[holding answer 22 February 1999]:* The terms of reference of the Ministerial Group on Food Safety are:

"To co-ordinate Departmental consideration of issues arising from the establishment of a Food Standards Agency and other aspects of food safety, and to make recommendations to the Ministerial Committee on Home and Social Affairs (HS)."

Its composition is:

President of the Council and Leader of the House of Commons (Chair)

Secretary of State for Education and Employment

Minister for the Cabinet Office

Secretary of State for Scotland

Secretary of State for Health

Secretary of State for Northern Ireland

Minister of Agriculture, Fisheries and Food

Secretary of State for Wales

Chief Secretary, Treasury

Minister of State, Department of the Environment, Transport and the Regions

Minister of State, Department of Trade and Industry.

The Parliamentary Secretary to the Treasury and Chief Whip will also receive papers and may attend as necessary.

However, matters relating to biotechnology and genetic modification are discussed collectively in the Ministerial Group on Biotechnology and Genetic Modification, whose terms of reference are: "To consider issues relating to biotechnology, in particular those arising from genetic modification."

The Group's composition is:

Minister for the Cabinet Office (Chair)

Minister of State, Department of the Environment, Transport and the Regions

Minister of State, Foreign and Commonwealth Office

Minister of State, Cabinet Office

Minister of State, Department of Health

Minister of State, Ministry of Agriculture, Fisheries and Food

Minister of State, Department of Trade and Industry

Economic Secretary, Treasury

Parliamentary Under-Secretary of State, Home Office

Parliamentary Secretary, Cabinet Office

Parliamentary Under-Secretary of State, Scottish Office,

Parliamentary Under-Secretary of State, Northern Ireland Office

Parliamentary Under-Secretary of State, Department of Trade and Industry

Parliamentary Under-Secretary of State, Welsh Office

The Chief Scientific Adviser also attends.

The Ministerial Group will consider the adequacy and content of Directive 90–220. Consideration of the Environmental Protection Act is, however, not on the agenda.

The revision of Directive 90/220/EEC has, in addition, been considered in detail by European Scrutiny Committees in both Houses.

## PRIME MINISTER

### Hospitality

**Mrs. Virginia Bottomley:** To ask the Prime Minister what guidelines he has established for the use of No. 10 Downing street for hospitality funded by non-Government sources; and if he will list those occasions on which such hospitality has been offered since May 1997. [71160]

**The Prime Minister:** Ministers under this and previous Governments have been allowed—at their own or party expense—to host non-official or party receptions or functions in Downing street, as set out formally by this Government in paragraph 63 of the *Ministerial Code*.

Since 1 May 1997, 22 political functions and 15 charity events have been held at 10 Downing street. All have been held in accordance with the rules set out in the *Ministerial Code*.

### Departmental Policies

**Mr. Maclean:** To ask the Prime Minister what systems he has in place to ensure that policies being developed by his Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72721]

**The Prime Minister** *[holding answer 24 February 1999]:* I refer the right hon. Member to the answer given by the Parliamentary Under-Secretary of State for the Home Department, my hon. Friend the Member for North Warwickshire (Mr. O'Brien), to the right hon. Member on 24 February 1999, *Official Report*, columns *311–12*.

### Genetically Modified Food

**Mr. Maclean:** To ask the Prime Minister if he will invite Lord Phillips to conduct an inquiry into the Government's handling of GM food. [72688]

**The Prime Minister** *[holding answer 24 February 1999]:* I am entirely satisfied that the issue of genetically modified foods is being correctly handled and therefore see no need for an inquiry.

### Queen's Awards

**Mr. Jim Murphy:** To ask the Prime Minister what plans he has to carry out a review of the Queen's Awards for Export, Technological and Environmental Achievement. [73924]

**The Prime Minister:** On 15 December 1998, *Official Report*, column *460*, I informed the House that there is to be a review of The Queen's Awards. His Royal Highness The Prince of Wales has been asked by Her Majesty The Queen to take charge of the review. The Prince of Wales is to chair a committee made up of business persons and senior Government officials. Their report will come to me, as it is on my recommendation that the Awards are made by The Queen. The members of the Review Committee are:

Amir Bhatia OBE, Managing Director of Casley Finance Ltd, Chairman of the Simpler Trade Procedures Board, and member of the National Lottery Charities Board.

Sir John Browne, Group Chief Executive, BP Amoco plc.

Sir John Collins, Group Chief Executive, The Vestey Group, Chairman, National Power PLC and Member of the Prime Minister's Advisory Committee for The Queen's Awards.

Sir Tom Farmer CBE, Chairman and Chief Executive, Kwik Fit Holdings plc.

Carol Galley, Co-head, Merrill Lynch Mercury Asset Management.

Graham Hawker CBE, Chief Executive, Hyder plc and Chairman of Business in the Community (Wales), Deputy Chairman of the Welsh Development Agency and Member of the Court of the Bank of England.

The Right Honourable Lord Hurd of Westwell CH CBE, Chairman, British Invisibles and Member of the Prime Minister's Advisory Committee for The Queen's Awards.

John Monks, General Secretary, Trades Union Congress.

John Rose, Chief Executive, Rolls Royce plc and a Member of the Council of The Prince's Trust.

Sir Michael Scholar KCB, Permanent Secretary, Department of Trade and Industry, and Member of the Prime Minister's Advisory Committee for The Queen's Awards.

Sir Dennis Stevenson CBE, Chairman of Pearson plc.

Sir Richard Wilson KCB, Secretary of the Cabinet and Chairman of the Prime Minister's Advisory Committee for The Queen's Awards.

The Prime Minister's Advisory Committee for The Queen's Awards assists me in advising Her Majesty The Queen on the annual making of Awards. The Government have asked that the review should take account of their wish to encourage enterprise and innovation, as set out in the Competitiveness White Paper published in December 1998. The terms of reference of the Review are as follows:

"To review the operation of The Queen's Awards Scheme; and, having regard to:

the purpose of the Awards, which is to recognise outstanding achievements of UK businesses;

the benefit of ensuring that the Awards are up to date and provide the best possible incentive for UK businesses;

the wish of the Government to encourage enterprise and innovation; and

the need for assessment of achievement to be effective, economical and fair, and based as nearly as possible on objective judgment;

to make recommendations."

The recommendations of the Review are to be made in time for any resulting changes to be implemented for the Awards in the year 2000.

The Review is open for consultation to trade associations, businesses and the general public until 7 April 1999. All representations to the Review Committee about the current operation and future shape of The Queen's Awards should be addressed to:

The Secretary
The Queens Awards Review
151 Buckingham Palace Road
London SW1W 9SS

E-mail: queens-awards-review@lond05.dit/gov.uk

## DEFENCE

### Gulf War Syndrome

**Mr. Stinchcombe:** To ask the Secretary of State for Defence how many ex-service people have been diagnosed as suffering from Gulf War Syndrome to date. [64996]

**Mr. Doug Henderson:** There is no central record of the health of UK Gulf veterans, either for those still serving or for those who have left the Armed Forces. However, just under 3,000 of some 53,000 UK Service personnel who deployed to the Gulf in 1990–91 have so far sought a referral to the Ministry of Defence's Medical Assessment Programme (MAP), which was established in 1993 to provide as full a diagnosis as possible to veterans who are concerned about their health. A paper describing the clinical findings from the first 1,000 patients examined at the MAP was published in the British Medical Journal on 30 January this year. A copy of the paper is available in the Library of the House. The latest scientific evidence suggest that UK Gulf veterans report more illness than other comparable groups, but does not support the existence of a unique illness or syndrome.

### Female Chartered Engineers

**Mrs. Curtis-Thomas:** To ask the Secretary of State for Defence how many female chartered engineers by discipline there are in the regular element of the *(a)* Royal Navy, *(b)* Army, *(c)* Royal Air Force and *(d)* Royal Fleet Auxiliary; and what proportion they represent of the total number of chartered engineers in each service. [70706]

**Mr. Doug Henderson:** There are 357 Chartered Engineers in the Royal Navy of whom one is female. She is a member of the Institute of British Computer Science.

There are 371 chartered Engineers recorded in the RAF of whom two are female. The specialisms of the females are civil engineering and electrical engineering.

For the Army the information is not held centrally and can be produced only at disproportionate cost.

### Multiple Myeloma

**Mr. Todd:** To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Blaenau Gwent (Mr. Smith) of 21 January 1999, *Official Report*, column *531*, if further research on the incidence of multiple myeloma among nuclear test veterans will be funded; and if Dr Sue Rabbitt Roff's data will be used. [72770]

**Mr. Spellar:** My hon. Friend's question is opportune since I have today given my approval to the funding of a study into the incidence of multiple myeloma among nuclear test veterans of the UK's atmospheric nuclear test programme in the 1950s. The work will be undertaken by the National Radiological Protection Board (NRPB) on lines similar to those which applied to the two earlier studies published in 1988 and 1993.

The study will be conducted under the guidance of an oversight committee whose membership will include eminent independent experts together with a representative of the MOD's Surgeon General's Department.

The NRPB will wish to consider all the available relevant data and the results of this study, which will be peer reviewed and published in a suitable scientific journal, should be available by the end of next year.

### RN Aircraft Accidents

**Mr. Hancock:** To ask the Secretary of State for Defence how many Royal Navy personnel have been killed in aircraft accidents in each of the last five years. [72933]

**Mr. Doug Henderson:** Six Royal Navy personnel have been killed in aircraft accidents in the last six years. The details are:

1994 = 1. A Lieutenant in an off-duty private aircraft accident in Cornwall.

1995 = 2. A Lieutenant and Sub-Lieutenant in an on-duty accident in a RN Gazelle helicopter in the Wye Valley on the Welsh border.

1996 = 2. A Lt. Commander and a Chief Petty Officer (Air Engineering Artificer) in an on-duty Sea Harrier accident in Somerset.

1997 = None.

1998 = 1. A Lieutenant in an on-duty RN Lynx helicopter accident in the Singapore Straits.

No RN personnel have been killed in 1999 in aircraft accidents.

### Armed Forces Personnel Administration Agency

**Mr. Hancock:** To ask the Secretary of State for Defence when he expects to set targets for the Armed Forces Personnel Administration Agency for the year 1999–2000. [71898]

**Mr. Doug Henderson** *[holding answer 24 February 1999]:* It is my intention to announce targets for the Armed Forces Personnel Administration Agency (AFPAA) before 1 April 1999, for the year 1999–2000.

### Defence Site Sales

**Mr. Hancock:** To ask the Secretary of State for Defence how many sites have been disposed of in each of the last three years other than to the highest bidder. [72929]

**Mr. Spellar:** In our efforts to achieve best value for money for the sale of surplus property, it is our normal practice to accept the highest bid made for the site. However, there are occasions when the conditions attached to the highest bid cannot be accepted, or the financial standing of the bidder is assessed to be such that the bid would not be substantiated. There are also occasions when our professional judgment leads us to conclude that on balance of risk, a lower bid offers the best return to the taxpayer.

The specific information requested is not held centrally and could only be provided at disproportionate cost.

### Female Pilots (Army)

**Mr. Hancock:** To ask the Secretary of State for Defence how many female pilots are currently serving in the Army; and how many are in training. [72939]

**Mr. Doug Henderson:** There are currently nine qualified female pilots serving in the Army, all but one of whom are occupying flying appointments. In addition, a further six women are currently undertaking pilot training.

### REME Depot, Stirling

**Mr. Key:** To ask the Secretary of State for Defence if he will make a statement on the discovery of mustard gas at the REME depot in Stirling; and if he will list other toxic chemicals found on site. [72752]

**Mr. Spellar** *[holding answer 24 February 1999]:* The issue of the potential of Mustard Gas at the Forthside site came to light during a remediation contract which had been let by Stirling council for the removal of radioactive materials on the site. Excavation works uncovered a glass phial (now known to date from the 1940s), as well as a small quantity of Small Arms Ammunition.

Analysis of the glass phial by the Defence Evaluation and Research Agency (DERA) determined that it was of a type found in a gas sample kit used for instructional purposed during the last war. The phial contents were found to be water. DERA, however, could not rule out the possibility that Mustard Gas at some concentration could have been present in the phial at some stage. A second phial was found on 23 February and this will be subjected to the same analysis and review. EOD inspections are being undertaken when appropriate but the likelihood of many more discoveries is considered to be a low risk.

This concern prompted a further inspection, which has concluded that the risk of additional similar discoveries is low.

Surveys carried out at the site identified that some of the land was contaminated with heavy metals (lead and cadmium), phyto-toxic metals (copper, nickel, zinc and chromium), radioactive material (radium) from former luminising activities, and small quantities of petrol and lubricants consistent with past use of the site. A full list of chemicals detected on the site is as follows:

normal background levels of Arsenic

occasional detectable levels of Mercury

background to highly significant levels of Copper

background to highly significant levels of Zinc

background to highly significant levels of Lead

traceable quantities of Nickel

traceable quantities of Cadmium

traceable quantities of Poly-Aromatic Hydrocarbons

184 mega becquerels of Radium.

### Defence Animal Centre

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Defence Animal Centre; and what was the figure at its inception. [71901]

**Mr. Doug Henderson:** This is a matter for the Chief Executive of the Defence Animal Centre. I have asked the Chief Executive to write to the hon. Member.

*Letter from Squadron Leader P. C. Marks to Mr. Mike Hancock, dated 25 February, 1999:*

I am replying to your question to the Secretary of State for Defence about the number of people currently employed by the Defence Animal Centre (DAC), and the number of people employed at its inception, as this matter falls within my area of responsibility as acting Chief Executive of the DAC.

I can confirm that the DAC became a Defence Agency on 1 June 1993. The number of people employed was 224 (as at 31 March 1994), as reported in the first DAC Annual Report and Accounts. The number of people currently employed by the DAC is 190.

If you require any further information, please do not hesitate to contact me.

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the Defence Animal Centre published its report for the year 1998–99; and what was the cost of production of the report. [73023]

**Mr. Doug Henderson:** This is a matter for the Chief Executive of the Defence Animal Centre. I have asked the Chief Executive to write to the hon. Member.

*Letter from Squadron Leader P. C. Marks to Mr. Mike Hancock, dated 25 February 1999:*

I am replying to your question to the Secretary of State for Defence about the publication of the Defence Animal Centre (DAC) report for 1998–99 as this matter falls within my area of responsibility as acting Chief Executive of the DAC.

I can confirm that the Annual Report and Accounts has not yet been published and therefore I cannot give the cost of the publication. The report is due to be laid before Parliament before Parliament rises for the summer recess.

If you require any further information, please do not hesitate to contact me.

### Army Technical Support Agency

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the Army Technical Support Agency published its report for 1997–98; and what was the cost of production of the report. [72820]

**Mr. Doug Henderson:** This is a matter for the Chief Executive of the Army Technical Support Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from Brigadier A. D. Ball to Mr. Mike Hancock, dated 25 February 1999:*

I am replying to your Question to the Secretary of State for Defence about the Annual Report and Accounts for 1997–98 for the Army Technical Support Agency (ATSA), as this matter falls within my area of responsibility as Chief Executive of the ATSA.

The Army Technical Support Agency's Annual Report and Accounts for 1997–98 were laid before Parliament on 24th November 1998. We subsequently received 1,000 copies of the Report from The Stationery Office Limited at a cost of £4,595 (VAT exempt).

I hope that you find this information helpful.

**Mr. Hancock:** To ask the Secretary of State for Defence when he expects to set targets for the Army Technical Support Agency for 1999–2000. [71908]

**Mr. Doug Henderson:** The Army Technical Support Agency, in common with other Defence Agencies, will be set Key Targets for 1999–2000 before the end of April 1999.

### Royal Hospital, Haslar

**Mr. Viggers:** To ask the Secretary of State for Defence when he expects to fix a date to receive a parliamentary delegation jointly with the Minister of Health, in relation to the Royal Hospital, Haslar, as requested by the hon. Member for Gosport. [73024]

**Mr. Doug Henderson:** The meeting has been arranged for 1700hrs on Monday 8 March 1999.

### Defence Analytical Services Agency

**Mr. Hancock:** To ask the Secretary of State for Defence when he will set targets for the Defence Analytical Services Agency for 1999–2000. [72816]

**Mr. Doug Henderson:** I aim to announce the performance targets for 1999–2000 for the Defence Analytical Services Agency to Parliament by the end of April 1999.

## AGRICULTURE, FISHERIES AND FOOD

### Food and Drinks Industry (Promotion)

**Mr. Simon Hughes:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to promote an increase in (i) the total sales and (ii) exports of the British food and drinks industry. [71604]

**Mr. Morley:** My right hon. Friend the Minister takes every opportunity to draw attention to and promote the innovativeness, high quality and safety of British produced goods in general. The Government, particularly through their export assistance agency, Food From Britain, provide on-going support to assist the British food and drinks industry to expand its export markets.

### British Frozen Food Federation

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food when he last met the British Frozen Food Federation; and what issues were discussed. [72728]

**Mr. Morley** *[holding answer 24 February 1999]:* Neither my right hon. Friend the Minister nor his ministerial colleagues at the Ministry of Agriculture, Fisheries and Food have yet had the opportunity to meet with the British Frozen Food Federation.

## TREASURY

### Pensions (Tax Reliefs)

**Mr. Cousins:** To ask the Chancellor of the Exchequer what proposals he has to introduce a common system of tax reliefs for different types of pension plan as part of the stakeholder pension proposals; and if he will set out the age-related contribution limits which apply to the existing tax reliefs for pensions. [70013]

**Ms Hewitt:** A common system of tax reliefs for different types of pension schemes already exists. Where schemes are tax approved, contributions qualify for tax reliefs (within limits), the investment build-up is tax free, and part of the benefits may be paid as a tax free lump sum while pensions are taxable. We propose extending the same system of reliefs to stakeholder pension schemes.

The age related contribution limits that apply to the existing pensions tax reliefs are as follows:

*Maximum Percentage of Earnings* [1]

| *Age* | *Personal Pensions* | *Retirement Annuities* |
|---|---|---|
| 35 or less | 17.5 | 17.5 |
| 36–45 | 20 | 17.5 |
| 46–50 | 25 | 17.5 |
| 51–55 | 30 | 20 |
| 56–60 | 35 | 22.5 |
| 61–74 | 40 | 27.5 |

[1] In the case of personal pensions, earnings for limits purposes are capped at £87,600

### ECOFIN (Brussels)

**Mr. Hood:** To ask the Chancellor of the Exchequer what was the outcome of the ECOFIN held in Brussels on 8 February; and if he will make a statement. [70533]

**Ms Hewitt:** The Chancellor attended the Economic and Finance Council—ECOFIN—of the European Union in Brussels on 8 February 1999.

There was a discussion of both expenditure and resources under Agenda 2000. The goal of budgetary stabilisation by 2006 was widely supported. The Presidency issued Presidency conclusions on Agenda 2000.

The Commission and the Chairman of the Economic and Finance Committee presented draft Opinions on the Stability programmes of Italy and Portugal, and the Convergence programmes of Sweden and the UK. The Council adopted the Opinion on Italy with some minor amendments. The Council also adopted the Opinions on Portugal, Sweden and the UK.

There was an orientation debate on the Broad Economic Policy Guidelines to inform the full debate scheduled provisionally for the 10 May ECOFIN.

Ministers also discussed four draft directives: the European Company Statute; the Takeovers Directive; the Winding-up of credit institutions; and the Winding-up of insurance companies directive.

### Financial Services Authority

**Mr. Duncan:** To ask the Chancellor of the Exchequer (1) if he will list all life offices fined by *(a)* the Life Assurance and Unit Trust Regulatory Authority, *(b)* the Personal Investment Authority, *(c)* the Financial Services Authority and *(d)* other statutory financial regulatory bodies since the Financial Services Act 1986 came into force, stating (i) the nature of the offence, (ii) the amount of the fine, (iii) the date it was imposed and (iv) the value of any costs awarded against the firm; [70928]

(2) if he will list all fund management firms fined by *(a)* the Investment Management Regulatory Organisation, *(b)* the Financial Services Authority and *(c)* other statutory financial regulatory bodies since the Financial Services Act 1986 came into force, stating (i) the nature of the offence, (ii) the amount of the fine, (iii) the date it was imposed and (iv) the value of any costs awarded against the firm. [70927]

**Ms Hewitt:** Details of the fines imposed on fund managers and life offices have been placed in the Library. The Financial Services Authority has no power to fine directly regulated firms.

### Heavily Indebted Poor Countries Initiative

**Ms Southworth:** To ask the Chancellor of the Exchequer if he will estimate the expected reduction in total public expenditure on servicing debt for (i) those countries which have reached the completion point and (ii) all countries within, the Heavily Indebted Poor Countries Initiative for *(a)* 1998, *(b)* 1999, *(c)* 2000, *(d)* 2001 and *(e)* 2002. [71390]

**Ms Hewitt:** Only two countries have reached completion point under the HIPC initiative: Uganda and Bolivia. The IMF has not produced estimates of the expected reduction in total public expenditure on servicing debt for Uganda, or for other countries within the HIPC initiative. Their estimate of the expected reduction in total public expenditure on servicing debt for Bolivia (in $ millions) is as follows:

| *Year* | *£ million* |
|---|---|
| 1998 | 4.5 |
| 1999 | 15.4 |
| 2000 | 17.9 |
| 2001 | 20.6 |
| 2002 | 6.8 |

**Mr. Goggins:** To ask the Chancellor of the Exchequer if he will press for the inclusion of Malawi in the Heavily Indebted Poor Countries Initiative. [71394]

**Ms Hewitt:** The IMF does not currently consider Malawi to be eligible for debt relief under the Heavily Indebted Poor Countries (HIPC) initiative. However, should Malawi's debt burden become unsustainable, the UK would press strongly for Malawi to be considered for immediate HIPC relief.

**Ms Southworth:** To ask the Chancellor of the Exchequer what assessment he has made of the policy of the new Government in Germany towards debt relief for those countries included in the Heavily Indebted Poor Countries Initiative. [71391]

**Ms Hewitt:** The UK welcome the German debt initiative, which in many ways reinforces the Chancellor's Mauritius Mandate of September 1997. The UK and new German Governments share similar approaches to the issues of debt relief and development in the world's poorest countries.

**Mr. McNamara:** To ask the Chancellor of the Exchequer if the Terms of Reference of the Fundamental Review of the Heavily Indebted Poor Countries Initiative have been agreed; and if Her Majesty's Government will seek the integration of internationally agreed poverty reduction targets in a reformed HIPC Initiative. [72193]

**Ms Hewitt:** The IMF have not yet set the Terms of Reference of the forthcoming HIPC Review. The UK has taken the lead in pressing for the link between debt relief and poverty reduction to be a key focus of the review, and to be looked at by an external evaluator.

### Inland Revenue Staff

**Mr. Cousins:** To ask the Chancellor of the Exchequer how many staff were employed in Inland Revenue Special Compliance Offices in *(a)* 1990 and *(b)* each year since 1993; and what was the turnover of staff in each year. [71787]

**Dawn Primarolo:** The information for 1990 is not available from Special Compliance Office records. Special Compliance Office was formed in 1993 when Enquiry Office, Special Office and the Board's Investigation Office were integrated. Staffing figures for the previous sections are not available.

| | *"Man year usage"* | *Leavers* | *Starters* |
|---|---|---|---|
| 1993–94 | 501 | 30 | 33 |
| 1994–95 | 454 | 50 | 74 |
| 1995–96 | 430 | 98 | 85 |
| 1996–97 | 425 | 52 | 52 |
| 1997–98 | 423 | 98 | 94 |
| 1998–99 | [1]426 | [2]90 | [2]90 |

[1] Estimated
[2] To date

"Man year usage" does not equate to staff in post at any one time. The list includes all grades, covering investigators, accountants, managers and clerical support. "Leavers" includes people moving to different jobs in the Revenue, retirements and resignations. "Starters" are mainly recruited from the rest of the department, although we have recruited accountants and clerical staff directly into Special Compliance Office.

### Euro

**Mr. Radice:** To ask the Chancellor of the Exchequer what steps the Government intend to take *(a)* to allow firms based in the UK to make VAT payments in euros and *(b)* to allow Customs and Excise and the Inland Revenue to receive payments in euros; and if he will make a statement. [71951]

**Ms Hewitt:** Customs and Excise have accepted payment in euro of VAT and other taxes and duties since the introduction of the euro on 1 January 1999. Both Customs and the Inland Revenue have made the necessary internal accounting arrangements to accept euro payments by any method made available by the banks, and have set up euro accounts with the Bank of England.

### House Prices

**Mr. Kidney:** To ask the Chancellor of the Exchequer what assessment he has made of house price inflation since 1997 and the likely trend in 1999–2000. [72316]

**Ms Hewitt:** Alternative indices have shown different rates of house price inflation over the past two years, but it seems clear that real house prices have shown significant increases.

### Transfer Pricing

**Mr. Sayeed:** To ask the Chancellor of the Exchequer when he plans to publish the guidance relating to the clearance procedures and the approach of the Revenue regarding transfer pricing under the legislation brought into effect on 1 July 1998; what advice he has issued to large companies with connected subsidiaries around the world; and if he will make a statement. [72315]

**Dawn Primarolo:** The new transfer pricing legislation (Schedule 28AA to the Taxes Act 1988) is specifically allied to the advice on transfer pricing in the *Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations* published by the Organisation for Economic Co-operation and Development. These Guidelines establish internationally accepted rules for transfer pricing and provide multinational taxpayers with considerable assistance in making an accurate return in relation to arrangements with affiliates around the world.

Additional guidance has been provided by the Inland Revenue in two articles in its *Tax Bulletin*. The first, dated October 1998, gave advice on funding arrangements and confirmed that existing clearance procedures (as described in an article in *Tax Bulletin* in June 1995) would continue. It also explained record-keeping requirements. The second article, dated December 1998, explained the application of the general penalty provisions in transfer pricing cases.

As announced on Budget Day last year, legislation will be introduced in the forthcoming Finance Bill to govern Advance Pricing Agreements (APAs) between taxpayers and the Inland Revenue. APAs enable taxpayers to agree in advance with the Inland Revenue how complexities in applying the arm's length principle to cross-border transactions which cannot be fully clarified by reference to the published guidance are to be clarified. Draft clauses and a draft Statement of Practice were issued for consultation on 17 December 1998.

**Mr. Maclean:** To ask the Chancellor of the Exchequer what estimate he has made of the number of businesses which will be affected by the new rules on transfer pricing which were announced in the 1998 budget; and what will be the average cost per business. [70688]

**Dawn Primarolo** *[holding answer 15 February 1999]:* The new transfer pricing legislation is designed to ensure that arm's length prices are used in calculating the tax effects of international transactions between associated businesses. It will impact on those businesses at the larger end of the spectrum of UK multinational groups and UK subsidiaries of foreign parents. It is estimated that there are between two and three thousand of these.

The average initial compliance cost per business is estimated to be in the range £11,000 to £27,000. The average recurring compliance cost is expected to be much less.

### Household Statistics

**Mr. Kirkwood:** To ask the Chancellor of the Exchequer if he will estimate the number of adults who live in households where there is at least one child aged under 16 years and also at least one higher rate taxpayer. [71195]

**Dawn Primarolo** *[holding answer 22 February 1999]:* It is estimated that there will be about 1 million households amongst couples and lone parents with at least one child under 16 and at least one higher rate taxpayer in 1999–2000.

### Export Guarantees Committee

**Mr. Matthew Taylor:** To ask the Chancellor of the Exchequer if he will list the functions of the Export Guarantees Committee, indicating the departments and agencies represented, the chairmanship and the number of times the committee has met since 1 January 1998. [71961]

**Mrs. Roche:** The Export Guarantees Committee (EGC) is an inter-departmental committee that considers the political, economic, financial and commercial factors that relate to markets where the Export Credits Guarantee Department (ECGD) might provide support under the Export and Investment Guarantees Act 1991. The Committee is chaired by the Treasury; other members come from the ECGD, the Foreign and Commonwealth Office, the Department for International Development, the Ministry of Defence, the Department of Trade and Industry, the Bank of England and the Financial Services Authority.

Since 1 January 1998 the EGC has met 4 times, and conducted other business by written procedure.

### Minimum Wage

**Dr. Kumar:** To ask the Chancellor of the Exchequer what estimate he has made of the number of people who will benefit financially in the first year from the introduction of a national minimum wage in *(a)* the Northern Region, *(b)* Teesside area and *(c)* the constituency of Middlesbrough, South and Cleveland, East. [72174]

**Ms Hewitt:** The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

*Letter from Tim Holt to Dr. Ashok Kumar, dated 25 February 1999:*

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on the number of people who will benefit from the introduction of the national minimum wage (NMW).

The precise information you requested is unavailable. However, estimates of the proportion of people who are currently earning below the proposed NMW for *(a)* North East Region and *(b)* Teesside TEC area and *(c)* Middlesbrough South and East Cleveland Parliamentary Constituency are provided in the attached tables. It should be noted that the tables are based on the latest available information from the 1998 New Earnings Survey (NES) and the Labour Force Survey (LFS). It provides an historical position against 1998 values of the proposed NMW and makes no judgment on whether its introduction will have any effect on the number of jobs.

The preferred method for assessing the coverage of the proposed NMW is to present adjusted NES and LFS data for the number of employees earning less than the proposed NMW rates. This method adjusts for the fact that the NES is based on a one per cent sample of employees in the PAYE system and is therefore likely to under-represent relatively low paid staff earning below the tax threshold, in particular those who work part-time. It is not possible to use this method for small areas, and information solely from the NES has therefore been provided for Teesside and Middlesbrough South and East Cleveland.

The extent of the bias in the NES data may be estimated for the North East by using the adjusted NES and LFS data for all employees. This suggests that the estimate of the overall proportion of full-time employees aged over 21 years earning below £3.50 could understate the true position by as much as 5 percentage points. However, it is unlikely that the occurrence of lower paid jobs is uniform across the region, and so it would be wise to treat this figure as broadly indicative rather than as a precise estimate. I am unable to provide the bias for employees aged 18 to 21 years because the sample size is too small for a reliable estimate to be produced.

*Employees, whose pay for the survey period was unaffected by absence*

*Hourly pay excluding overtime and shift pay (£)*

| | *Percentage aged 18 to 21 on all rates earning less than £2.90* | *Percentage aged 22 and over on adult rates earning less than £3.50* |
|---|---|---|
| Teesside TEC area | 9.4 | 7.5 |
| Middlesbrough South and East Cleveland | — | — |

— Denotes that a reliable estimate is not available

*Source:*
New Earnings Survey, April 1998

*Number and percentage of employees aged 18 to 21 earning less than £2.90 per hour: Adjusted estimates*

North East: a reliable estimate is not available.

*Number and percentage of employees aged 22 and over earning below £3.50 per hour: Adjusted estimates; Spring 1998*

| | *North East* |
|---|---|
| *Lower Range* | |
| Percentage | 10.2 |
| Number (Thousand) | 89 |
| *Central Estimate* | |
| Percentage | 11.1 |
| Number (Thousand) | 97 |
| *Upper Range* | |
| Percentage | 12.0 |
| Number (Thousand) | 105 |

*Sources:*
New Earnings Survey, 1998 and Labour Force Survey (Spring 1998).
The adjusted estimates are produced in line with an article "Towards reconciliation of NES and LFS Earnings Data" by David Wilkinson in Labour Market Trends; May 1998 pp223–231.

## EMU

**Mr. Maclean:** To ask the Chancellor of the Exchequer if he will deposit in the Library a copy of the ECOFIN agreed report on Information Requirements in Economic and Monetary Union; and if he will make a statement. [72286]

**Ms Hewitt:** A copy of this Report, which was endorsed at the 18 January ECOFIN, has been placed in the Libraries of both Houses.

## Child Benefit

**Mr. Kirkwood:** To ask the Chancellor of the Exchequer what would be the additional cost in a full year to the Exchequer of raising both rates of child benefit by £1; and by how much the net cost to the Exchequer would be reduced if the marginal increase was taxed at 40 per cent. for *(a)* recipients of child benefit who are higher rate taxpayers and *(b)* recipients of child benefit who either live as husband or wife with a higher rate taxpayer or pay higher rate tax themselves. [71196]

**Dawn Primarolo** *[holding answer 22 February 1999]:* Estimates for the full year cost for 1999–2000 are given in the table:

| | *£ million* |
|---|---|
| Cost of raising both rates of child benefit by £1 | 600 |
| Yield from taxing all child benefit, including £1 increase, at 40 per cent. for | |
| *(a)* child benefit recipients who are higher rate taxpayers | 40 |
| *(b)* lone parents who are higher rate taxpayers or couples where there is a higher rate taxpayer | 450 |
| Reduction in net cost by taxing £1 increase in child benefit at 40 per cent. for | |
| *(a)* child benefit recipients who are higher rate taxpayers | less than 5 |
| *(b)* lone parents who are higher rate taxpayers or couples where there is a higher rate taxpayer | 35 |

## British Rebate (EU)

**Mr. Heathcoat-Amory:** To ask the Chancellor of the Exchequer if he will make a statement on his policy towards the British rebate in the EU budget negotiations. [72908]

**Ms Hewitt:** Despite the abatement, the UK remains a significantly larger net contributor to the EC than a number of other member states whose capacity to pay is greater. In these circumstances weakening the abatement would be unfair. The UK has made clear in the current Agenda 2000 negotiations that it would not accept any such unfair outcome.

### Financial Services and Markets Bill

**Ms Lawrence:** To ask the Chancellor of the Exchequer if he will make a statement on the scope of regulated activities under the draft Financial Services and Markets Bill. [73881]

**Ms Hewitt:** The Financial Services and Markets Bill provides for the scope of regulated activities to be set out in secondary legislation. This will make it easier to respond to developments in the financial services industry.

The Treasury has today issued a consultation document with draft orders under the Bill. The deadline for initial comments is 30 April. We are consulting on this legislation well in advance so that we have the longest possible time to get it right.

### Working Families Tax Credit

**Sir Sydney Chapman:** To ask the Chancellor of the Exchequer what criteria will be used to determine the eligibility of grandparents for the working families tax credit child care subsidy. [63199]

**Dawn Primarolo** *[holding answer 11 January 1999]:* The child care tax credit within the Working Families Tax Credit will help with up to 70 per cent. of the parent's costs of eligible child care. The same criteria for eligibility will be applied to all child care providers. Eligible providers will include registered childminders, registered nurseries and after school clubs.

### Russia and Brazil (Current Borrowings)

**Mr. Heathcoat-Amory:** To ask the Chancellor of the Exchequer if *(a)* Russia and *(b)* Brazil have fully met the terms and obligations associated with their current borrowings from (i) the IMF, (ii) the World Bank and(iii) other Government-funded financial institutions. [70299]

**Ms Hewitt** *[holding answer 10 February 1999]:* Both Russia and Brazil have fulfilled all their financial obligations in servicing their current borrowings from all the institutions referred to. Failure to comply fully with loan conditionality has in both cases, however, led to the suspension or limiting of financing from some sources.

**Mr. Heathcoat-Amory:** To ask the Chancellor of the Exchequer what has been the contribution of the United Kingdom to *(a)* Russia and *(b)* Brazil via (i) the IMF, (ii) the World Bank and (iii) other Government-funded financial institutions. [70300]

**Ms Hewitt** *[holding answer 10 February 1999]:* The table details the outstanding loans disbursed to *(a)* Russia and *(b)* Brazil by the IMF, the World Bank and other multi-lateral institutions.

£

| | *(a) Russia* | *(b) Brazil* |
|---|---|---|
| International Monetary Fund | 11.7 billion | 2.9 billion |
| World Bank | 2.2 billion | 0.6 billion |
| Bank for International Settlements | n/a | 2.57 billion |
| European Bank for Reconstruction and Development | 1.0 billion | n/a |
| Inter-American Development Bank | n/a | 10.3 billion |
| European Investment Bank | n/a | 38.2 million |

Loans and equity

The table uses exchange rates as of close of trading 11 February 1999.

The table uses exchange rates as of close of trading 11 February 1999.

The primary source of IMF resources is subscriptions (quotas) from member countries. The UK quota is equivalent to 5 per cent. of the total quotas. This subscription is not public expenditure, but constitutes part of the UK's foreign exchange reserves.

In the case of Russia and Brazil, the UK and other major shareholders also provided bilateral loans to the IMF, respectively through the General Arrangements to Borrow (GAB) and the New Arrangements to Borrow (NAB). The NAB and GAB are mechanisms that enable the Fund to borrow from selected members when supplementary resources are needed to deal with an impairment of the international monetary system, or an exceptional situation that poses a threat to the stability of the system. To date, the UK has lent the IMF £117,248,801 under the GAB for Russia, and £200,465,904 under the NAB for Brazil. These loans are not public expenditure, but constitute part of the UK's foreign exchange reserves.

The World Bank, the EBRD, and the IADB finance their loans principally from borrowings on the international capital markets. They also derive resources from the capital subscriptions of members, and from accumulated earnings (mainly from their loans). The UK shareholding at the World Bank is 4.5 per cent., at the EBRD 8.5 per cent., at the IADB 1.0 per cent. and 17.8 per cent. at the EIB (through the Loan Guarantee Reserve). A certain share of BIS moneys is underwritten by the UK treasury. This is not public expenditure, but we do hold contingent liability. Currently, we are underwriting £240,310,674.

### BP

**Mr. Öpik:** To ask the Chancellor of the Exchequer how many shares the Government hold in BP; and if he will make a statement. [69722]

**Ms Hewitt** *[holding answer 11 February 1999]:* None.

### Departmental Staff

**Mr. Chaytor:** To ask the Chancellor of the Exchequer what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70457]

**Ms Hewitt** *[holding answer 15 February 1999]:* There are currently no plans to move Departmental or agency staff to regions with the highest unemployment levels and no plans to decentralise.

### Pensions

**Mr. Maclean:** To ask the Chancellor of the Exchequer what is the average annual contribution made to personal pension plans by *(a)* standard rate and *(b)* higher rate taxpayers. [70695]

**Ms Hewitt** *[holding answer 15 February 1999]:* The information is in the table.

£

| | *Average contribution to personal pension schemes in 1996–97* |
|---|---|
| Basic rate taxpayers | 900 |
| Higher rate taxpayers | 4,200 |

*Notes:*
1. Estimates are based on the Survey of Personal Incomes for 1996–97 and other survey and administrative information.
2. Includes contributions to retirement annuity contracts, but excludes free-standing additional voluntary contributions, "minimum contributions" by DSS to appropriate personal pension schemes and contributions made by employers.
3. Covers contributions made by employees and the self-employed.
4. Includes basic rate tax repaid to scheme administrators in respect of contributions made by employees to personal pensions under net contribution arrangements.
5. Figures are rounded to the nearest £100.

### Cheque-cashing Companies

**Mr. David Heath:** To ask the Chancellor of the Exchequer what representations he has received on the activities of cheque-cashing companies in respect of the provisions of the Cheques Act 1992. [71657]

**Ms Hewitt** *[holding answer 16 February 1999]:* The Treasury has from time to time received letters from MPs and members of the public on cheque cashing companies.

**Mr. David Heath:** To ask the Chancellor of the Exchequer what regulatory mechanisms apply to the activities of cheque-cashing companies. [71658]

**Ms Hewitt** *[holding answer 16 February 1999]:* Cheque-cashing companies are unregulated.

### Unemployment (Cambridge)

**Mr. Lansley:** To ask the Chancellor of the Exchequer how many young people aged between 18 and 24 years were out of work and claiming benefit in the Cambridge travel-to-work area who had been unemployed in excess of six months, at (i) April 1997, (ii) April 1998 and (iii) October 1998. [72365]

**Ms Hewitt** *[holding answer 22 February 1999]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

*Letter from Tim Holt to Mr. Andrew Lansley, dated 25 February 1999:*

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on those claiming benefit in the Cambridge travel-to-work area (TTWA).

The information you have requested is derived from the monthly claimant count of people claiming unemployment-related benefits (i.e. Jobseeker's Allowance or National Insurance credits). Essentially, all people who were claiming these benefits on the count day are counted.

The date you have requested for those aged 18–24 in the Cambridge TTWA is given below and are not adjusted to take account of seasonal factors.

*Cambridge TTWA: Claimant count for over 6 months*

| | *Age 18–24* |
|---|---|
| April 1997 | 384 |
| April 1998 | 216 |
| October 1998 | 168 |

### National Statistical Service

**Mr. Kenneth Clarke:** To ask the Chancellor of the Exchequer when he intends to establish the new independent national statistical service; and if he will make a statement on the degree and nature of the independence that is proposed. [72025]

**Ms Hewitt** *[holding answer 22 February 1999]:* The Government produced a Green Paper "Statistics: A Matter of Trust" last year which provided options as to how best they might seek to enhance the integrity, both actual and perceived, of official statistics. They will be bringing forward their plans in this area as soon as they are finalised.

### Citizens Advice Bureaux

**Mr. Flynn:** To ask the Chancellor of the Exchequer what proposals he has to permit citizens advice bureaux to provide financial advice. [72363]

**Ms Hewitt** *[holding answer 22 February 1999]:* Citizens Advice Bureaux already play an important role in advising and assisting consumers on financial matters. When the Financial Services and Markets Bill has been enacted, I hope that they will be able to work with the Financial Services Authority, which we propose should have a public awareness objective, to improve consumer education on financial services generally. However, the giving of personal financial advice is a regulated activity which requires, and will continue to require under the new bill, authorisation.

### Fuel Duty

**Dr. Marek:** To ask the Chancellor of the Exchequer if he will publish the Treasury's environmental appraisal on the effects of the policy to increase fuel duty by six per cent. per annum in real terms. [72293]

**Ms Hewitt** *[holding answer 22 February 1999]:* The Pre-Budget Report, published on 3 November 1998, included an environmental assessment of the Government's environmental tax measures to date. The road fuel duty escalator, over the period 1996 to 2002, is estimated to reduce annual carbon dioxide emissions by between 2 million and 5 million tonnes of carbon in 2010. It is also estimated that the 2010 urban road transport emissions of oxides of nitrogen and particulate matter will be reduced by 1 per cent. and 1.2 per cent. respectively.

### Petrol Prices

**Dr. Marek:** To ask the Chancellor of the Exchequer if he will make it his policy to require petrol retailers to display at the pumps the amount of tax paid on a litre of fuel. [72328]

**Ms Hewitt** *[holding answer 23 February 1999]:* No.

### Transport (New Technology)

**Mr. Dalyell:** To ask the Chancellor of the Exchequer what proposals he has to provide fiscal incentives to use new technology in transport. [71112]

**Ms Hewitt** *[holding answer 24 February 1999]:* In his last Budget, several measures were announced by the Chancellor in keeping with the Government's commitment to reduce pollutant emissions, including a

freeze on duty for road fuel gases, a £500 reduction in vehicle excise duty for lorries that meet a low emission standard, a £50 reduction in vehicle excise duty for the smallest, cleanest cars and an increase in the duty differential between conventional diesel and ultra low sulphur diesel.

### Income Tax

**Mr. Gibb:** To ask the Chancellor of the Exchequer how many tax payers paid income tax at the rate of 40 per cent. in *(a)* 1996–97 and *(b)* 1997–98. [73433]

**Dawn Primarolo:** The latest estimates, based on the 1996–97 Survey of Personal Incomes, for the number of taxpayers paying some income tax at the higher rate are 2.08 million for 1996–97 and 2.30 million for 1997–98.

## HEALTH

### Domestic Violence

**Ms Harman:** To ask the Secretary of State for Health if he will place in the Library copies of the responses to the requests to local authorities to report their activity on tackling domestic violence. [70534]

**Ms Jowell:** The responses of the local authorities on their activities on tackling domestic violence were summarised in a report by the London Research Centre, "Tackling Violence Against Women". This report which was jointly funded by the women's unit in the Cabinet Office and the Department of the Environment, Transport and the Regions was placed in the Library in November 1998.

### Neurological Services

**Mr. Burstow:** To ask the Secretary of State for Health when his officials will commence work on drawing up a compendium of good practice on the commissioning of neurological services; and when it will be published. [72564]

**Mr. Hutton:** Subject to resource availability next year, a compendium of good practice on the commissioning of neurological services is currently being considered for development in 1999–2000.

### Occupational Therapy

**Mr. Cummings:** To ask the Secretary of State for Health how many schoolchildren by *(a)* age and *(b)* health authority are awaiting the services of an occupational therapist at the Sunderland, Hartlepool and Durham Hospital Trusts following a recommendation from an educational special needs assessment; and what was the average waiting time in the last year for which figures are available. [72322]

**Mr. Hutton:** The information is not held by the Department. The health authorities involved should be able to provide the information requested for their own areas.

### Asthma (Children)

**Mr. Ennis:** To ask the Secretary of State for Health if he will estimate the number of children under 16 years of age suffering from asthma in *(a)* England and Wales and *(b)* Sheffield Health Authority area. [71965]

**Mr. Hutton:** There are no comprehensive data on the number of children with asthma. On the basis of all the information available, it has been estimated that "the prevalence of asthma sufficiently severe to require regular medical supervision is from 4–6 per cent. in children". This estimate is quoted in "Asthma: An Epidemiological Overview" (Central Health Monitoring Unit, 1995), which brought together a broad range of the best statistics on asthma in England. Copies are available in the Library.

According to the report of the Health Survey for England 1997, 23 per cent. of boys and 18 per cent. of girls aged 2 to 15 years had been diagnosed at some time in the past as suffering from asthma. Copies of this report are also available in the Library.

The equivalent figures for the Sheffield Health Authority area are not available centrally. Information on the number of children suffering from asthma in Wales is a matter for my right hon. Friend the Secretary of State for Wales.

### Mentally Ill (Homelessness)

**Sir Alastair Goodlad:** To ask the Secretary of State for Health what information he has obtained as to how many people discharged from mental illness hospitals in England in the last year after a main diagnosis of schizophrenia psychoses, having been proved vulnerable homeless, subsequently became voluntary homeless. [72581]

**Mr. Hutton:** The information requested is not available centrally.

### Caesarean Sections

**Dr. Starkey:** To ask the Secretary of State for Health what clinical guidelines his Department has given to obstetricians in assessing when a caesarean section is appropriate. [72537]

**Mr. Hutton:** The Department does not issue clinical guidelines. The Department is funding the Royal College of Obstetricians and Gynaecologists to carry out a national audit of caesarean sections in order to develop caesarean section audit criteria for particular groups of women.

### Learning Disabilities Strategy

**Dr. Tonge:** To ask the Secretary of State for Health when he intends to publish a strategy for people with learning disabilities. [72520]

**Mr. Hutton:** Our White Paper "Modernising Social Services" published in November 1998 set out our strategy for the development of social services for all client groups including people with learning disabilities. They will also benefit from wider developments such as the proposals in our National Health Service White Paper and Public Health Green Paper, and the Welfare to Work strategy. We have recently completed a review of learning disability hospital reprovisioning plans, are currently carrying out a survey in 24 local authorities and their matching health authorities and are awaiting the results of an evaluation of different types of residential provision for people with learning disabilities. We will then consider what, if any, further action needs to be taken in the light of this work and advice from the Learning Disability Advisory Group set up last November.

### Mother and Baby Units (Mentally Ill)

**Dr. Tonge:** To ask the Secretary of State for Health what plans he has for mother and baby units for the mentally ill. [72521]

**Mr. Hutton:** Health authorities are required to assess the health needs of their population and arrange for the provision of adequate services. This should include the needs of mothers with a psychiatric illness.

### Long-term Nursing Care

**Dr. Tonge:** To ask the Secretary of State for Health when he intends to publish his plans for long-term nursing care. [72592]

**Mr. Hutton:** We have already set in hand a number of initiatives to improve long-term care services—particularly those set out in our White Paper "Modernising Social Services". We also await the report of the Royal Commission on Long Term Care of the Elderly, due very shortly.

### Gamma Hydroxy Butyrate

**Ms Kelly:** To ask the Secretary of State for Health how many *(a)* deaths and *(b)* hospital admissions have resulted from the abuse of gamma hydroxy butyrate in *(a)* the North West and *(b)* England in each of the last 10 years. [72900]

**Ms Jowell:** Between 1988 and 1997, one death is mentioned on the death certificate (in 1995) as being due to the abuse of gamma hydroxy butyrate (GHB) in England, none in the North West. Figures for 1993 to 1997 are provisional.

Figures for hospital admissions from the abuse of GHB are not identified separately in the information that is available centrally.

### NHS Charges

**Mr. Gerrard:** To ask the Secretary of State for Health what plans he has to increase charges in the NHS; and if he will make a statement. [73880]

**Mr. Denham:** We shall shortly lay before the House regulations to increase National Health Service Charges in England and Wales from 1 April 1999. There will be a cash increase in the charge of 10p, (1.72 per cent.) from £5.80 to £5.90 for each quantity of a drug or appliance dispensed. This means that prescription charges will fall in real terms.

The cost of prescription prepayment certificates will rise to £30.80 for a 4 month certificate and £84.60 for an annual certificate. These offer savings for those needing more than 5 items in four months or 14 in one year.

Prescription charges are expected to raise some £377 million for the NHS in 1999–2000.

Charges for elastic stockings and tights, wigs and most fabric supports supplied through the Hospital Service will be increased similarly.

The maximum patient charge for a single course of dental treatment begun on or after 1 April 1999 will increase from £340 to £348. Only about 1 in every 1,000 courses of treatment will attract the new maximum charge.

The increases are below the current rate of inflation as measured by the Retail Price Index for January 1999, 2.4 per cent.

We will also be laying regulations to increase optical voucher values. Increases range from 2.5 per cent. to 18 per cent. with most help targeted towards people with serious sight problems who are prescribed the most complex, expensive glasses.

My right hon. Friend the Secretary of State for Scotland will lay regulations to increase charges in Scotland by the same amounts. Similar arrangements will apply in Northern Ireland.

Details of the revised charges have been placed in the Library.

## CABINET OFFICE

### Genetic Modification

**Mr. Baker:** To ask the Minister for the Cabinet Office (1) on how many occasions *(a)* Ministers and *(b)* officials of his Department have (i) spoken with and (ii) received representations regarding genetic modification from Cathy McGlynn of Bell Pottinger; [72060]

(2) on how many occasions *(a)* Ministers and *(b)* officials in his Department have (i) spoken with and (ii) received representations regarding genetic modification from Dave Hill of Bell Pottinger; [72064]

(3) on how many occasions *(a)* Ministers and *(b)* officials in his Department have (i) spoken with and (ii) received representations regarding genetic modification from Mr. Stan Greenberg of Greenberg Research. [72247]

**Dr. Jack Cunningham** *[holding answer 23 February 1999]:* I and my officials are in regular contact with representatives of all those with an interest in biotechnology—including environmental groups, consumer groups and biotechnology companies. It is not the normal practice of governments to give details of specific meetings with private individuals or companies.

### British Business (Regulations)

**Dr. Cable:** To ask the Minister for the Cabinet Office what estimates the Government have made of the cumulative impact on British business of changes in the degree and level of regulation since 1 May 1997. [71609]

**Mr. Kilfoyle:** Since the election, we have regularly published Command Papers listing all the regulations which have been introduced within the previous six months. We have also published Compliance Cost Assessments to accompany all new regulations with an impact on business. Since last August that requirement extended to the Regulatory Impact Assessment which better focused on benefits as well as costs.

The cost of new regulations, as reported in Compliance Cost and Regulatory Impact Assessments, provides a helpful snapshot of the initial burden imposed by new regulations. However, the type and incidence of the burden imposed by each regulation can be quite different

and the costs cannot be added together so as to produce a figure which, on its own, has any real meaning. The Government do not therefore publish cumulative figures.

However, the Chancellor of the Exchequer, in his Pre-Budget Report, asked the Better Regulation Task Force to examine the relationship between regulations and productivity. The Task Force will shortly offer initial findings on the impact of regulations on business start-up, success and growth and will publish a full report in the summer.

## SOCIAL SECURITY

### National Insurance

**Ms Rosie Winterton:** To ask the Secretary of State for Social Security if he will estimate the cost of extending entitlement to jobseeker's allowance to national insurance *(a)* class 2 contributors and *(b)* class 4 contributors. [70434]

**Angela Eagle** *[holding answer 11 February 1999]:* The information is not available in the format requested. Such information as is available is as follows.

It is possible to provide information only in respect of those who claim contribution-based Jobseeker's Allowance but fail to qualify because they are class 2 contributors. It is estimated that the cost of extending contribution-based jobseekers allowance to this group is around £15 million per year.

There will be a further group of class 2 contributors who do not currently claim Jobseeker's Allowance, for example because they know that they would not qualify for benefit through either the contribution or income-based route. The figure provided will therefore underestimate the total cost of extending contribution-based Jobseeker's Allowance (JSA) to all class 2 contributors.

*Notes:*

1. Estimate based on JSA 1 per cent. sample of claimants, linked to the Lifetime Labour Market Database.
2. Estimate rounded to nearest £5 million.
3. Estimate is for Great Britain.

### Widows Benefits

**Mr. Field:** To ask the Secretary of State for Social Security if he will estimate the numbers of individuals who will lose entitlement under his changes to widows benefits and the numbers who as a result will claim means-tested assistance. [72190]

**Angela Eagle** *[holding answer 22 February 1999]:* Precise estimates of this kind are not available. The estimates that follow give our best estimate of the numbers who might be affected but are subject to a wide range of uncertainty. They are based on survey data and the circumstances of those present in the survey may differ from those affected by the policy change. Estimates are rounded to the nearest 10,000.

| | *Year 1* | *Year 2* | *Year 3* |
|---|---|---|---|
| Average reduction in numbers receiving contributory bereavement benefits | Less than 5,000 | 20,000 | 40,000 |
| Average increase in numbers receiving Income Support | Less than 5,000 | Less than 5,000 | 10,000 |
| Average increase in numbers receiving Housing Benefit | Less than 5,000 | Less than 5,000 | Less than 5,000 |
| Average increase in numbers receiving Council Tax Benefit | Less than 5,000 | Less than 5,000 | Less than 5,000 |

*Notes:*

1. Estimates use information from the 1995–96 Family Resources Survey, the Income Support Quarterly Statistical Enquiry and forecasts from the Government Actuary's Department concerning the number of women affected by the proposed changes.
2. Estimates assume that a constant proportion over time of those affected by the proposed Bereavement Benefits move on to each of the means-tested benefits.
3. Estimates across means-tested benefits cannot be summed to provide an estimate of the total number of people affected by the changes.

### Departmental Expenditure

**Mr. Malcolm Bruce:** To ask the Secretary of State for Social Security what is his Department's total expenditure on purchases of *(a)* vehicles, *(b)* computers and *(c)* properties, since 1 May 1997; and if he will make a statement. [72811]

**Mr. Timms:** The information is in the tables.

£

| | *Departmental total* |
|---|---|
| *Expenditure on purchases from 1 May 1997 to 31 March 1998* | |
| Vehicles | 3,897,331.67 |
| Computers | 16,506,705.25 |
| Properties | 0 |
| *Expenditure on purchases from 1 April 1998 to 31 January 1999* | |
| Vehicles | 2,365,947.68 |
| Computers | 12,242,485.77 |
| Properties | 0 |

### Private Sector Resource Initiative

**Mr. Malcolm Bruce:** To ask the Secretary of State for Social Security on what date the transfer of the Department's estate as part of the Private Sector Resource Initiative was agreed; and if he will make a statement. [72812]

**Angela Eagle:** The decision to transfer the ownership and management of the Department's estate and to procure a private sector supplier of serviced accommodation, via the PRIME (Private sector Resource Initiative for Management of the Estate) initiative, was first announced on 28 June 1996.

All the projects that we inherited, and which involved the outsourcing of work, were reviewed and tested against the Government's new strengthened criteria for involvement of the private sector to ensure that they would work and that they were fair to customers, taxpayers and staff alike. PRIME fully passed this test and we agreed to proceed with the project in support of our commitment to modernise the delivery of Social Security.

The announcement was made on 31 July 1997, *Official Report*, columns 591–94, by my right hon. Friend the then Secretary of State for Social Security.

A contract was formally signed with the preferred supplier PPM (Partnership Property Management), now Trillium Group, at midday on 24 December 1997 and the property transfer was effected on 1 April 1998.

### Parliamentary Questions

**Mr. Field:** To ask the Secretary of State for Social Security what proportions of written parliamentary questions for answer on a named day have been given substantive answers on that day in the current session. [73122]

**Mr. Timms:** In the current Parliamentary year we have received 360 Parliamentary Questions for answer on a named day, of these 331 (92 per cent.) were given a substantive answer.

This Department aims to give a holding reply to no more than 10 per cent. of all Parliamentary Questions for answer on a named day. However where detailed work has to be carried out by the Department's analytical branches or the Government's Actuary Department a full response cannot always be provided in the time allowed.

### Bereavement Benefits

**Mr. Field:** To ask the Secretary of State for Social Security if he will list by income decile the numbers of *(a)* gainers and *(b)* losers, and the average amount gained or lost, from the proposed changes to bereavement benefits. [73262]

**Angela Eagle:** The information is not available.

*Notes:*

1. Information on current Widows' Benefits recipients is not available by income decile because the sample sizes involved are too small to allow a robust analysis. Moreover, estimating the position of Bereavement Benefits recipients would require estimates of the future distribution of income.

2. In modelling income-related benefit effects, it is necessary to make broad assumptions about take up levels (which differ for each of Income Support, Housing Benefit and Council Tax Benefit). Consequently, these assumptions do not directly relate back to individuals in different parts of the income distribution.

### Benefit Claimants

**Mr. Field:** To ask the Secretary of State for Social Security what estimate he has made of the number of benefit claimants who do not have a bank account. [73015]

**Mr. Timms:** Estimates of the number of benefit claimants who do not have a bank account vary widely. The various sources of information available suggest the figure to be in the region of 10–20 per cent.

### Benefit Payments

**Mr. Field:** To ask the Secretary of State for Social Security what estimate he has made of *(a)* the transaction costs of benefit payment and *(b)* the costs of paying benefit using the current method if paid through automatic credit transfer. [73029]

**Angela Eagle:** The transaction fees payable by this Department, to the various agents who supply benefit payment services, are commercial in confidence and cannot be disclosed.

### Housing Benefit

**Mr. Field:** To ask the Secretary of State for Social Security (1) what proportion of housing benefit claims are processed within 14 days; and what were the proportions in each year since 1992; [73034]

(2) what proportion of housing benefit claims were processed within 14 days *(a)* in each year since 1992 and *(b)* at the latest available date. [73261]

**Angela Eagle:** The information is not available in the form requested. Such information as is available is set out in the table.

*The percentage of new claims to housing benefit determined within 14 days of receipt of all necessary information in Great Britain*

| *Year* | *Percentage* |
|---|---|
| 1992–93 | not available |
| 1993–94 | not available |
| 1994–95 | 80 |
| 1995–96 | 82 |
| 1996–97 | 78 |
| 1997–98 | 79 (most recent year) |

*Note:*
The data will include estimates for non responding authorities.
*Source:*
Local Authority Administrative Returns.

### Means-tested Benefits

**Mr. Lilley:** To ask the Secretary of State for Social Security what assumption about the value in real terms of means-tested benefits in 2025 has been made in the forecast in paragraph 17, chapter 1, of Cmd 4179. [73016]

**Angela Eagle:** Our aim, over the long-term and as resources allow, is to increase the Minimum Income Guarantee in line with average earnings. The forecast in paragraph 17, chapter 1, of Cm 4179 assumes that the level of income-related benefits is increased in line with average earnings (assumed to be 1.5 per cent. per year above the growth in prices) from April 1999 onwards.

### Benefit Payments (Post Offices)

**Mr. Field:** To ask the Secretary of State for Social Security (1) what is the expected completion date of the installation of the Benefits Agency/POCL project; [73018]

(2) what assessment he has made of how Benefits Agency staff judge the new Benefits Agency/POCL system; [73030]

(3) if he will list the savings which have resulted directly from the Benefits Agency/POCL project; and if he will indicate how these savings are measured; [73032]

(4) how many transactions using the new Benefits Agency/POCL system have been *(a)* single benefit claims, *(b)* two benefit claims, *(c)* three benefit claims and *(d)* four or more benefit claims; [73017]

(5) what is the average amount paid to date to the ICL-led consortium for each transaction using the new Benefits Agency/POCL system. [73033]

**Angela Eagle:** The working plans assume that all post offices will be automated by the end of 2000.

An approach has been developed to assess the impact of the payment card and the supporting customer accounting and payment systems on the operation of DSS benefits and Benefits Agency offices. This will capture data on staff awareness, perception and satisfaction, which will begin to become available from the middle of this year.

The trial of the payment card is estimated to have resulted in savings in benefit fraud of £68,000 during the period September 1996 to December 1998. The parallel introduction of the order book control service has separately resulted in savings in fraud of £1.4 million during the period May 1997 to December 1998.

Savings are measured using system-produced data on volumes of payment card transactions and volumes of order books recovered as a result of barcoding.

To date 750,000 payments of child benefit have been made via the payment card as part of a limited trial. No other benefits are presently involved in the trial.

Commercial information such as the value of transaction charges is confidential.

## HOUSE OF COMMONS

### European Youth Parliament

**Mr. Cox:** To ask the Chairman of the Administration Committee if the Committee will investigate whether the Chamber of the House could be made available to members of the European Youth Parliament for use when the House is not in session. [72549]

**Mrs. Roe:** I have to advise my hon. Friend that the Chamber of the House cannot be made available for this purpose. The Parliamentary Education Unit have recently started a programme of "Pupil Parliaments" for schools on six or seven Fridays each year in Committee Room 10, and any proposals from the European Youth Parliament for similar facilities would be considered by my Committee in the context of this programme.

## WALES

### TECs

**Mr. Barry Jones:** To ask the Secretary of State for Wales what assessment he has made of the training provided by TECs; and if he will make a statement. [72037]

**Mr. Hain:** TECs contract with a variety of training providers for the delivery of youth and adult training programmes. In so doing, they must ensure that the training delivered meets the specifications for the various programmes that are set out in the TEC Contract and Operating Manual and the related planning guidance. They must also ensure that it complies with their contractual obligations in respect of accuracy of payments claimed for programme delivery, quality assurance and Health and Safety provisions. TEC performance in all of these respects is closely monitored by the Welsh Office and subject to the annual performance review; and, when cases of non-compliance with contract have arisen, appropriate remedial action has been taken.

The content of the training provided is specified by the various industry lead bodies and the qualifications awarded on the completion of training are routinely subject to audit by ACCAC, the qualifications assessment body for Wales.

The effectiveness of the training programmes in achieving their objectives is also subject to evaluation. Such evaluations are usually undertaken by the Department for Education and Employment on an England and Wales basis and the reports are routinely published. They influence both the subsequent design of programmes and the way in which they are delivered locally via the TECs through the identification of best practice.

However, whilst these arrangements have provided reasonable assurance that the training delivered has accorded with its intentions, they have not provided any clear indication of the relative standards of training offered by different training providers. Evidence of compliance with training course requirements does not necessarily represent evidence of a good learning experience for the trainee. The quality assurance arrangements provide a limited assurance in this respect, but they are insufficiently independent of the parties involved in training delivery to provide an objective assessment of the standard of training achieved.

It is for this reason that the Government have enacted legislation to enable the Office of Her Majesty's Chief Inspector to inspect the quality of training provision in Wales. The Office of Her Majesty's Chief Inspector will use a framework for inspection which is similar to that used by the Training Standards Council in England and which has been subject to consultation with TECs, training providers and ACCAC in Wales. Inspections will begin in the next financial year and it is intended to cover all providers of Government-sponsored training within a five year cycle. The Inspectorate's reports will provide the first independent assessment of training standards in Wales; and I will expect both the TECs and the training providers concerned to use these reports constructively in the interests of continuous improvement.

Following the transfer of functions this issue will be a matter for the National Assembly.

### Higher and Further Education

**Mr. Barry Jones:** To ask the Secretary of State for Wales what is his estimate of the number of (i) higher and (ii) further education students in Wales; and if he will make a statement. [72035]

**Mr. Hain:** Provisional figures, as at 1 December 1997, indicate that the numbers of students studying at Welsh institutions were 95,546 for higher education and 137,660 for further education.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### New Deal

**Mr. Barry Jones:** To ask the Secretary of State for Wales how many New Deal graduates have found permanent jobs; and if he will make a statement. [72036]

**Mr. Hain:** Although there can be no guarantee of permanency, all jobs accessed through the New Deal are real jobs.

The latest data published by the Department for Education and Employment show that some 2,700 young people had left the "New Deal for 18–24s" in Wales to enter unsubsidised work and more than 1,000 others were in a subsidised job under the Employer Option.

I am very encouraged by this impressive start to the "New Deal for 18–24s" and, in particular, to the strong support being provided by employers in Wales, over 2,900 of whom have signed agreements to offer opportunities under the New Deal.

### Welsh Arts Council

**Mr. Wigley:** To ask the Secretary of State for Wales if he will make a statement on progress for appointing a new chair for the Welsh Arts Council. [72768]

**Mr. Michael:** Interviews to select a successor to Sir Richard Lloyd Jones have taken place and I hope to announce a decision shortly.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Waiting Lists

**Mr. Öpik:** To ask the Secretary of State for Wales how many patients in each health authority area were waiting for NHS treatment in December 1998 for *(a)* six months and under, *(b)* six to 12 months, *(c)* 12 to 18 months and *(d)* over 18 months; and if he will make a statement. [72756]

**Mr. Jon Owen Jones:** Data for the number of patients awaiting in-patient or day case treatment for up to 6 months are not centrally available. Data for the number of residents of each health authority area who were waiting for up to 12 months, 12 to 18 months and over 18 months at 31 December 1998 are given in the table.

*Number of residents in each health authority who were waiting for in-patient or day case treatment at 31 December 1998*

| *Health authority* | *Up to 12 months* | *12 to 18 months* | *Over 18 months* | *Total* |
|---|---|---|---|---|
| Gwent | 11,981 | 1,356 | 467 | 13,804 |
| Bro Taf | 13,949 | 2,114 | 1,775 | 17,838 |
| Dyfed Powys | 12,254 | 996 | 260 | 13,510 |
| North Wales | 15,058 | 733 | 212 | 16,003 |
| Morgannwg[1] | 9,471 | 541 | 197 | 10,209 |
| Wales | 62,713 | 5,740 | 2,911 | 71,364 |

[1] These figures incorporate revisions to the data from Morgannwg Health Authority and so differ from those published in the Welsh Office Statistical Release SDR 7/99 on 13 January 1999

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Welsh Assembly (Freemasons)

**Mr. Baldry:** To ask the Secretary of State for Wales what advice he has received from Commissioners on a requirement for elected members to the Welsh Assembly to require disclosure and declaration if they are Freemasons. [R] [73187]

**Mr. Michael:** The National Assembly Advisory Group, established by my predecessor, advised that Assembly Members should have to register membership of the Freemasons but the Standing Orders Commissioners have now submitted draft standing orders which do not include a requirement on Assembly Members to register membership of the Freemasons.

I have invited comments on the Commissioners' report; in so doing, I have indicated that I am minded to incorporate the views of the National Assembly Advisory Group, that such membership should be a registrable interest, into the standing orders in their final form.

## FOREIGN AND COMMONWEALTH AFFAIRS

### Working Time Directive

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs which categories of the Department's officials will be subject to the Working Time Directive. [71834]

**Mr. Tony Lloyd:** The Working Time Directive applies to all FCO staff.

### Imperial Measurements

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current state of negotiations regarding the extension of the derogation at European Union level for use of imperial measurements; which voting procedure will apply at the Council of Ministers; and which countries have already declared voting intentions. [72529]

**Dr. Howells:** I have been asked to reply.

On 15 February the European Commission published a proposal to, inter alia, extend until 31 December 2009 the period during which imperial units of measurement may be used optionally as supplementary indications of quantity alongside but no more prominent than the primary indication in metric units. The proposal is subject to qualified majority voting in the Council of Ministers and co-decision procedure with the European Parliament.

At a Commission working group in Brussels last year Member States indicated that they would support the proposal unopposed.

### EU Common Foreign and Security Policy

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 January 1999, *Official Report*, column *212*, how many reports or proposals each group has produced since 1 May 1997; and if he will list them. [72321]

**Ms Quin:** Common Foreign and Security Policy Working Groups meet on a regular basis. After each meeting the Council Secretariat produces a report of the Group's discussion, which is sent to all Member States.

Since 1 May 1997 the Common Foreign and Security Policy Working Groups have met as indicated:

| *Working Group* | *Number of meetings since 1 May 1997* |
|---|---|
| Administrative Affairs | 13 |
| Africa | 27 |
| Armaments Policy | 8 |
| Asia | 31 |
| Central Europe | 20 |
| Consular Affairs | 5 |
| Conventional Arms Exports | 15 |
| Communications | 9 |
| Drugs | 11 |
| Global Disarmament | 21 |
| Eastern Europe and Central Asia | 21 |
| Euro-Mediterranean | 13 |
| Human Rights | 23 |
| Latin America | 17 |
| Law of the Sea | 3 |
| Mashraq/Maghreb | 17 |
| Middle East Peace Process | 24 |
| Middle East/Gulf | 19 |
| Non-proliferation | 15 |
| OSCE | 31 |
| Policy Planning | 5 |
| Protocol | 3 |
| Public International Law | 8 |
| Security | 19 |
| South East Europe | 18 |
| Terrorism | 17 |
| United Nations | 18 |
| Western Balkans | 40 |

## Luxembourg Compromise

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the number of occasions on which member states of the European Union have made use of their non-Treaty veto, established by the Luxembourg Compromise. [72287]

**Ms Quin:** No formal records are kept by the Government or the Council Secretariat of the occasions when Member States have invoked the Luxembourg Compromise.

The United Kingdom has invoked the Luxembourg Compromise twice, in July 1978 and May 1982.

## Gibraltar

**Mr. Woodward:** To ask the Secretary of State for Foreign and Commonwealth Affairs what response he gave and when to the letter of the Chief Minister of Gibraltar in January asking Her Majesty's Government to reject the Spanish proposals for joint sovereignty; and if he will publish his reply. [72210]

**Ms Quin** *[holding answer 22 February 1999]:* I replied on 28 January to a letter of 27 January 1999 to me from the Chief Minister of Gibraltar. Official Ministerial correspondence of this sort is confidential and not normally published. But I can say that I underlined that our commitment under the 1969 Constitution, that we will never enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another state against their freely and democratically expressed wishes, remained steadfast.

## Ministerial Visits (Caribbean)

**Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs which Ministers from his Department have visited Caribbean countries since May 1997; and if he will list the Ministers and the countries they have visited. [72631]

**Mr. Tony Lloyd:** The answer which the Prime Minister gave to the hon. Member for North Shropshire, (Mr. Paterson) on 3 February 1999, *Official Report*, columns *643–45*, included a comprehensive list of all Government Ministers who have undertaken individual official visits to Latin America and independent Caribbean countries since 1 May 1997. No Foreign and Commonwealth Office Minister has visited an independent country in the Caribbean region in an official capacity since that answer was given.

For ease of reference the following visits have taken place to independent Caribbean countries by Ministers of the Foreign and Commonwealth Office since May 1997.

*Antigua and Barbuda*

The Rt. Hon. Robin Cook MP

*Bahamas*

The Rt. Hon. Robin Cook MP

Baroness Symons

*Cuba*

Baroness Symons

*Jamaica*

Baroness Symons

*Trinidad and Tobago*

Baroness Symons.

## European Council

**Mr. Savidge:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the forthcoming business in the Council of the European Union for March; and if he will list the major European Union events for the next six months. [73879]

**Ms Quin:** I refer my hon. Friend to the table.

*Monthly forecast of business*

| *March 1999* | *Venue* | *Event* |
|---|---|---|
| 4 | Brussels | Political committee |
| 8–12 | Strasbourg | European Parliament Plenary |
| 9 | Brussels | Social Affairs Council |
| 11–12 | Brussels | Environment Council |
| 12 | Brussels | Justice and Home Affairs Council |
| 13–14 | Reinhartshausen | Foreign Ministers (Informal) |
| 15 | Brussels | ECOFIN |
| 15–16 | Brussels | Agriculture Council |
| 22 | Brussels | Political Committee |
| 22–23 | Brussels | General Affairs Council |
| 24–25 | Berlin | Special European Council |
| 26 | Brussels | K4 Committee |
| 22–23 | Brussels | European Parliament Plenary |
| 29 | Brussels | Transport Council |
| 29–30 | Berlin | Asia-Europe Foreign Ministers |
| 30 | Brussels | Fisheries Council |

The following subjects are likely to be discussed:

| | | |
|---|---|---|
| 4 | Brussels | Political Committee<br>No agenda yet available |
| 8–12 | Strasbourg | European Parliament Plenary<br>No agenda yet available |

*9 March—Brussels—Social Affairs Council*

Dialogue with acceding countries on social issues

Directive on employee involvement in the Societe European

Political agreement

Decision on the Standing Committee on Employment

Adoption

Code of Conduct on cooperation between authorities in the case of transnational hiring-out of workers and combating benefit fraud and illegal work

Adoption of Resolution

Proposal for Directives on the organisation of working time

Progress report from the Presidency

*11–12 March—Brussels—Environment Council*

Proposal for a Council Directive on end-of-life vehicles

Common position

Amended proposal for a Council Directive establishing a framework for Community action in the field of auto policy

Common position

Community strategy on climate change

Council conclusions

Preparation of the 7th session of the Commission on Sustainable development (CSD) (19–30 April 1999)

Council conclusions

Proposal for a Council regulation allowing voluntary participation by organisations in a community eco-management and audit system

Policy debate

Proposal for a Council Directive amending Directive 88/609/EEC

Policy debate

Incineration Directives

Policy debate

Commission report on progress in accession negotiations in the environment sector

Commission report

*12 March—Brussels—Justice and Home Affairs Council (possible)*

Adoption of the agenda

Europol, pension fund

Europol activities report 1998

Europol: draft Council act adopting the rules governing the transmission of personal data by Europol to 3rd states and 3rd bodies

Europol: draft decision of the Council instructing Europol to deal with forgery of money and means of payments

Europol: preparation of the taking-up of activities

EURODAC: draft Council act drawing up a protocol extending the scope ratione personae of the Convention concerning the establishment of "EURODAC" for the comparison of fingerprints of applicants for asylum

Drugs: decision on MBDB

Joint position on the EU-Convention on organised crime

Draft explanatory report on the Second Protocol to the Convention on the protection of the European Communities financial interests

Convention on Mutual Legal Assistance in criminal matters

Questions relating to the transition from the Maastricht to the Amsterdam treaty with regard to conventions

Revision of the Conventions of Brussels and Lugano

Information on some ongoing activities in the field of internal market and consumer protection

Preparation of the meeting with CEEC's and Cyprus

Definition and integration of the Schengen Aquis (information by the Presidency)

Any other business

*13–14 March—Reinhartshausen Foreign Ministers (Informal)*

No formal Agenda

*15 March—Brussels-ECOFIN*

AGENDA 2000

Financial Framework

Institutional agreement

Report on own resources

(poss.) Stability and Growth pack: Examination of stability ad convergence programmes

Report of the European Court of Auditors for the financial year 1997

Presentation of report

Recommendation on discharge and statement of assurance

Follow up to Vienna European Council

Duty Free Sales

(poss.) Taxes

Taxation of interest income

Interim report on the discussions with third countries

Energy Taxation

Progress report

(poss.) Euro 11

Multilateral monitoring and coordination of economic policy

*15–16 March—Brussels—Agricultural Council*

No agenda yet available

*22 March—Brussels—Political Committee*

*22–23 March—Brussels—General Affairs Council*

AGENDA 2000: Preparation of Special European Council (24 and 25 March, Brussels)

(poss.) Enlargement

Common Strategies

Mediterranean Policy

Situation/Prospect of TEP negotiations

EU-Latin America Summit

Progress of preparations

EU-ASEAN relations

Preparation of meeting Foreign Ministers (25 March)

ASEM

Preparation of meeting of Foreign Ministers (30 March)

Western Balkans

European security and defence policy

*24–25 March—Berlin—Special European Council*

Agenda not yet available

*24–25 March—Brussels—European Parliament Plenary*

Agenda not yet available

*29 March—Brussels—Transport Council*

Land Transport

Proposals for Council Directive amendments: Policy debate

Proposal for the amendment of: Directive 92/106/EEC and 96/53

Political agreement

Communication on the organisation of working time in the sectors and activities excluded from Directive 93/104/EC

Policy debate

Commission report on the use of buses and coaches of up to 15 metres in length

Council conclusions

Possible agreement on the transits lorries through Hungary, Romania and Bulgaria

Political agreement on the draft text

Air Transport

Mandate for the revision of the Warsaw convention on uniform rules on the transport of cargo in international air transport

Agreement on the granting of the mandate to the Commission

Proposal for a Regulation amending Regulation 295/91

Adoption of the common position

Commission report on air transport and environment

Debate

All Transport Modes

Report on a proposal for the amendment of Decision 1692/96/EC

Debate

Global navigation satellite system (GNSS)

Commission proposal expected at the beginning of 1999—Debate

Negotiations between the EC and Switzerland on land and air transport

Conclusion of the agreement

Political agreement on the implementation of the agreement

*29–30 March—Berlin—Asia-Europe Foreign Ministers*

Agenda not yet available

*30 March—Brussels—Fisheries Council*

Proposal for Council regulation laying down the detailed rules and arrangements regarding community structural assistance in the fisheries sector

Policy debate

Proposal for a Council regulation establishing a list of serious infringements in the context of the control system (Regulation (EEC) 2847/93) applicable to the common fishery policy

Policy debate

Proposals to amend Council regulation (EC) 850/96

Final adoption!

Proposals opening and providing for the administration of autonomous community tariff quotas for certain fisheries products

Final adoption!

Proposal for a Council Regulation on the collection of basic fisheries data

Presentation by the Commission and initial debate

*European Calendar: March-August 1999*

This calendar is primarily concerned with European Union matters, but certain other relevant events are also included. Events and dates quoted are based on the information available on the date of issue.

| *March-August 1999* | *Venue* | *Event* |
|---|---|---|
| *March 1999* | | |
| 4 | Brussels | Political Committee |
| 8–12 | Strasbourg | European Parliament Plenary |
| 9 | Brussels | Social Affairs Council |
| 11–12 | Brussels | Environment Council |
| 12 | Brussels | Justice and Home Affairs Council |
| 13–14 | Reinhartshausen | Foreign Ministers (Informal) |
| 15 | Brussels | ECOFIN |
| 15–16 | Brussels | Agriculture Council |
| 22 | Brussels | Political Committee |
| 22–23 | Brussels | General Affairs Council |
| 22–23 | Brussels | European Parliament Plenary |
| 24–25 | Berlin | Special European Council |
| 26 | Brussels | K4 Committee |
| 29 | Brussels | Transport Council |
| 29–30 | Berlin | Asia-Europe Foreign Ministers |
| 30 | Brussels | Fisheries Council |
| *April 1999* | | |
| 8 | Brussels | Political Committee |
| 12–16 | Strasbourg | European Parliament Plenary |
| 13 | Luxembourg | Consumer Affairs Council |
| 15–16 | Stuttgart | Euro-Med Foreign Ministers Conference "Barcelona III" |
| 16–18 | Dresden | ECOFIN (Informal) |
| 19–20 | Luxembourg | Agriculture Council |
| 20 | Brussels | Political Committee |
| 22 | Luxembourg | Telecommunications Council |
| 23–25 | Mecklenburg | Environment Ministers (Informal) (TBC) |
| 24–25 | Luxembourg | NATO Summit |
| 26 | Luxembourg | Political Committee |
| 26–27 | Luxembourg | General Affairs Council |
| 29 | Luxembourg | Industry Council |
| 29–30 | Brussels | K4 Committee |
| *May 1999* | | |
| 3–7 | Strasbourg | European Parliament Plenary |
| 6–7 | Berlin | Political Committee |
| 6 | Brussels | EU-ACP Ministerial meeting |
| 7–9 | Mecklenburg | Environment Ministers (Informal) (TBC) |
| 10 | Brussels | ECOFIN |
| 10 | Bremen | WEU Council |
| 10–11 | Berlin | Trade Ministers (Informal) |
| 11 | Brussels | Energy Council |
| 17 | Brussels | K4 Committee |
| 17 | Brussels | Political Committee |
| 17–18 | Brussels | General Affairs Council |
| 17–18 | Brussels | Agriculture Council |

| *March-August 1999* | *Venue* | *Event* |
|---|---|---|
| 18 | Brussels | EEA Council |
| 18 | Brussels | Co-Operation Council with Russia |
| 18–19 | Weimar | Culture Ministers (Informal) |
| 20 | Brussels | Research Council |
| 21 | Brussels | Development Council |
| 25 | Brussels | Joint ECOFIN and Labour and Social Affairs Council |
| 25 | Brussels | Social Affairs Council |
| 25 | Brussels | Political Committee |
| 27 | Brussels | Youth Council |
| 27–28 | Brussels | Justice and Home Affairs Council |
| 31 | Brussels | General Affairs Council |
| 30 May-1 June | Dresden | Agriculture Ministers (Informal) |
| *June 1999* | | |
| 1 | Dresden | Agriculture Ministers (Informal) |
| 3–4 | Cologne | European Council |
| 7 | Luxembourg | Education Council |
| 8 | Luxembourg | Health Council |
| 10 | Brussels | Political Committee |
| 10 | Luxembourg | Fisheries Council |
| 10–13 | | European Parliament Elections |
| 14 | Luxembourg | ECOFIN (possible) |
| 14–15 | Luxembourg | Agriculture Council |
| 14–15 | Brussels | K4 Committee |
| 17 | Bonn | EU-Japan Summit |
| 17–18 | Luxembourg | Transport Council |
| 18–20 | Cologne | G8 |
| 21 | Luxembourg | Internal Market |
| 21 | Bonn | EU-USA/Canada Summit |
| 21–22 | Luxembourg | General Affairs Council |
| 22 | Luxembourg | Labour and Social Affairs Council (possible) |
| 24–25 | Luxembourg | Environment Council |
| 25–29 | Rio de Janeiro | EU-Latin America/Caribbean Summit |
| 28 | Luxembourg | Culture Council |
| 29 | Brussels | Political Committee (possible) |
| *July 1999* | | |
| 2–3 | Oulu | Industry and Research Ministers (Informal) |
| 6–7 | Savonlinna | Culture Ministers |
| 8 | Hameenlinna | Political Committee |
| 9–10 | Oulu | Labour/Social Affairs Ministers (Informal) |
| 12 | Brussels | ECOFIN |
| 16 | Brussels | Budget |
| 16–18 | Helsinki | Environment Ministers (Informal) |
| 18–20 | Savonlinna | Culture/Audiovisual Ministers (Informal) |
| 19 | Brussels | Political Committee |
| 19–20 | Brussels | General Affairs Council |
| 20–23 | Strasbourg | European Parliament Plenary |
| 22–23 | Helsinki | K4 Committee |
| *August 1999* | | |
| No Council Business | | |

## Chechnya

**Mrs. Browning:** To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 9 February 1999, *Official Report*, columns *211–12*, on Chechnya, how many rescue attempts were reported in respect of the hostages employed by Granger Telecom prior to 6 December 1998. [73256]

**Mr. Tony Lloyd:** Two Chechen clans linked to Chechen Telecom were reportedly searching for the hostages a week after the kidnap. The Chechen authorities announced that they were planning operations around 24 October to free all hostages in Chechnya, following an unproductive ultimatum to kidnappers. Similar Chechen anti-kidnap operations were reported in late November 1998. On 25 November the Chechen Security Service claimed publicly that it had "operational information" on the hostages and was close to resolving the case.

**Mrs. Browning:** To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 January 1999, *Official Report*, column *212*, on Chechnya, when his Department made contact with Granger Telecom following receipt of the Interfax report of 6 December 1998. [73254]

**Mr. Tony Lloyd:** FCO officials faxed a copy of the media report of 6 December to Granger Telecom, for information, before 1300 on Monday 7 December.

## United Nations Payments

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action he has taken to ensure that the United States of America pays its outstanding payments to the UN. [73252]

**Mr. Tony Lloyd:** Ministers and senior officials have raised UN finance with both the Administration and Congress, urging prompt payment of US arrears. The European Union has taken similar action. We continue to promote the EU's proposals for UN financial reform including tougher penalties for non-payment of UN dues.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries owing payments to the UN, together with the amounts outstanding at 16 February. [73251]

**Mr. Tony Lloyd:** The most recent complete data published by the United Nations, as at 31 December 1998, shows 178 Member States with unpaid contributions, including 135 owing contributions from before the start of 1998 (our normal definition of arrears). Total outstanding contributions from Member States, including 1998 assessments, were $2,031 million. The details are given in the table.

*Regular budget, international tribunals, and peace keeping operations combined—Outstanding contributions as at 31 December 1998*

| *Member State* | *Pre 1998* | *1998* | *Total* |
|---|---|---|---|
| United States of America | 783,878,060 | 510,285,618 | 1,294,163,678 |
| Ukraine | 207,284,595 | 10,793,155 | 218,077,750 |
| Russian Federation | 125,938,478 | 7,311,045 | 133,249,523 |
| Japan | 0 | 98,379,789 | 98,379,789 |
| Belarus | 53,153,899 | 2,110,833 | 55,264,732 |
| Brazil | 27,218,622 | 19,449,061 | 46,667,683 |
| Yugoslavia | 14,308,804 | 769,274 | 15,078,078 |
| Iraq | 11,420,613 | 1,114,100 | 12,534,713 |
| Iran (Islamic Republic of) | 8,143,596 | 3,130,328 | 11,273,924 |
| Argentina | 288,000 | 9,793,615 | 10,081,615 |
| Germany | 0 | 9,362,249 | 9,362,249 |
| Saudi Arabia | 672,048 | 7,512,898 | 8,184,946 |
| Georgia | 6,422,921 | 740,949 | 7,163,870 |
| Poland | 6,793,858 | 134,315 | 6,928,173 |
| Libyan Arab Jamahiriya | 5,561,625 | 375,374 | 5,936,999 |
| Kazakhstan | 4,847,286 | 958,195 | 5,805,481 |
| France | 0 | 4,947,253 | 4,947,253 |
| Israel | 1,004,279 | 3,863,382 | 4,867,661 |
| Azerbaijan | 4,140,008 | 135,895 | 4,275,903 |
| Indonesia | 2,264,880 | 1,692,154 | 3,957,034 |
| Spain | 0 | 3,878,454 | 3,878,454 |
| Venezuela | 726,898 | 2,870,959 | 3,597,857 |
| Republic of Moldova | 3,077,449 | 81,498 | 3,158,947 |
| Peru | 1,837,945 | 1,039,743 | 2,877,688 |
| Latvia | 2,592,256 | 103,179 | 2,695,435 |
| Italy | 0 | 2,692,674 | 2,692,674 |
| Portugal | 147,452 | 2,474,136 | 2,621,588 |
| Tajikistan | 2,470,391 | 103,053 | 2,573,444 |
| Uzbekistan | 2,370,934 | 110,187 | 2,481,121 |
| United Arab Emirates | 1,765,806 | 296,083 | 2,061,889 |
| Croatia | 1,886,813 | 109,335 | 1,996,148 |
| Armenia | 1,580,711 | 310,889 | 1,891,600 |
| Turkey | 1,067,089 | 666,568 | 1,733,657 |
| Lithuania | 1,046,067 | 520,234 | 1,566,301 |
| Nigeria | 1,402,832 | 161,086 | 1,563,918 |
| Bosnia and Herzegovina | 1,436,710 | 64,734 | 1,501,444 |
| Greece | 382,852 | 942,628 | 1,325,480 |
| Democratic P. R. of Korea | 1,206,388 | 71,710 | 1,278,098 |
| Kyrgyzstan | 1,157,597 | 22,724 | 1,180,321 |
| Turkmenistan | 1,139,988 | 31,992 | 1,171,980 |
| Liberia | 1,095,854 | 26,222 | 1,122,076 |
| Estonia | 1,027,112 | 53,592 | 1,080,704 |
| Chile | 777,870 | 205,298 | 983,168 |
| Somalia | 948,057 | 12,196 | 960,253 |
| Syrian Arab Republic | 818,101 | 115,094 | 933,195 |
| Bulgaria | 817,501 | 89,236 | 906,737 |
| Guatemala | 614,493 | 233,819 | 848,312 |
| Netherlands | 0 | 790,791 | 790,791 |
| Comoros | 770,025 | 12,196 | 782,221 |
| Austria | 0 | 773,879 | 773,879 |
| Qatar | 635,162 | 67,009 | 702,171 |
| Cuba | 539,310 | 153,757 | 693,067 |
| Ecuador | 485,006 | 176,433 | 661,439 |
| Philippines | 6,707 | 572,958 | 579,665 |
| Sao Tome and Principe | 546,694 | 12,196 | 558,890 |
| Belgium | 0 | 546,342 | 546,342 |
| South Africa | 0 | 532,657 | 532,657 |

*Regular budget, international tribunals, and peace keeping operations combined—Outstanding contributions as at 31 December 1998*

| *Member State* | *Pre 1998* | *1998* | *Total* |
|---|---|---|---|
| Dominican Republic | 310,063 | 204,427 | 514,490 |
| Congo | 474,805 | 39,054 | 513,859 |
| Romania | 271,302 | 174,180 | 445,482 |
| Guinea Bissau | 416,322 | 12,196 | 428,518 |
| Gabon | 362,794 | 53,005 | 415,799 |
| Algeria | 163,124 | 252,468 | 415,592 |
| Yemen | 279,368 | 119,481 | 398,849 |
| Sweden | 0 | 379,040 | 379,040 |
| Trinidad and Tobago | 346,006 | 28,438 | 374,444 |
| Cambodia | 354,573 | 13,377 | 367,950 |
| El Salvador | 324,527 | 28,399 | 352,926 |
| Nicaragua | 311,951 | 25,975 | 337,926 |
| Costa Rica | 219,080 | 116,462 | 335,542 |
| Afghanistan | 280,140 | 47,827 | 327,967 |
| Honduras | 268,640 | 51,421 | 320,061 |
| The Former Yugoslav Republic of Macedonia | 304,505 | 11,900 | 316,405 |
| Guinea | 279,132 | 36,038 | 315,170 |
| Mongolia | 292,106 | 18,202 | 310,308 |
| Niger | 286,173 | 24,107 | 310,280 |
| Rwanda | 286,141 | 23,984 | 310,125 |
| Democratic Republic of the Congo | 206,948 | 102,999 | 309,947 |
| Vanuatu | 287,408 | 12,196 | 299,604 |
| Burundi | 286,450 | 12,196 | 298,646 |
| Dominica | 286,153 | 12,196 | 298,349 |
| Djibouti | 286,136 | 12,196 | 298,332 |
| Gambia | 285,658 | 12,196 | 297,854 |
| Sierra Leone | 279,535 | 12,196 | 291,731 |
| Central African Republic | 266,714 | 23,984 | 290,698 |
| Panama | 244,080 | 33,348 | 277,428 |
| Mauritania | 264,974 | 12,196 | 277,170 |
| Czech Republic | 0 | 262,724 | 262,724 |
| Sudan | 155,397 | 103,564 | 258,961 |
| Cameroon | 76,549 | 179,787 | 256,336 |
| Seychelles | 232,118 | 24,107 | 256,225 |
| Cape Verde | 235,822 | 12,319 | 248,141 |
| Togo | 206,663 | 23,984 | 230,647 |
| Vietnam | 206,607 | 22,779 | 229,386 |
| Madagascar | 199,981 | 26,437 | 226,418 |
| Lebanon | 170,561 | 41,506 | 212,067 |
| Tunisia | 145,652 | 65,906 | 211,558 |
| Haiti | 186,211 | 24,107 | 210,318 |
| Equatorial Guinea | 196,967 | 1,394 | 198,361 |
| Saint Vincent and Grenadines | 169,587 | 12,196 | 181,783 |
| Malaysia | 0 | 181,673 | 181,673 |
| Bolivia | 171,591 | 5,626 | 177,217 |
| Kuwait | 0 | 163,829 | 163,829 |
| Grenada | 148,078 | 12,137 | 160,215 |
| Luxembourg | 0 | 155,711 | 155,711 |
| Pakistan | 48,327 | 101,590 | 149,917 |
| Zimbabwe | 39,573 | 104,975 | 144,548 |
| Mali | 139,749 | 4,367 | 144,116 |
| Maldives | 135,901 | 1,680 | 137,581 |
| Swaziland | 108,357 | 26,134 | 134,491 |
| Burkina Faso | 130,681 | 2,814 | 133,495 |
| Lesotho | 105,604 | 24,065 | 129,669 |
| Senegal | 104,181 | 8,694 | 112,875 |
| New Zealand | 0 | 110,127 | 110,127 |
| Solomon Islands | 108,462 | 1,658 | 110,120 |
| Uruguay | 264 | 107,335 | 107,599 |
| Belize | 104,361 | 1,680 | 106,041 |
| Mauritius | 0 | 100,897 | 100,897 |
| Bahrain | 76,260 | 23,837 | 100,097 |
| Marshall Islands | 87,125 | 2,736 | 89,861 |
| Mexico | 0 | 89,776 | 89,776 |
| Oman | 56,395 | 32,801 | 89,196 |
| Antigua and Barbuda | 60,474 | 24,065 | 84,539 |
| Slovenia | 18,159 | 65,922 | 84,081 |
| Morocco | 8,847 | 68,702 | 77,549 |
| Kenya | 54,531 | 15,673 | 70,204 |
| Côte d'Ivoire | 42,479 | 27,353 | 69,832 |
| Bhutan | 61,488 | 1,680 | 63,168 |
| Saint Lucia | 55,955 | 3,174 | 59,129 |
| Papua New Guinea | 43,091 | 9,283 | 52,374 |

*Regular budget, international tribunals, and peace keeping operations combined—Outstanding contributions as at 31 December 1998*

| *Member State* | *Pre 1998* | *1998* | *Total* |
|---|---|---|---|
| Guyana | 49,388 | 2,817 | 52,205 |
| Chad | 50,802 | 50 | 50,852 |
| Brunei Darussalam | 5,969 | 41,657 | 47,626 |
| Ethiopia | 34,551 | 9,548 | 44,099 |
| Uganda | 13,415 | 28,320 | 41,735 |
| Barbados | 20,117 | 17,916 | 38,033 |
| Bahamas | 15,394 | 21,282 | 36,676 |
| Albania | 23,169 | 7,374 | 30,543 |
| India | 0 | 30,172 | 30,172 |
| Mozambique | 23,644 | 2,910 | 26,554 |
| Lao People's Democratic Republic | 23,202 | 1,657 | 24,859 |
| Samoa | 20,354 | 1,680 | 22,034 |
| Fiji | 17,827 | 3,425 | 21,252 |
| Myanmar | 8,892 | 9,508 | 18,400 |
| Jordan | 2,127 | 15,417 | 17,544 |
| Suriname | 11,067 | 5,771 | 16,838 |
| Malta | 1,688 | 13,509 | 15,197 |
| Thailand | 0 | 15,085 | 15,085 |
| Jamaica | 1,712 | 12,782 | 14,494 |
| Sri Lanka | 0 | 14,364 | 14,364 |
| Eritrea | 5,849 | 2,241 | 8,090 |
| Egypt | 0 | 7,309 | 7,309 |
| Namibia | 736 | 5,868 | 6,604 |
| Angola | 0 | 5,176 | 5,176 |
| San Marino | 193 | 4,455 | 4,648 |
| Cyprus | 0 | 3,392 | 3,392 |
| Palau | 925 | 1,142 | 2,067 |
| Andorra | 0 | 1,989 | 1,989 |
| Ghana | 0 | 1,533 | 1,533 |
| Botswana | 0 | 1,481 | 1,481 |
| Paraguay | 0 | 1,394 | 1,394 |
| United Republic of Tanzania | 0 | 1,194 | 1,194 |
| Australia | 0 | 1,015 | 1,015 |
| Zambia | 0 | 808 | 808 |
| Nepal | 0 | 658 | 658 |
| Malawi | 0 | 571 | 571 |
| Republic of [illegible] | 0 | 509 | 509 |
| Finland | 0 | 426 | 426 |
| Saint Kitts and Nevis | 0 | 312 | 312 |
| Micronesia | 0 | 258 | 258 |
| Ireland | 0 | 206 | 206 |
| Denmark | 0 | 166 | 166 |
| Benin | 0 | 98 | 98 |
| Norway | 10 | 52 | 62 |
| Hungary | 0 | 58 | 58 |
| Singapore | 0 | 53 | 53 |
| Iceland | 0 | 23 | 23 |
| Liechtenstein | 0 | 1 | 1 |
| Bangladesh | 0 | 0 | 0 |
| Canada | 0 | 0 | 0 |
| China | 0 | 0 | 0 |
| Colombia | 0 | 0 | 0 |
| Monaco | 0 | 0 | 0 |
| Slovakia | 0 | 0 | 0 |
| United Kingdom | 0 | 0 | 0 |
| Total | 1,312,667,529 | 718,269,143 | 2,030,936,672 |

## Falklands

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held with the Chilean Government concerning the continuation of flights to the Falklands by Lan Chile after 31 March. [73247]

**Mr. Tony Lloyd:** This is a commercial matter for discussion between Lan Chile and the Falkland Islands Development Corporation. We have, however, expressed our regret to the Chilean Government over their decision to ask Lan Chile to suspend flights to the Falklands and said we do not believe this to be justified. We welcome assurances by Lan Chile that they will honour their contract with the Falkland Islands Development Corporation, which expires on 31 March. We hope that they will continue to fly to the Falklands thereafter.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to Chile concerning its formal recognition of the Argentine claim to the Falklands. [73248]

**Mr. Tony Lloyd:** We are aware of Chilean statements of support for the Argentine position on the Falklands in recent years. We have made clear to the Chilean Government that we have no doubt abut British sovereignty over the Falklands and have called on them to recognise the right of the Falkland Islanders to determine their own future.

### Iran (Russian Technical Adviser)

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of reports that Russians are working on Iran's nuclear, chemical and biological programmes. [73250]

**Mr. Tony Lloyd:** Russia has extensive commercial relations with Iran, including in the nuclear energy field. Russia's obligations under the Nuclear Non-Proliferation Treaty (NPT) forbid her to assist any other country's nuclear weapons programme. Its commitments under the Chemical Weapons Convention (CWC) and the Biological and Toxins Weapons Convention (BTWC) would prevent assistance to the development of chemical or biological weapons. Iran is also a party to the NPT, CWC and BTWC. We have detailed contact with both Russia and Iran on non-proliferation issues. As with other countries, we take up with them directly concerns we have of non-compliance with their obligations under such conventions.

### Russian Foreign Minister

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the dates on which Ministers have *(a)* contacted and *(b)* been contacted by the Russian Foreign Minister since 1 November 1998. [73249]

**Ms Quin:** Contacts between Ministers and Russian Foreign Minister Ivanov are frequent. This continues the pattern established when Mr. Primakov was Foreign Minister. Over the last two weeks alone, the Foreign Secretary has been in contact with Ivanov or Deputy Foreign Minister Avdeev on an almost daily basis concerning the Rambouillet peace process and other international issues. Our contacts since 1 November 1998 are therefore far too numerous to itemise case by case.

### Belgrade (Embassy Staff)

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many British Embassy staff remain in Belgrade. [73275]

**Mr. Tony Lloyd:** Eleven British Embassy staff remained in Belgrade following the withdrawal of non-essential staff and dependants on 19–20 February. Staff were withdrawn due to concern about security in the Federal Republic of Yugoslavia (FRY) as the deadline for the conclusion of the Rambouillet Peace Talks approached.

### Yemen

**Mr. Jenkin:** To ask the Secretary of State for Foreign and Commonwealth Affairs what advice the Government have given to British nationals working in Yemen following the threat made by the group calling itself The Army of Suicides, Group Number 66, Bin Laden Militant Wing. [73185]

**Mr. Tony Lloyd:** The safety of British nationals is of paramount importance to the Government. We monitor closely all potential threats to British interests in the UK and overseas.

Foreign and Commonwealth Office travel advice is updated regularly. Currently, we advise against all travel to Yemen. British nationals resident in Yemen are advised to consider whether their presence in Yemen is absolutely necessary, and if not, to leave. If they choose to stay, they should review their security arrangements; be extra vigilant; and stay in close touch with the British Embassy in Sana'a or the Consulate General in Aden.

### Arms Sales (Annual Audit)

**Mr. Mullin:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to publish the first annual audit of arms sales; and if he will make a statement. [71596]

**Mr. Tony Lloyd:** I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) on 8 February 1999, *Official Report*, column *81*.

# Written Answers to Questions

*Friday 26 February 1999*

## HOME DEPARTMENT

### Horseracing

**Mr. Soames:** To ask the Secretary of State for the Home Department what assessment he has made of the British Horseracing Levy Board's financial plan. [73513]

**Mr. George Howarth:** It is the British Horseracing Board (BHB) which has produced a financial plan for British racing. We are having constructive discussions with the Chairman of the BHB on the issues it raises.

**Mr. Soames:** To ask the Secretary of State for the Home Department when he last met members of the British Horseracing Levy Board; and what was discussed. [73514]

**Mr. George Howarth:** My right hon. Friend the Home Secretary met the Horserace Betting Levy Board in October 1997. I met the Board on 24 March 1998 and have subsequently had several meetings with the Chairman—most recently on 23 February. We discussed a range of betting and racing issues which impinge on the Board's work.

## CABINET OFFICE

### Minister for Science

**Mr. Redwood:** To ask the Minister for the Cabinet Office on how many occasions since July 1998 he has attended a meeting with the Minister for Science where GM foods and crops were discussed; and if the Minister for Science left the room during those occasions. [73126]

**Dr. Jack Cunningham** *[holding answer 25 February 1999]:* On the one occasion that policy on GM Foods was discussed in the Ministerial Group on Biotechnology and Genetic Modification, the Minister for Science left the meeting.

### Genetically Modified Goods

**Mr. Baker:** To ask the Minister for the Cabinet Office what was the outcome of the departmental stocktake meeting on genetically modified goods held on 22 February. [73724]

**Dr. Jack Cunningham:** It is not the normal practice of Governments to give details of the outcome of internal meetings.

### Air Miles

**Mr. Maclean:** To ask the Minister for the Cabinet Office how many air miles have been earned by him and each of his ministers; and how he proposes to use them. [73286]

**Dr. Jack Cunningham:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend the Prime Minister on 12 January 1999, *Official Report*, columns *141–42*.

Detailed information on any air miles earned by Ministers in this Department as a result of official travel is not recorded centrally.

## INTERNATIONAL DEVELOPMENT

### Human Rights

**Mrs. Gillan:** To ask the Secretary of State for International Development if she will make a statement on her Department's policy of linking aid to good governance and human rights in *(a)* Zimbabwe, *(b)* Burma, *(c)* Vietnam and *(d)* Cuba. [73731]

**Clare Short:** The Government's White Paper on International Development makes it clear that raising standards of governance is central to the elimination of poverty. All our development assistance programmes take good governance and human rights issues into account. We do not have bilateral aid programmes in Burma or Cuba. We have published a detailed Country Strategy paper for our programme in Vietnam and will shortly be publishing one for Zimbabwe which set out our approaches in those countries.

### Sudan

**Mrs. Gillan:** To ask the Secretary of State for International Development how she defines leakage in respect of food aid diversion in southern Sudan. [73175]

**Clare Short:** In Sudan, we regard "leakage" as being synonymous with "diversion" which refers to food aid that is deflected from reaching its intended beneficiaries.

### Zimbabwe

**Mrs. Gillan:** To ask the Secretary of State for International Development what plans she has to visit Zimbabwe. [73729]

**Clare Short:** I made a brief visit to Zimbabwe in January 1998 and have no immediate plans to visit again. I will make arrangements to visit when and if it would contribute to the reduction of poverty and the promotion of sustainable development in Zimbabwe.

## HEALTH

### General Practitioners

**Mr. Prior:** To ask the Secretary of State for Health if he will make a statement on the shortages of general practitioners and the action the Government are taking to encourage more doctors to *(a)* remain and *(b)* become general practitioners. [70082]

**Mr. Denham** *[holding answer 10 February 1999]:* We believe that there is no overall shortage of general practitioners at present; and the supply of new GPs is adequate in the short term. However, there are difficulties

in certain localities at present and, potentially, more widespread problems in the future without effective action.

Recent policy initiatives to improve GP recruitment and retention include the salaried doctors scheme and Personal Medical Services Primary Care Act pilots, both of which provide opportunities for doctors to work in general practice in more flexible ways, without committing themselves to long-term financial investment, and to provide services in the areas where there is most need. They also include improvements to the GP retainer scheme, allowing GPs to work in general practice on a limited sessional basis, keeping in touch with practical and educational developments. On a longer time scale, the continuing support of out of hours developments is having a real impact on GPs' conditions and their morale.

In addition, we announced on 22 July 1998 that undergraduate medical school intake to United Kingdom universities would be increased by about 1,000 places, a 20 per cent. increase. Intake is now planned to rise from the 1997 level of 5,050, to about 6,000 places by 2005.

### Mumps Vaccine

**Maria Eagle:** To ask the Secretary of State for Health (1) if he will list the manufacturers from which the NHS purchased the single mumps vaccine for use in the UK, and the dates when it did so; and what is the cost of a dose sufficient to immunise a child; [71314]

(2) between which dates the single mumps vaccine *(a)* has been available in the UK and licensed for use by the Medicines Control Agency and *(b)* has been available on the NHS; [71311]

(3) what percentage of immunisations against mumps in the UK on the NHS are by way of *(a)* the single mumps vaccine and *(b)* the MMR vaccine. [71310]

**Ms Jowell:** The vaccines recommended in the childhood immunisation programme in England are centrally purchased and supplied to doctors free of charge. Single antigen mumps vaccine has never been recommended as part of the childhood programme and has, therefore, never been centrally purchased and supplied to doctors. Medicines Control Agency (MCA) records show that a single mumps vaccine, Mumpsvax (supplied by Pasteur Mérieux MSD), has been licensed in the United Kingdom since October 1972, when the licensing of medicines, and records, began and would have been available on prescription. The British National Formulary (September 1998) gives the price of a single-dose vial of Mumpsvax as £4.00. The administration of the vaccine would be a matter between the individual doctor and patient.

During the period 1 April 1997 to 31 March 1998 553,000 children in England received a first dose of mumps, measles and rubella vaccine. Overall, around 1 million children would have received MMR vaccine over the year, taking those who received a second dose into account. Equivalent data on mumps vaccine coverage are not collected, since it is not a recommended vaccine, but, in the same period, a total of 440 prescriptions for mumps vaccine were dispensed. It is not possible to say how many children received the mumps vaccine.

Mumpsvax was available in the UK until recent changes were made to the manufacturing process. Last year the Department was alerted that, owing to production changes, the US mumps vaccine no longer matched the UK licence and that Pasteur Mérieux has no plans to relicense the product. The vaccine has been unavailable on the UK market since August 1998. A small amount of stock may be held by local wholesalers but the Department does not hold this information.

### Sodium Consumption

**Mr. Martin Bell:** To ask the Secretary of State for Health (1) what studies his Department has assessed which indicate health outcome benefits from a reduction in the dietary sodium intake of the general population; [72325]

(2) if he will request the COMA Panel to review the recommendations on sodium consumption set out in its 1994 report on Nutritional Aspects of Cardiovascular Disease. [72320]

**Ms Jowell:** The Government's source of independent expert advice on food and nutrition policy is the Committee of Medical Aspects of Food and Nutrition Policy (COMA). It considered the dietary requirements for sodium amongst the general population in its 1991 report on Dietary Reference Values, and the relationship between sodium and blood pressure in its 1994 report on the Nutritional Aspects of Cardiovascular Disease. Both of these reports are available in the Library and contain full references of the studies considered. We have no plans to ask COMA to review its recommendations.

However, at the Department's request, the Faculty of Public Health Medicine (a faculty of the Royal College of Physicians) and the British Heart Foundation convened a seminar to review the evidence on the relationship between dietary sodium and blood pressure. This confirmed that there is a large body of authoritative opinion which favours a general reduction in salt consumption, and we have, therefore, asked officials to explore with the food industry the scope for reducing the levels of salt in processed foods.

### Schizophrenia

**Sir Alastair Goodlad:** To ask the Secretary of State for Health how many current occupants of National Health Service hospital and unit beds had a main diagnosis of schizophrenia psychoses in the last year for which figures are available. [72587]

**Mr. Hutton:** The information requested is not collected centrally. However, there were 34,000 estimated finished consultant episodes and estimates occupied bed days of 1,600,000 with the primary diagnosis of schizophrenia psychoses in 1997–98, the latest date for which figures are available.

### Tobacco

**Mr. Sheerman:** To ask the Secretary of State for Health if he will take steps to recover money from tobacco companies for the NHS treatment of illnesses resulting from tobacco use. [72649]

**Ms Jowell:** Section 1(2) of the National Health Service Act 1977 requires that the National Health Service be provided free of charge except to the extent that charging is authorised by or under statute.

The Government have no plans to amend the legislation to enable the NHS to recover treatment costs for any cause of ill health.

### National Carers Strategy

**Mr. Kidney:** To ask the Secretary of State for Health if he will list by authority the proposed allocations of the additional £140 million for the National Carers Strategy. [72945]

**Mr. Hutton:** The £140 million covers the years 1999–2000, 2000–01 and 2001–02. A special grant report, giving details of the allocation of the £20 million for the first year, will be laid before Parliament shortly. As the results of the allocation formula change from year to year because of new data, any figures for 2000–01 and 2001–02 could only be indicative at this stage.

### Nurses and Ancillaries (Injuries)

**Mr. Mackinlay:** To ask the Secretary of State for Health how many days lost and early retirements there were in the past 10 years arising from nurses and ancillary staff suffering injury consequent upon their lifting or moving patients; and if he will make a statement. [73705]

**Mr. Denham:** The information requested is not held centrally.

### Deaf and Blind People

**Mr. Laurence Robertson:** To ask the Secretary of State for Health what plans he has to provide funding for centres for deaf and blind people *(a)* in Gloucestershire and *(b)* nationally; and if he will make a statement. [73136]

**Mr. Hutton:** My right hon. Friend the Secretary of State has no plans to provide specific funding for centres for blind or deaf people. It is for local authorities to determine how their funds under the standard spending assessment should be spent. Gloucestershire County Council's personal social services resources will increase by 6.5 per cent. next year.

### Gloucestershire Health Authority

**Mr. Laurence Robertson:** To ask the Secretary of State for Health what discussions he has had with officials from the Gloucestershire Health Authority regarding the impact on services of the 1999–2000 financial settlement; and if he will make a statement. [73139]

**Mr. Denham:** Officials at the South West Regional Office of the National Health Service Executive have had discussions with Gloucestershire Health Authority in the course of their normal performance management duties. Gloucestershire Health Authority has been allocated £334.6 million for 1999–2000, which represents an increase of £17.4 million (5.5 per cent).

## SOCIAL SECURITY

### Pensions

**Mr. Hawkins:** To ask the Secretary of State for Social Security what representations he has received proposing the making of the *(a)* basic state pension, *(b)* SERPS/state second pension, *(c)* private personal pensions, *(d)* LISAs, *(e)* contracted-out/contracted-in occupational pensions, money-purchase/final salary, *(f)* FURBs, *(g)* AVCs and *(h)* FSAVCs into a more simplified system of pension provision. [73394]

**Mr. Timms:** We have received a number of representations to the Pensions Review calling for greater simplification of some elements of the pensions system. We expect to receive more in response to the Pensions Green Paper consultation exercise.

### Correspondence

**Mr. Lidington:** To ask the Secretary of State for Social Security when the Chief Executive of the Benefits Agency will respond to the letter from the hon. Member for Aylesbury of 22 December about his constituent (N.I. reference ZW755428A), receipt of which was acknowledged by the Benefits Agency on 8 January ref. 7932. [73630]

**Angela Eagle:** The Chief Executive of the Benefits Agency replied to the hon. Member on 24 February 1999.

### Disability Benefits

**Mr. Oaten:** To ask the Secretary of State for Social Security how many of those who will no longer be eligible for *(a)* severe disablement allowance and *(b)* incapacity benefit have savings of (i) over £8,000 and (ii) between £3,000 and £8,000. [73512]

**Mr. Bayley:** No information is available on the capital assets of potential future claimants of Incapacity Benefits.

Some of those who in future will be ineligible for Incapacity Benefit (IB) or Severe Disablement Allowance (SDA) will also be unable to receive Income Support (IS) because of the level of their income and/or capital. However, at least 70 per cent. of those who do not qualify for SDA and 70 per cent. of those who do not qualify for IB because of changes to the contribution conditions are expected to be entitled to IS.

**Helen Jackson:** To ask the Secretary of State for Social Security what assessment he has made of the overpayments of disability living allowance and other benefits, which have come to light as a result of benefit reviews; and if he will make a statement. [74164]

**Mr. Bayley:** The need to ensure that the amount of benefit paid to claimants is correct at the outset, and remains correct, is an important element in our programme of welfare reform. This requires systems of review which are fair, sensitive and appropriate to the individual circumstances of the claimant.

These requirements are particularly important where the claimant is a severely disabled person. Accordingly, on 28 January 1999, *Official Report*, column *321*, my right hon. Friend the Secretary of State for Social Security announced that the existing, unsatisfactory system of review of entitlement to Disability Living Allowance—the Benefit Integrity Project (BIP)—would end on 31 March, to be replaced in April by a new, fairer system of periodic review.

There is however an outstanding issue which has arisen from the operation of BIP. This is where because of the claimant's condition, or a change in that condition, entitlement to DLA reduces or ceases altogether. This might be because of an improvement in their physical or mental condition or because the disability proves not to be as severe as was originally thought. Guidance from the Chief Adjudication Officer on this question has indicated that any such changes to entitlement would, to comply with the law, need to be backdated to the point where the change in the condition had actually occurred, or where an erroneous statement had been made on the basis of which the entitlement was awarded. This means that, in any such case, an overpayment is created, which in the normal course of events we would need to take steps to recover.

In the context of DLA, this situation has the potential to cause severe hardship and exceptional difficulty for many severely disabled claimants. For example, a successful operation, the purchase of special aids or equipment, or gradual rehabilitation from a crippling injury can all constitute a change which potentially affects entitlement. Often, the claimants will be quite unaware that this is the case; or even that his or her needs have actually changed. Moreover, because no system of reviewing DLA entitlement existed until 1997, such a change may have gone unnoticed for months or years, resulting in the need to recover sums of money which can amount to many thousands of pounds, often from very vulnerable people who had no idea that this was likely to happen to them.

We regard this situation as unacceptable, and are not prepared to seek recovery in such cases. We have therefore decided to act swiftly, and in the interests of fairness, in two ways.

First, we intend to deal with existing cases, and those which will continue to arise until the arrangements for determining DLA overpayments can be changed in line with our new system of periodic review. We have issued a Direction to the Accounting Officer to ensure that no recovery action is taken in such cases. Thereafter, we intend to seek Parliamentary approval for this approach by taking powers through the Welfare Reform and Pensions Bill, currently before this House.

Second, we want to make sure that this situation cannot recur in the future, and that in the longer-term, our approach to overpayments of DLA, and also Attendance Allowance (AA) for severely disabled elderly people, is in line with our proposals for a new, fairer review system for these benefits. We therefore intend to lay regulations as soon as possible. These will provide for a fairer system of review and recovery more closely based on the claimant's understanding of his or her condition, and more regularly and sensitively reviewed, to minimise the scope for large overpayments to accrue, but also to ensure that public money is protected and that fraud and abuse does not pay.

These measures will apply not only to DLA and AA, but also to overpayments of other benefits which have arisen as a consequence of a review of DLA or AA.

It is, however, important to be clear that they will apply only to those cases where a review is made in respect of factors directly related to the disability of the claimant. In particular, they will not apply to overpayments created by any fraudulent claims for DLA and AA; or to the much larger number of cases where an overpayment results from changes in the claimant's situation where it was clear that entitlement might be affected and notification required—for example, change of address, going abroad or into hospital.

Although this situation has arisen in the context of DLA, there are potentially similar issues for other benefits such as Incapacity Benefit and Severe Disablement Allowance. We therefore intend to extend the new arrangements to clarify that people do have a duty to report changes which they know could affect their entitlement to these benefits. At the same time we will ensure that when entitlement is reviewed, this is done in a fair and sensitive way.

### Bereavement Allowance

**Mr. Rendel:** To ask the Secretary of State for Social Security what estimate he has made of the number those who will lose the bereavement allowance after six months who will have savings of *(a)* between £3,000 and £8,000 and *(b)* over £8,000. [73523]

**Angela Eagle:** The information is not available in the form requested. Such information as is available is set out.

The information provides figures on the proportion of capital holdings among existing Widow's Pension recipients which might be indicative of the position of future Bereavement Allowance recipients. The information is subject to a wide margin of error.

Around 13 per cent. report between £3,000 and £8,000

Around 26 per cent. report more than £8,000

*Note:*

Figures are derived from the 1996–97 Family Resources Survey and are presented in 1996–97 prices.

### Social Housing

**Mr. Rendel:** To ask the Secretary of State for Social Security what savings he has estimated as a result of his proposal measures to reduce under-occupation of social housing; and on what assumptions his estimate is based. [73524]

**Angela Eagle:** Under the Housing Benefit under-occupation pilot scheme, tenants living in social housing, who move to smaller accommodation may be entitled to a payment equal to approximately half the Housing Benefit saving in respect of the next three years.

This Department has worked with a number of local authorities to devise the scheme and identify the cost factors. We propose to operate the scheme initially as a pilot in order to evaluate its housing and financial effects.

### Benefit Fraud

**Mr. Maclean:** To ask the Secretary of State for Social Security what estimate he has made of the number of

people claiming social security benefits while receiving a wage paid in cash; and what measures he plans to take to reduce the number. [71098]

**Mr. Timms:** My right hon. Friend the Secretary of State for Social Security will publish a fraud strategy document which will outline this Department's approach for creating a secure benefit system.

The administration of the Benefits Agency is a matter for its Chief Executive, Peter Mathison. I have asked him to write to the right hon. Member.

*Letter from Peter Mathison to Mr. David Maclean, dated 25 February 1999:*

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what estimate he had made of the number of people claiming social security benefits while receiving a wage paid in cash; and what measures he plans to take to reduce the number.

The information is not available in the format requested as it is not possible to identify how many claimants of any benefit are receiving a wage paid in cash.

For 'in-work' benefits, for example Family Credit, the claimant may be entitled to work and, should they so wish, receive their wage in cash.

The Benefits Agency employs investigators specially trained in the investigation of employers who are suspected of colluding with people committing benefit fraud. The investigations encompass all benefits with the majority of them involving an element of wages being paid in cash. A significant number of employers are prosecuted each year.

In the current financial year to date (at 31/01/99) there have been 356 collusive employer prosecutions and achieved estimated savings of £27.05 million.

As regards individual customer fraud, so far this year out of a total of 852,246 cases investigated by the Benefit Fraud Investigation Service 434,247 (or 50.9%) related to undisclosed earnings. No doubt many of these involved wages being paid in cash.

I hope you find this reply helpful.

## WALES

### Mixed-sex Wards

**Mr. Swayne:** To ask the Secretary of State for Wales how many mixed sex wards there were in hospitals in Wales in each of the last five years. [71395]

**Mr. Jon Owen Jones:** The information requested is not collected centrally.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Over-Thirty-Month Scheme

**Mr. Barry Jones:** To ask the Secretary of State for Wales what was the cost over the last year of the Over-Thirty-Month scheme in Wales; and if he will make a statement. [72034]

**Mr. Jon Owen Jones:** The total cost over the last year of the Over-Thirty-Month Scheme in Wales was £26,770,716

### Caesarean Sections

**Dr. Starkey:** To ask the Secretary of State for Wales (1) in how many health authorities in Wales, and in which ones, the rate of caesarean section exceeds the World Health Organisation recommended rate; [72535]

(2) how many caesarean sections took place in Wales in each of the last five years; and what they were in each year as a percentage of all deliveries. [72536]

**Mr. Jon Owen Jones:** The following table shows the number of caesarean sections performed in NHS hospitals in Wales in each of the last five years for which data are available. Two percentage figures are shown: (a) as a percentage of births which took place in those hospitals which perform caesareans (home births, births to Welsh residents outside Wales and births at other hospitals where caesareans are not undertaken are not included in the denominator) and (b) as a percentage of all live births to residents of Wales (some of which may have taken place outside Wales).

| Year | Number of caesarean sections | Percentage (a) | (b) |
|---|---|---|---|
| 1993 | 5,508 | 16.0 | 15.1 |
| 1994 | 5,591 | 16.6 | 15.8 |
| 1995 | 5,601 | 17.1 | 16.2 |
| 1996 | 6,062 | 18.1 | 17.4 |
| 1997 | 6,239 | 18.9 | 18.1 |

*Source:*
All Wales Perinatal Survey and Confidential Enquiry into Stillbirths and Deaths in Infancy
Office for National Statistics (live births to residents of Wales)

The World Health Organisation (WHO) does not make specific recommendations about rates of caesarean delivery which will inevitably vary from place to place and will reflect health, nutritional status of pregnant women and the level of maternity care provision. Following the transfer of functions, this issue will be a matter for the National Assembly.

### Organic Aid Scheme

**Mr. Maclennan:** To ask the Secretary of State for Wales what payments he has proposed under the Organic Aid Scheme for *(a)* Arable Area Payments Scheme eligible land, *(b)* ineligible land and *(c)* unimproved grassland or rough grazing. [72619]

**Mr. Jon Owen Jones** *[holding answer 24 February 1999]:* Subject to approval by the European Commission, the new payments rates available under the Organic Aid Scheme will be as follows:

*£ per hectare*

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Total |
|---|---|---|---|---|---|---|
| (a) AAPS eligible land | 225 | 135 | 50 | 20 | 20 | 450 |
| (b) ineligible land | 175 | 105 | 40 | 15 | 15 | 350 |
| (c) unimproved grassland/rough grazing | 25 | 10 | 5 | 5 | 5 | 50 |

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Ministerial Visit

**Mr. Swayne:** To ask the Secretary of State for Wales when he decided to visit the United States of America. [73008]

**Mr. Michael:** In January I agreed to undertake an inward investment mission to North America fulfilling a promise given by my predecessor. Dates in March were decided upon following advice from officials and from the Welsh Development Agency. I took the decision to do so in January.

## TRADE AND INDUSTRY

### Departmental Reviews

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry what *(a)* reviews, *(b)* task forces and *(c)* advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71511]

**Mr. Byers:** Details of the reviews and task forces established by my Department since 1 May 1997, and of the reports published to date, are set out in the table. Expenditure on these reviews and task forces is not separately recorded, and could not be calculated without incurring disproportionate cost.

| *Title* | *Reports published to date* |
|---|---|
| *Reviews* | |
| Audit of the Foresight programme | "The Report on the Whitehall Audit of the Foresight Programme"; published 22 October 1997 |
| Review of the Utilities regulation | "A Fair Deal for Consumers: Modernising the Framework for Utility Regulation". A Green Paper, published 25 March 1998<br>"A Fair Deal for Consumers: Modernising the Framework for Utility Regulation—The Response to Consultation". A White Paper, published 27 July 1998<br>"A Fair Deal for Consumers: Modernising the Framework for Utility Regulation—Public Consultation Paper on Consumer Councils", published 30 September 1998<br>"A Fair Deal for Consumers: Modernising the Framework for Utility Regulation—Public Consultation Paper on the Future of Gas and Electricity Regulation", published 21 October 1998 |
| Review of energy sources for power regeneration | The outcome of the review was reflected in the White Paper, "Conclusions of the review of energy sources for power generation and the Government's response to the Fourth and Fifth Reports of the Trade and Industry Committee" (Cm 4071), published on 8 October 1998 |
| Review of electricity trading arrangements | "Review of electricity trading arrangements: Proposals"; published on 29 July 1998 |
| Review of the Post Office | No published reports, but the outcome of the review was summarised in a Parliamentary statement on 7 December 1998, *Official Report*, columns 21–39 |
| Review of clean coal technology | The outcome of the review was reflected in the White Paper, "Conclusions of the review of energy sources for power generation and the Government's response to the Fourth and Fifth Reports of the Trade and Industry Committee" (Cm 4071); published on 8 October 1998 |
| Review of the Technical Help for Exporters Scheme | None |
| Review of company law | None |
| Review of new and renewable energy | None |
| Joint DTI/Treasury review on company rescue mechanisms | None |
| Review of the effect of insolvency law on enterprise | None |
| Review of Assisted Areas | None |
| Review of the framework for overseeing developments in biotechnology (joint review by the Cabinet Office and the Office of Science and Technology) | None |
| Review of metrication | None |
| Review of UK weights and measures legislation | None |
| *Task forces and advisory groups* | |
| President's Advisory Group | None |
| Competitiveness Working Parties | None |
| Interdepartmental Task Force on Competitiveness in Europe | None |
| Tech Stars Steering Group | None |
| Oil and Gas Industry Task Force | None |

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Secretary of State for Trade and Industry what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71275]

**Mr. Byers:** The DTI is acting to ensure that its policies meet the needs of disabled people and that we comply with our legal obligations. The Department already takes positive steps to make it easier for disabled people to make use of its services. We shall continue to do so, not only by complying fully with new duties in the Disability Discrimination Act but by aiming to exceed them where appropriate.

The Department has recently circulated guidance on mainstreaming to those with responsibility for policy development. This ensures that all new and existing policies and programmes are assessed for any adverse impact not only on disabled people, but on any minority or disadvantaged group and, where necessary, action is taken to remove or reduce any such impact.

### Disabled People

**Mr. Berry:** To ask the Secretary of State for Trade and Industry what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71291]

**Mr. Byers:** During the year 1998–99 the Department allocated the sum of £31,000 for adjustments to information technology and specialist equipment for its staff with disabilities, excluding alterations to premises.

The Department does not separately record the proportion of its total expenditure which goes to the disabled people. However, the Department aims to take account of the needs of those with disabilities in the design of its programmes.

The above excludes the DTI's Executive Agencies, whose Chief Executives have delegated responsibility for disability issues in their Agency.

### Ministerial Meetings (USA)

**Mr. Matthew Taylor:** To ask the Secretary of State for Trade and Industry how many times Ministers in his Department have met their counterparts in the US Administration since 1 June 1998, indicating the dates and locations of each meeting, the Ministers involved, and the name of the US counterpart. [71962]

**Mr. Byers:** My Ministers and I meet our US counterparts as and when necessary. Since 1 June 1998, there have been the following meetings:

The Secretary of State for Trade and Industry met William Daley, Commerce Secretary on 13 September 1998, (Johannesburg);

The Secretary of State for Trade and Industry met Mrs. Charlene Barshefsky, US Trade Representative on 22 October 1998, (London);

The Minister for Science met Dr. Neil Lane, President's Scientific Adviser, on 4–6 December 1998, (Kyoto, Japan).

### Biosafety Protocol, Colombia

**Ms Walley:** To ask the Secretary of State for Trade and Industry who will represent his Department at the Biosafety Protocol meeting in Colombia; and if he will make a statement. [72230]

**Mr. Battle:** A senior official from the Department of Trade and Industry was present in Cartagena, Colombia throughout the negotiations.

### Media Allegations (Rebuttals)

**Mr. Don Foster:** To ask the Secretary of State for Trade and Industry if he will list *(a)* those units in his Department and *(b)* the number of departmental staff which are concerned with preparing rebuttals of allegations in the media; and what is (i) the total cost of their work, including salaries, and (ii) the number of rebuttals issued since May 1997. [71856]

**Mr. Byers** *[holding answer 22 February 1999]:* My Department has no units or staff who are exclusively required to prepare rebuttals of allegations in the media.

### Lord Simon

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry what systems are in place to ensure that Lord Simon does not see papers which could relate to his financial interests. [72801]

**Mr. Byers** *[holding answer 24 February 1999]:* Following the sale of Lord Simon's shareholding in BP, and the transfer of his other shareholdings into a blind trust, no such arrangements are required.

### Air Miles

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry how many Air Miles have been earned by him and each of his ministers; and how he proposes to use them. [73325]

**Mr. Byers:** The Government's policy on the use and disposal of Air Miles was set out by my right hon. Friend the Prime Minister on 12 January 1999, *Official Report*, columns *141-42*.

Detailed information on any Air Miles earned by Ministers as a result of official travel is not recorded centrally.

### Tobacco and Alcohol Industries

**Mrs. Lait:** To ask the Secretary of State for Trade and Industry what discussions he has had with representatives of the tobacco and alcohol industries concerning the future of their industries since his appointment. [72199]

**Mr. Byers** *[holding answer 25 February 1999]:* None, although my Officials continue to have regular contact with the Scotch Whisky Association to assist them in resolving many trade problems in a number of exporting markets. For example, at our request the EU has successfully challenged, through the World Trade Organisation, Japanese and Korean discriminatory tax regimes on spirits, and is presently pursuing another against Chile.

My officials also have contact with the Tobacco Manufacturers' Association to discuss issues of current concern to the industry.

### Raw Cows' Milk

**Mr. Michael J. Foster:** To ask the Secretary of State for Trade and Industry how many representations he received, and from whom, between 30 January 1998 and 31 January 1999 concerning the Monopolies and Mergers Commission investigation into the supply of raw cows' milk in Great Britain. [73350]

**Dr. Howells:** My right hon. Friend the Secretary of State for Trade and Industry has received a number of letters from hon. Members and from members of the public regarding the investigation by the Monopolies and Mergers Commission (MMC) into the supply of raw milk in Great Britain. Those representations have been passed to the MMC for them to consider.

## SCOTLAND

### Radioactive Waste

**Ms Roseanna Cunningham:** To ask the Secretary of State for Scotland when he expects to receive the conclusions of the Radioactive Waste Management Advisory Committee regarding the source of and pathways for highly active particles found at Dounreay and Sandside Beach; and if he will place a copy of the report in the Library. [72332]

**Mr. Macdonald** *[holding answer 25 February 1999]:* My right hon. Friend expects to receive advice from the Radioactive Waste Management Advisory Committee shortly. The Committee itself publishes all the advice it gives to Government. A copy of the Committee's report will be placed in the House of Commons Library.

### Genetically Modified Food

**Mrs. Ewing:** To ask the Secretary of State for Scotland what reports he has received from Dr Arpad Pusztai of the Rowett Institute in Aberdeen; when he received them; and if he will place copies in the Library. [72337]

**Mr. Macdonald** *[holding answer 25 February 1999]:* A copy of the report produced by Dr. Pusztai in response to the report of the Rowett Research Institute's Audit Committee was received by The Scottish Office on 26 October 1998. A copy of Dr. Pusztai's report together with the Audit Committee's response to the report has been placed in the House of Commons Library.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### National Lottery Funding

**Mr. Alexander:** To ask the Secretary of State for Scotland how much National Lottery funding has been distributed by *(a)* the National Lottery Charities Board (Scotland), *(b)* the Scottish Sports Council and *(c)* the Scottish Arts Council for projects in (i) Paisley, South Constituency and (ii) Renfrewshire Council area. [71429]

**Mr. Banks:** I have been asked to reply.

The Local Authority of Renfrewshire (which includes the awards for Paisley, South) has received £3,880,033 covering 123 awards; of these Paisley, South has received £2,210,097 covering 43 awards.

A breakdown of these is set out in the following table:

| *Distributing Body* | *Data* | *Total* |
|---|---|---|
| *Paisley, South Constituency* | | |
| Heritage Lottery Fund | Value of awards | £1,000,00 |
| | Number of awards | 1 |
| National Lottery Charities Board | Value of awards | £1,140,577 |
| | Number of awards | 40 |
| Scottish Arts Council | Value of awards | £69,520 |
| | Number of awards | 2 |
| Total value of awards | | £2,210,097 |
| Total number of awards | | 43 |
| *Renfrewshire Council area* | | |
| Heritage Lottery Fund | Value of awards | £1,035,200 |
| | Number of awards | 2 |
| National Lottery Charities Board | Value of awards | £1,500,324 |
| | Number of awards | 104 |
| Scottish Arts Council | Value of awards | £510,784 |
| | Number of awards | 10 |
| Scottish Sport Council | Value of awards | £833,725 |
| | Number of awards | 7 |
| Total value of awards | | £3,880,033 |
| Total number of awards | | 123 |

## TREASURY

### Simon de Danser Case

**Valerie Davey:** To ask the Chancellor of the Exchequer if the cost of escorting prisoners in the Simon de Danser case can be recovered from HM Customs and Excise by the Avon and Somerset Police on the same basis as additional costs incurred by the Ministry of Defence have been recovered. [72285]

**Dawn Primarolo:** No. The arrangement for escorting the prisoners to and from court in the Simon de Danser case was made by the police who are responsible for the costs. The Ministry of Defence costs were incurred during the investigation phase of this case and their arrangement with HM Customs and Excise is for cost recovery.

### EU Code of Conduct Group

**Mr. Maclean:** To ask the Chancellor of the Exchequer, pursuant to his answer of 26 January 1999, *Official Report*, column *217*, on the EU Code of Conduct Group, if he will list those taxes other than corporation tax and equivalent taxes due for consideration by the Group. [72326]

**Dawn Primarolo:** The Group is considering business taxation measures which affect, or may affect, in a significant way the location of business activity in the Community.

## DEFENCE

### Defence Medical Services

**Mr. Viggers:** To ask the Secretary of State for Defence what security clearance will be required for the NHS representative on Defence Medical Services management boards established under the review of defence medical services. [70897]

**Mr. Spellar:** The NHS representative will be subject to the normal security clearance procedures in the same way as an MOD employee.

### Centre for Defence Medicine

**Mr. Viggers:** To ask the Secretary of State for Defence if he will list the shortlisted candidates for NHS hospitals to be associated with the Centre for Defence Medicine. [70870]

**Mr. Spellar:** A Statement of Requirement for the new Centre for Defence Medicine is currently being prepared. Expressions of interest from NHS Trusts will be sought once it is complete.

### Ocean Wave Deployment

**Mr. Hancock:** To ask the Secretary of State for Defence what was the cost of the Ocean Wave deployment; what assessment he has made of the benefits and value of it; and what military tasks were not carried out because of the involvement of personnel in it. [71939]

**Mr. Spellar:** Ocean Wave was the deployment of a Royal Navy Task Group to the Gulf, Far East and Asia Pacific regions between 13 January and 28 August 1997.

Clear military and strategic objectives were set for the Task Group prior to the deployment. Ocean Wave demonstrated the UK's continued commitment to the Asia-Pacific region after the hand-over of Hong Kong. It underlined our interest in the promotion of regional peace and stability, the protection of freedom of international trade, and promoted bilateral relations by the joint working between military forces in the Asia-Pacific region. There was also considerable benefit to the UK defence industry.

In addition, the Royal Navy were able to test their readiness and to assess how well equipment, procedures and personnel stand up in a realistic scenario with integrated forces. Such interactive training is achievable only when a number of diverse assets are deployed together over a prolonged period.

The additional costs directly attributable to Ocean Wave were about £9.8 million. The main elements of this additional sum were port and harbour dues, Suez Canal transit fees, operational support, additional fuel costs, local overseas allowances, ships taken up from trade and travel subsistence.

Planning for Ocean Wave commenced 2½ years prior to the deployment taking place, so that we were able to ensure that all routine or contingent tasks were also undertaken.

### Army Dismissals (Bullying)

**Mr. Hancock:** To ask the Secretary of State for Defence how many Army personnel have been dismissed for bullying, or related offences, in each of the last five years. [72932]

**Mr. Doug Henderson:** I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

### Defence Postal and Courier Services Agency

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Defence Postal and Courier Services Agency; and what was the figure at its inception. [72957]

**Mr. Doug Henderson:** This is a matter for the Chief Executive of the Defence Postal and Courier Services Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from B. J. Cash to Mr. Mike Hancock, dated 26 February 1999:*

I am replying to your Question to the Secretary of State for Defence about how many people are currently employed by the Defence Postal and Courier Services Agency; and what was the figure at its Inception, as this matter falls within my area of responsibility as Chief Executive of the Defence Postal and Courier Services Agency.

The number of people currently employed by the Defence Postal and Courier Services Agency as at 31 January 1999 is 574, comprising of 221 military and 353 civilians.

The number employed at its inception on 1 July 1992 was 541, comprising of 285 military and 256 civilians.

The increase in total numbers of staff is as a result of the Agency expanding its responsibilities to include some overseas locations and the absorption of the MOD Van and Mail Services in the UK.

### Army Training and Recruiting Agency

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the Army Training and Recruiting Agency published its report for 1998–99; and what was the cost of production of the report. [71904]

**Mr. Doug Henderson** *[holding answer 25 February 1999]:* This is a matter for the Chief Executive of the Army Training and Recruiting Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from C. A. Gordon to Mr. Mike Hancock, dated 26 February 1999:*

I am replying to your Question to the Secretary of State for Defence about the date of publication, and cost, of the Army Training and Recruiting Agency's report for 1998–99 as this matter falls within my area of responsibility as Deputy Chief Executive of the Agency.

The 1998–99 Annual Report and Accounts for the Army Training and Recruiting Agency are due to be published in July this year. As yet no accurate estimate of the cost of their production is available.

## NORTHERN IRELAND

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Secretary of State for Northern Ireland what assessment she has made of the impact on her Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71266]

**Mr. McFall:** Northern Ireland Departments are acting to ensure that their policies meet the needs of disabled people and that they comply with their legal requirements under the Disability Discrimination Act. Departments already take positive steps to make it easier for disabled people to make use of their services. They shall continue to do so, not only by complying fully with new duties in the Act but by aiming to exceed them where appropriate.

Northern Ireland Departments are committed to equality of opportunity and treatment and are required to promote fair treatment and avoid unfavourable impacts not only on disabled people but on other minority or disadvantaged groups. "Policy Appraisal and Fair Treatment" guidelines aim to ensure that issues of equality and equity condition policy making and actions, whether in regulatory and administrative functions or in the delivery of services to the public.

### Ministerial Visits

**Mr. Gray:** To ask the Secretary of State for Northern Ireland if she will list the parliamentary constituencies which she has visited in an official capacity in the past 12 months. [71344]

**Marjorie Mowlam** *[holding answer 15 February 1999]:* I have visited the following Parliamentary constituencies in an official capacity in the past 12 months:

*Northern Ireland*

East Antrim
North Antrim
South Antrim
Belfast, East
Belfast, North
Belfast, South
Belfast, West
North Down
South Down
Fermanagh and South Tyrone
Foyle
Lagan Valley
East Londonderry
Newry and Armagh
Strangford
West Tyrone
Upper Bann

*England*

Warrington, South

*Scotland*

Edinburgh, Central
Galloway and Upper Nithsdale
Glasgow, Kelvin
Kilmarnock and Loudoun

*Wales*

Torfaen.

### Under-age Smoking

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what plans the Government have to discourage smoking by those aged under 16 in Northern Ireland in 1999–2000. [71536]

**Mr. McFall:** The Government set out their proposals for a comprehensive strategy to tackle smoking across the United Kingdom in the White Paper "*Smoking Kills*". the White Paper identifies a range of measures that will help protect young people. These include:

minimal tobacco advertising in shops;
tough enforcement on under age sales;
proof of age cards; and
strong rules on the siting of cigarette vending machines.

A consultation paper setting out a proposed Northern Ireland implementation programme will be produced later this year and will include measures to ensure a regional focus for the proposed national public information campaign, a prime target of which will be young people.

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what the incidence was of cigarette smoking among *(a)* children under 16 and *(b)* adults in 1998 in Northern Ireland. [71535]

**Mr. McFall:** The latest available data for children's smoking are from 1997–98 and are available only for children aged 10 to 16. The latest available data for adults are from 1996–97. The incidence of cigarette smoking in Northern Ireland was *(a)* 19% among children aged 10 to 16—17% males and 21% females—and *(b)* 29% among adults—31% males and 27% females.

## PRIME MINISTER

### Overseas Publications

**Mr. Maclean:** To ask the Prime Minister, pursuant to his answer of 3 February 1999, *Official Report*, column *642*, on overseas publications, if he will deposit in the Library copies of the English versions of the articles he has written for foreign newspapers and journals. [71144]

**The Prime Minister:** We do not keep a systematic record of the final printed versions or articles written by the Prime Minister for foreign newspapers.

### Devolution

**Mr. Dalyell:** To ask the Prime Minister if he will make a statement on the continuing responsibilities of the Lord Chancellor in relation to devolution. [70848]

**The Prime Minister** *[holding answer 23 February 1999]:* The Lord Chancellor chairs the Cabinet Committee on devolution policy. Its terms of reference are:

"To consider policy and other issues arising from the Government's policies for devolution to Scotland, Wales and Northern Ireland and the regions of England and to promote and oversee progress of the relevant legislation through Parliament and its subsequent implementation."

### Correspondence

**Mr. Trend:** To ask the Prime Minister when he will reply to the letter from the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) of 14 January, on the subject of EU fraud and mismanagement. [73265]

**The Prime Minister:** I refer the hon. Member to the answer I gave him on 23 February 1999, *Official Report*, column *230*.

### Genetically Modified Crops

**Mr. Redwood:** To ask the Prime Minister on how many occasions, when he has met the Minister for Science, genetically modified foods or crops have been discussed. [73025]

**The Prime Minister** *[holding answer 25 February 1999]:* I have regular meetings with Ministerial colleagues and others on a wide range of subjects. As with previous administrations it is not my practice to provide details of confidential discussions.

**Mr. Redwood:** To ask the Prime Minister on how many occasions, he or his officials have held discussions with *(a)* Monsanto, *(b)* Novartis and *(c)* Agrevo. [73036]

**The Prime Minister** *[holding answer 25 February 1999]:* I refer the right hon. Member to the reply I gave to the hon. Member for South Suffolk (Mr. Yeo) on 23 February 1999, *Official Report*, columns *232–33*.

## CULTURE, MEDIA AND SPORT

### Millennium Dome

**Mr. McWalter:** To ask the Secretary of State for Culture, Media and Sport what plans the NMEC has to offer concessionary tickets to the Millennium Experience to families on means-tested benefits. [69672]

**Janet Anderson:** The New Millennium Experience Company's (NMEC) ticketing strategy and pricing structure aims to ensure that as many people as possible who wish to visit the Dome will be able to do so. The structure will include a range of group, family, student and other discounts. In addition, the company is working closely with the travel trade to ensure that attractive packages combining travel and Dome entry are available. In drawing up its pricing structure and discount categories the Company has been informed by the experience and systems of other major visitor attractions both in the public and private sectors. Concessionary tickets for families on means-tested benefits is not standard practice and would be particularly difficult to introduce in a way that would prevent abuse. The NMEC does not therefore propose to introduce such concessions. The Government, and the Millennium Commission, have endorsed this approach.

**Mr. Vaz:** To ask the Secretary of State for Culture, Media and Sport how many applications have been made for *(a)* branded restaurants and *(b)* other catering facilities at the Dome. [67267]

**Janet Anderson:** The New Millennium Experience Company (NMEC) announced on 18 December agreement with Granada Food Services Ltd., and Letheby Christopher for the provision, respectively of public service catering and hospitality catering. On 26 January the NMEC announced contracts for ten branded catering outlets at the Dome. Contracts for the remaining catering outlets will be announced shortly. The process prior to the appointment of these caterers involved the company in discussions with about one hundred potential caterers; the issue of thirty-one invitations to tender; and interviews with and presentations from sixteen companies in support of their tenders.

### English Sports Council

**Mr. Spring:** To ask the Secretary of State for Culture, Media and Sport what percentage of the English Sports Council's grant-in-aid was spent on *(a)* staff costs, excluding national centres, *(b)* administrative expenses, *(c)* publicity/promotions/communications, *(d)* grants to national governing bodies, *(e)* grants to the National Coaching Foundation, *(f)* sports science, *(g)* sports medicine, *(h)* national centres, *(i)* grants to other national sports bodies, excluding NGBs and *(j)* regional support in (i) 1997–98, (ii) 1998–99 and (iii) what are the provisional spending plans for 1999–2000 to 2001–02. [71745]

**Mr. Banks** *[holding answer 22 February 1999]:* The information the hon. Member requested on the English Sports Council's grant-in-aid expenditure is included in the following table.

*Percentage*

| *English Sports Council* | *Actual 1997–98* | *Est. 1998–99* | *Prov. 1999–2000* | *Prov. 2000–01* | *Prov. 2001–02* |
|---|---|---|---|---|---|
| Regional Development and Field Staff | 12 | 13 | 13 | 13 | 13 |
| National Development and Field Staff | 4 | 4 | 5 | 5 | 5 |
| Public Information/Communication/Research | 2 | 2 | 2 | 2 | 2 |
| Corporate services (Finance/IT/Audit/Human Resources/Office Services) | 5 | 6 | 6 | 6 | 6 |
| Total Staff Costs | 24 | 25 | 26 | 26 | 26 |
| *Administrative Expenses* Rent/Rates/Running Costs | 6 | 11 | 9 | 9 | 9 |
| *Publicity/Promotion/Communications* Communications Programme | 4 | 4 | 3 | 3 | 3 |
| *Grants to National Governing Bodies* Complementing Grant in Aid provided by UKSC | 19 | 17 | 19 | 19 | 19 |
| *Grants to National Coaching Foundation* Complementing Grant In Aid provided by UKSC | 5 | 5 | 4 | 4 | 4 |
| *Sports Science/Sports Medicine* Complementing Grant In Aid provided by UKSC Sports Medicine | 2 | 1 | 2 | 2 | 2 |

*Percentage*

| *English Sports Council* | *Actual 1997–98* | *Est. 1998–99* | *Prov. 1999–2000* | *Prov. 2000–01* | *Prov. 2001–02* |
|---|---|---|---|---|---|
| *National Centres* | 8 | 10 | 10 | 10 | 9 |
| Total Net Costs | | | | | |
| *Grants to Other National Sports Bodies excluding NGBs* | 5 | 5 | 5 | 5 | 5 |
| Includes the following: | | | | | |
| Central Council for Physical Recreation | | | | | |
| Sports Aid Foundation | | | | | |
| Commonwealth Games Council for England | | | | | |
| Community Sports Leadership Award Scheme | | | | | |
| Youth Sport Trust | | | | | |
| English Federation of Disability Sports | | | | | |
| National Youth Games | | | | | |
| Panathlon Foundation | | | | | |
| *Regional Support* | 27 | 23 | 23 | 23 | 23 |
| Includes the following: | | | | | |
| Regional Grants | | | | | |
| Facility Planning and Development | | | | | |
| Equity (including Disability Grants) | | | | | |
| Volunteer and Community Development Work | | | | | |
| Total | 124 | 125 | 126 | 126 | 126 |

## BBC

**Mr. Maclean:** To ask the Secretary of State for Culture, Media and Sport what representations he has made to the BBC about the amount of money they intend to spend on their Internet and on-line services. [72678]

**Janet Anderson** *[holding answer 24 February 1999]*: None. In granting approval for the launch of BBC Online, my right hon. Friend was satisfied that proposed expenditure on BBC Online represented effective value for money in delivering a key part of the BBC's public service remit.

**Mr. Maclean:** To ask the Secretary of State for Culture, Media and Sport (1) if he will list the representations he has made to the BBC on political content since 1 May 1997; [73689]

(2) what representations he has made to the BBC concerning the programme, "One Man and His Dog". [73691]

**Janet Anderson:** None.

## Radio Licences

**Mr. Laurence Robertson:** To ask the Secretary of State for Culture, Media and Sport if he will list the Statutory Instruments made under paragraph 11(5) of Part III of Schedule 2 of the Broadcasting Act 1990; and what plans he has for further statutory instruments under that provision. [73146]

**Mr. Chris Smith:** Paragraph 11(5) of Part III of Schedule 2 of the Broadcasting Act 1996 sets out the restrictions on participation in companies holding digital radio multiplex licences. There have been no Statutory Instruments under that paragraph to date. As my hon. Friend the Minister for Tourism, Film and Broadcasting announced on 28 January 1999, *Official Report*, columns *322–23*, I intend to lay an order revising these restrictions before the House shortly.

**Mr. Laurence Robertson:** To ask the Secretary of State for Culture, Media and Sport what plans he has to consult on the relaxation of restrictions on ownership of national *(a)* analogue radio licences and *(b)* digital radio multiplex licences. [73145]

**Mr. Chris Smith:** I consulted broadcasters, broadcast regulators, consumer groups and other interested parties on the relaxation of the restrictions on participation in companies holding digital radio multiplex licences on 26 November last year. I have no immediate plans to consult on the present restrictions on the ownership of analogue radio licences.

## Religious Broadcasting

**Mr. Laurence Robertson:** To ask the Secretary of State for Culture, Media and Sport (1) which *(a)* bodies and *(b)* individuals advise the (i) Independent Television Commission and (ii) Radio Authority on religious broadcasting; [73147]

(2) who appoints members of the Central Religious Advisory Committee; and if he will list the membership of that body. [73195]

**Janet Anderson:** The Central Religious Advisory Committee (CRAC) advises the Independent Television Commission, the Radio Authority and the BBC on policy matters relating to religion. The members of the Committee are appointed by the ITC and the BBC. The membership of CRAC is as follows.

| *Membership* | |
|---|---|
| *Chirman* | |
| The Most Reverend and Rt. Hon. Dr. David Hope | Anglican Archbishop of York |
| *Deputy Chairman* | |
| The Rt. Rev. Peter Smith | Catholic Bishop of East Anglia |
| *Members* | |
| Sister Helen Costigane SHJC | Lecturer in Christian Ethics, Heythrop College London Roman Catholic |
| The Rev. Joel Edwards | General Director, Evangelical Alliance. Pastor in the New Testment Church of God |
| The Rev. Emma Hebblethwaite | Chaplain of Kings College Cambridge Anglican |
| The Rev. Brian Howell | Minister of Kelvin Grove Christian Fellowship House Church |
| Dr. Musharaf Hussain | Director of the Karimia Institute Muslim |
| The Rt. Rev. Harold Miller | Church of Ireland Bishop of Down and Dromore |
| The Reverend Andrew McLellan | Minister of St. Andrew and St. George, Edinburgh. Former convenor of the Church and Nation Committee of the Church of Scotland |
| The Very Rev. Gilleasbuig Macmillan | Minister of St. Giles Cathedral, Edinburgh Church of Scotland |
| Dr. Darshan Sachdev | Senior Research Officer, Barnado's Hindu |
| Mr. Indarajit Singh | Director, UK Network of Sikh Organisations |
| Diana St. Ruth | Publisher and writer Editor of Buddism Now |
| The Rev. Ian Tutton | Tutor in Christian Doctrine South Wales Baptist College |
| The Rev. Michael Wilkinson | Methodist Minister and Chaplain at Kingswood School, Bath |

## LORD CHANCELLOR'S DEPARTMENT

### Kent Magistrates' Courts' Committee

**Mr. Marshall-Andrews:** To ask the Minister of State, Lord Chancellor's Department if he will list incidents of *(a)* fraud and *(b)* gross mismanagement reported or referred to (i) his Department and (ii) HM Magistrates' Courts' Inspectorate relating to (1) payments by and (2) funding of the Kent Magistrates' Courts' Committee from 1 January 1996 to date. [72655]

**Mr. Hoon:** One potential incident has been reported in respect of the Kent MCC. It has not yet been resolved. There have been exchanges between the Department, the Magistrates' Courts' Inspectorate, the Magistrates' Court Committee and the paying authority and advice has been given and recommendations made. What further action is needed will depend on decisions by the MCC and the paying authority in the light of legal advice they have taken.

## ENVIRONMENT, TRANSPORT AND THE REGIONS

### Genetically Modified Crops

**Mr. Yeo:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the applications he has received for commercial planting of genetically modified crops since 1 May 1997. [72207]

**Mr. Meacher:** Applications for commercial planting of genetically modified crops need to be submitted to a Member State acting as a competent authority under Directive 90/220/EEC. The UK has not directly received any such applications. It has received dossiers forwarded from other competent authorities for an opinion on whether approval should be granted, as follows:

| *Date submitted* | *Competent authority* | *Notifier* | *Description of GMO* | *Scope of application* |
|---|---|---|---|---|
| 24 October 1997 | Denmark | I.F Trifolium A/S Monsanto Europe SA Danisco Seed | Fodder beet modified for tolerance to glyphosate herbicides | Production of fodder beet in EC |
| 17 December 1997 | Spain | Monsanto Europe | Cotton modified for tolerance to glyphosate herbicides | The same purposes as non GM commercial cotton varieties |
| 17 December 1997 | Spain | Zeneca Plant Science | Tomatoes modified for delayed ripening | Manufacture into food products |
| 17 December 1997 | Spain | Monsanto Europe | Cotton modified for insect resistance | The same purposes as non-GM commercial cotton varieties |
| 23 June 1998 | Netherlands | Dekalb Genetics Corporation | Maize modified for resistance to European corn borer and for tolerance to glufosinate-ammonium herbicides | The same purposes as non-GM maize grain and processed maize products |
| 14 August 1998 | Netherlands | Florigene Europe BV | Carnations modified for increased vaselife | For production of cut flowers and horticulture |
| 14 August 1998 | Netherlands | Florigene Europe BV | Carnations modified for altered flower colour | For production of cut flowers and horticulture |

**Mr. Yeo:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list by *(a)* title, *(b)* name of author and *(c)* date of receipt the advice that he has received about the (1) environmental and (2) health consequences of the (i) growth and (ii) sale of genetically modified crops in the United Kingdom; and if he will publish that advice. [73511]

**Mr. Meacher:** The Secretary of State is advised on the environmental and health consequences of genetically modified crops by the Advisory Committee on Releases to the Environment (ACRE). The Committee publishes an annual report which is available in the Library. DETR and the Committee have also produced a series of guidance notes and DETR has produced a number of research reports to inform ACRE's advice. These are all published and are listed in the annual reports.

The Deliberate Release legislation requires the Secretary of State to seek advice from ACRE on all consent applications. ACRE advise as to whether or not a consent should be granted and the conditions which should be attached to a consent. As the legislation requires certain information to be made available to the public, DETR maintains a public register of all consent applications and the advice on them from ACRE.

English Nature has also published advice calling for the regulatory process to include an assessment of the risks to wildlife in its "Position Statement on Genetically Modified Organisms", which is also available in the Library.

## Greater London Authority

**Ms Buck:** To ask the Secretary of State for the Environment, Transport and the Regions where the new Greater London Authority will be located; and if he will make a statement. [73922]

**Mr. Raynsford:** I have decided to proceed with the scheme for a new building on the London Bridge City site proposed by CIT Markborough Ltd., incorporating an outstanding design by Foster and Partners. The building, on a major brown field site on the south bank of the River Thames, by Tower Bridge, will be very energy efficient, include the provision of significant civic space in and around the building and improve public access to the river.

We shall be working with the developer and his architect over the coming weeks to develop the building design taking account of comments that have been expressed about it, and to agree the detailed terms on which the building will be available. Subject to a satisfactory resolution of these discussions and the developer's securing planning permission quickly, I anticipate that the building will be ready for occupation in 2001.

This concludes a major and very competitive search for a suitable location for the headquarters of the Greater London Authority (GLA). From a long list of 55 initial sites, we invited the developers of seven sites to submit outline proposals which, after a careful assessment, was reduced to a short-list of two. The developers were then invited to submit detailed designs by two of the country's leading architects, for London Bridge City and Victoria House in Bloomsbury Square to show how they would meet the GLA's needs.

Both schemes have since been carefully assessed against the following criteria: location, interior and external design concepts, accessibility, operational suitability, the impact on the environment and value for money. I have also taken into account the views of my design advisory group and the views of Londoners who were invited to give an opinion on both schemes when visiting exhibitions about them late last year.

The new building will not be ready before the Greater London Authority assumes its responsibilities on 3 July 2000. We are currently considering the options for accommodating the new Authority in the interim period and I will make a further announcement in due course.

## Wheelchair Access

**Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with bus companies about introducing wheelchair-accessible low-level buses; what plans he has to speed up the introduction of such buses; and if he will make a statement. [73141]

**Ms Glenda Jackson:** We are introducing regulations under the Disability Discrimination Act 1995 for all new buses to be wheelchair accessible. An informal consultation on regulations to require improved access to buses and coaches took place in 1998. Copies of the consultation document were circulated widely, including to all bus and coach operators. Meetings were also held with representatives of both manufacturing and operating industry; and a formal consultation on the draft regulations is planned for this year.

The regulations will progressively require a lower first step height, provision for wheelchair users and other passengers with a wide range of disabilities, starting in January 2000. End dates are also being proposed for all regulated buses and coaches to ensure that over a reasonable timescale they all become fully accessible.

**Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with local councils about the design of kerbs with regard to wheelchair accessibility; if he has discussed kerb design with charities for the blind; and if he will make a statement. [73142]

**Ms Glenda Jackson:** The Department first issued advice on dropped kerbs almost twenty years ago. Last month we issued new technical guidance to local authorities "Guidance on the use of tactile paving surfaces". The first chapter of that document deals with the design of dropped kerbs for wheelchair users and the provision of tactile paving at such installations to warn blind and partially sighted people that they have reached the edge of the footway. The advice was produced after consultation with local authorities, disability organisations, including those representing blind and partially sighted people, and other interested parties.

We propose to support the advice contained in this document on dropped kerbs with a Traffic Advisory Leaflet which will be issued to local authorities. The leaflet should be available later this year.

**Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce legislation to ensure that all new buildings have wheelchair access to all floors via front and back doors. [73137]

**Mr. Raynsford:** Part M of the Building Regulations, which applies to all new buildings, requires that reasonable provision shall be made for disabled people to gain access to and to use the building. The Approved Document which gives guidance on meeting this requirement says that the requirement will be met by making it reasonably safe and convenient for disabled people: to gain access to and within buildings other than dwellings and to use them; and from 25 October 1999 to be able to visit new dwellings and to use the principal storey. For the purposes of Building Regulations disabled people are defined as people who have an impairment which limits their ability to walk or which requires them to use a wheelchair for mobility or who have impaired hearing or sight.

The provisions for access and facilities in buildings other than dwellings are for the benefit of disabled people who are visitors to the building or who work in it. One of the objectives of Part M is that disabled people should be able to use the principal entrance provided for visitors or customers and an entrance which is intended, exclusively, for members of staff. The provisions are not described in terms of front and back doors. Another objective of Part M is that in designing buildings, it is important that disabled people are able to reach the facilities that are provided within them and to use them. To this end reasonable provision is to be made for vertical circulation within a building other than a dwelling.

In view of this, I have no plans to introduce further legislation.

### Train Information (Blind People)

**Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with Railtrack regarding the displaying of information which can be understood by blind people; what discussions he has had regarding the quality of broadcasts made on stations about the relaying of train information; and if he will make a statement. [73144]

**Ms Glenda Jackson:** We work closely with Railtrack on a wide range of issues affecting the needs of disabled rail travellers, including those who are blind. Railtrack, in common with other service providers, are subject to the provisions of Part III of the Disability Discrimination Act 1995. From October 1999, service providers will have to take reasonable steps to change practices, policies or procedures which make it impossible or unreasonably difficult for disabled people to use a service and provide auxiliary aids or services, for example induction loops or information in Braille, which would enable disabled people to use a service.

My Department (in collaboration with representative bodies of local authorities and the professional institutions) is also producing advice for service providers in the transport sector on best practice in meeting the needs of disabled people. That advice, which is due to be published later this year, will include guidance on both audible and visual information.

### Foleshill Gasworks

**Mrs. Shephard:** To ask the Secretary of State for the Environment, Transport and the Regions if he will give the reasons for not calling in the planning applications for a new ground for Coventry City Football Club, retail and other development at Foleshill Gasworks. [73564]

**Mr. Prescott:** It is not my Department's practice to give reasons for not calling in planning applications. The Courts have endorsed this view.

Under the Town and Country Planning Act 1990, my power to call in planning applications is discretionary and I exercise it very selectively. My policy is not to interfere with the jurisdiction of local planning authorities unless it is necessary to do so.

Having had regard to our procedures and all our planning policy guidance, I did not consider that it was appropriate to call in the application for Arena 2000.

### Water Companies (Investment Programmes)

**Mr. Ian Stewart:** To ask the Secretary of State for the Environment, Transport and the Regions when he will decide the detailed investment programmes for water companies to undertake between 2000 and 2005; and if he will make a statement. [74163]

**Mr. Meacher:** The Government published "Raising the Quality" on 23 September 1998. This document gave guidance to the Director General of Water Services on the environmental and quality objectives to be achieved by the water industry between 2000 and 2005.

The Director General of Water Services requested that decisions on the detailed programmes needed to achieve these objectives should be made by the end of February, to enable water companies to prepare their business plans.

I shall make a detailed announcement on Monday of the investment programmes to be delivered by 2005. The terms of the announcement will be placed in the Library of the House.

## EDUCATION AND EMPLOYMENT

### LEAs (Competitive Bidding)

**Mr. Don Foster:** To ask the Secretary of State for Education and Employment how many bids in respect of the initiatives in *(a)* 1998–99 and *(b)* 1999–2000 involving competitive bidding from local education authorities were (i) made and (ii) successful in each education action zone. [63981]

**Ms Estelle Morris:** Table 1 shows the bids from local education authorities for schools in education action zones for the School Inclusion: Pupil Support Standards Fund Grant 1999–2000. Table 2 shows bids from local education authorities for the Early Excellence Centre Programme.

There are no other initiatives for which this information can be given as bids are either: (i) made by local authorities but not in respect of named schools; or (ii) made by local education authorities in respect of named schools, but the information on which schools is not held by the department and/or identifying them would incur disproportionate cost.

*Table 1: Social inclusion: pupil support standards fund grant 1999–2000*

| *Name of EAZ* | *Name of school* | *Successful bid (Y/n)* |
|---|---|---|
| *1998 Starters* | | |
| Middlesbrough | Keldholme Comprehensive | Yes |
| | Langbaurgh Comprehensive | Yes |
| | Ormesby Comprehensive | Yes |
| | St Anthony's RC School | Yes |
| | Brackenhoe Comprehensive | Yes |
| Leicester | Mary Linwood School | No |
| Newham | Eastlea Community School | No |
| Blackburn with Darwen | Queen's Park High School | Yes |
| *1999 Starters* | | |
| Halifax | Mixenden Junior and Infant School | Yes |
| | Halifax High School | Yes |
| | South Halifax High School | No |
| Kingston upon Hull | Perronet Thompson School | No |
| | Winifred Holtby School | No |
| Plymouth | Marlborough Primary School | Yes |
| | Tamarside Community College | Yes |
| North Southwark | Aylwin Girls' School | Yes |
| | Geoffery Chaucer School | Yes |

*Note:*

The data are for bids by local education authorities for schools to receive targeted support under section 19a of this grant (paragraph B214 of DfEE Circular B198)

*Table 2: Bids made for early excellence centre in education action zones for 1998–99*

| *Name* | *Status of bid* |
|---|---|
| Sheffield | Successful |
| South Tyneside | Successful |
| Barnsley | Unsuccessful |
| Salford and Trafford | Unsuccessful |
| Plymouth | Unsuccessful |

## Au Pairs

**Mr. Dismore:** To ask the Secretary of State for Education and Employment what plans he has to regulate the use of au pairs for childcare; and if he will make a statement. [71974]

**Ms Hodge:** Following our consultation on the regulation of day care services, we are considering the scope of the regulatory framework and will announce our plans in due course.

## Class Sizes

**Mr. Webb:** To ask the Secretary of State for Education and Employment how many children aged 8 to 11 years in South Gloucestershire were in classes of *(a)* 35 or above and *(b)* 31 or above in (i) September 1996, (ii) September 1997 and (iii) September 1998. [69694]

**Ms Estelle Morris:** The available information for January 1996–98 and September 1998 is shown, information for September was collected for the first time in 1998.

*Number of pupils in classes taught by one teacher in maintained primary schools by key stage and size of class*

| | *Key Stage 1 Size of class* | | *Key Stage 2 Size of class* | |
|---|---|---|---|---|
| *South Gloucestershire Local Education Authority Area* | *31 or more* | *36 or more* | *31 or more* | *36 or more* |
| January 1996 | 3,361 | 225 | 5,214 | 407 |
| January 1997 | 3,752 | 329 | 5,525 | 365 |
| January 1998 | 3,391 | 295 | 5,882 | 438 |
| September 1998 | 1,387[1] | — | — | — |

[1] Estimate uprated from returns from 99 per cent. of primary schools with at least one infant class taught by one teacher

— Not available

## Education SSAs

**Mr. MacShane:** To ask the Secretary of State for Education and Employment what is the secondary school (11 to 15) standard spending assessment per pupil in *(a)* City of London and *(b)* Rotherham; and if he will make a statement. [72958]

**Ms Estelle Morris:** £9,837 for the City of London and £2,891 for Rotherham when calculated using the overall secondary SSA and the number of pupils aged 11–15 educated by each authority. However, after stripping out the effect of the SSA element for resident pupils, the difference between the two authorities would fall to 1.6:1, which in this case is a better measure of the real difference in secondary SSA funding per pupil.

**Mr. MacShane:** To ask the Secretary of State for Education and Employment if he will list for each English local authority the percentage of the standard spending assessments for education per pupil for *(a)* primary schools and *(b)* secondary schools which was transferred by the local education authority to schools in the last year for which figures are available. [72885]

**Ms Estelle Morris:** This question cannot be answered in the form in which it has been tabled. Education SSAs have a wider coverage than funding which is delegated to primary and secondary schools. They have to cover costs such as home-to-school transport, school meals, special schools, and some central costs which cannot be delegated to schools, such as the LEA contribution to the Standards Fund. In addition, pupils are counted at different dates for the purposes of calculating education SSAs and delegated school funding respectively.

## Education Budget (Staffordshire)

**Dr. Tony Wright:** To ask the Secretary of State for Education and Employment how much new spending on education in Staffordshire since May 1997 has resulted from *(a)* changes in the standard spending assessment distribution, *(b)* ring-fenced programmes and *(c)* other central Government funding. [73111]

**Ms Estelle Morris:** The following table sets out the information requested.

| | £ million |
|---|---|
| SSA distribution changes | 2.1 |
| Extra ring-fenced programmes | 23 |
| Other central government funding | 10.7 |

*Notes:*

1. Education SSAs were changed in 1998–99 to distribute the under fives sub-block on the basis of provision rather than population.

2. The increase in ring-fenced funding through the Standards Fund includes the LEA contribution, as well as Government grant. For most Standards Fund grants in 1997–98 the DfEE contribution was 60 per cent., whereas in 1998–99 it was 50 per cent.

3. Other central government funding consists of additional loan sanction above the 1997–98 baseline figure and the New Deal for Schools to fund additional investment in school buildings. New Deal for Schools grant was fully funded by DfEE.

### Wheelchair Access

**Mr. Laurence Robertson:** To ask the Secretary of State for Education and Employment what percentage of Employment Service offices are accessible by wheelchair. [73143]

**Mr. Blunkett:** Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

*Letter from Richard Foster to Mr. Laurence Robertson, dated 25 February 1999:*

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply direct to your question concerning the percentage of Employment Service offices that are wheelchair accessible. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Agency. I am replying in his absence.

For each of the past three years, the Employment Service has carried out an annual audit of the progress on its planned programme of works to improve the accessibility of Employment Service offices to people with disabilities. The annual audit is undertaken to ensure that we comply with the requirements of the Disability Discrimination Act within the timescales set. The audit indicates whether our buildings have wheelchair access, loop hearing and disabled toilets.

The latest audit results show that from a total of 1180 premises, 93% have either equal or special wheelchair access for clients. The remaining 7% which do not allow wheelchair access offer alternative arrangements for access to our services, to clients with special needs, either arranging interviews at a nearby office with disabled access or by visiting clients in their homes. Of these offices, there are proposals to remedy difficulties in 12 of them next year. The remaining offices will present longer term difficulties because structural or other constraints mean that it is not possible to replace steps with ramps, or the office is located on an upper floor of a building where it is not physically possible to install a lift or chair lift.

We are of course, exploring all feasible means of overcoming these obstacles to access. Some 64% of Jobcentres have disabled toilets, and 72% have loop hearing facilities. It is planned to increase the provision to 66% and 90% respectively by April 1999 as part of our planned improvement programme.

I hope that this information will help reassure you that the Employment Service is doing all it practically can to provide access to its buildings for people with disabilities.

### Didbrook School

**Mr. Laurence Robertson:** To ask the Secretary of State for Education and Employment, pursuant to his answer of 16 February 1999, *Official Report*, column *706*, what figures have been submitted by Gloucestershire County Council to his Department as to the cost of upgrading Didbrook School, following the proposed closure of Toddington School and a subsequent amalgamation of the two schools on the Didbrook site. [73156]

**Ms Estelle Morris:** Gloucestershire County Council has indicated that the overall gross capital cost of implementing these proposals would be £670,700, offset by capital receipts of some £244,000 and savings in recurrent expenditure.

## FOREIGN AND COMMONWEALTH AFFAIRS

### India (Christians)

**Mr. Laurence Robertson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of India regarding attacks made on Christians; if he has discussed the provision of protection for India's Christians; and if he will make a statement. [73148]

**Mr. Fatchett:** I refer the hon. Member to the answer given to my hon. Friend the Member for Leicester, East (Mr. Vaz) on 28 January 1999, *Official Report*, columns *395–96*.

### Panel 2000

**Mr. Soames:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the members of the Panel 2000 Task Force, on how many occasions it has met since its establishment; who was present at each meeting; what was discussed; what its work in progress is; and what conclusions it has reached to date. [72966]

**Mr. Fatchett** *[holding answer 25 February 1999]:* The members of Panel 2000 are listed. There have been five plenary meetings of the Panel; members, or their representatives, were present as indicated. Panel members received no fee. Additional ideas were generated by sub-groups and input from others in the public and private sectors. The work of the Panel is reflected in a Consultation Document published on 10 September 1998 and placed in the Libraries of both Houses. Following the consultation period the Panel met on 17 December and confirmed the recommendations it had contained. These are now in the process of being implemented, with the contribution of expertise from individual Panel members.

*Attendance by member (X) or representative (R)*

| *Member* | *1 April* | *6 May* | *11 June* | *29 June* | *17 December* |
|---|---|---|---|---|---|
| Derek Fatchett MP | X | X | X | X | X |
| Lord Alli | X | X | | X | |
| Zeinab Badawi | X | X | X | X | X |
| Martin Bell MP | | X | X | X | X |
| Baroness Blackstone | X | X | | | |
| Baroness Chalker | | | R | X | X |
| Lord Clinton-Davies | X | X | | | X |
| Frances de Souza | X | X | | X | X |
| David Drewry/Tom Buchanan | X | X | X | X | X |
| Mark Fisher MP | R | X | X | | |
| Andrew Fraser | X | R | X | X | X |
| Claire Fulton | X | X | | X | X |
| Priya Guha | X | X | X | X | X |
| Tom Harris | X | X | | X | X |
| Sir Michael Jay | X | X | | X | |
| David John | | R | X | X | X |
| Sir John Kerr | X | X | X | X | R |
| Mark Leonard | X | X | X | X | |
| Lord Levy | X | X | X | X | |
| Roger Liddle | X | X | X | X | |
| Vivien Life | X | X | X | X | X |
| Peter Mandelson MP | X | | | X | |
| Lord Marshall | | R | R | R | R |
| Ruth Mackenzie | | | X | | |
| Lord Paul | X | X | X | X | X |
| David Quarmby | R | X | X | R | X |
| Shahwar Sadeque | X | X | X | X | |
| Judy Simpson | X | R | X | | |
| John Sorrell | X | X | X | X | X |
| Martin Sorrell | | | X | | X |
| Baroness Symons | X | | | | |
| Harriet Ware-Austin | X | X | X | | |

### Departmental Expenditure

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to reduce the central administration costs of his Department. [73270]

**Mr. Fatchett** *[holding answer 25 February 1999]*: The Department's efficiency programme is set out in the White Paper "Public Services for the Future: Modernisation, Reform, Accountability" (Cm 4181, page 77). It includes consolidation of business units that supply services within the FCO into a Service Organisation which will lead to a smaller central administration. Together with on-going efficiency reviews and further devolution of budgets for support services to operational consumers, these changes are expected to yield efficiency gains of some £7 million by 2001–02.

**Mr. Malcolm Bruce:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the total expenditure of his Department on *(a)* property and land purchases and *(b)* vehicle purchases, from 1 April 1997 to the latest date for which information is available; and what expenditure on property purchases is planned for the next two years. [72813]

**Mr. Fatchett** *[holding answer 25 February 1999]*: Since 1 April 1997 the total expenditure by the FCO on *(a)* property and land purchases was £9.41m and on *(b)* vehicles £7.42m. We are planning to buy property in the next two years but, if we were to announce the details in advance, it could prejudice our ability to secure better value for money. Decisions to purchase will be taken in the light of value for money considerations including local market conditions, prevailing exchange rates and if, it is a replacement property, the ability to sell the existing building.

### Pakistan

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the USA about the request by Pakistan to lift the restrictions under the Pressler amendment. [73273]

**Mr. Fatchett** *[holding answer 25 February 1999]*: We have made no such representations.

### Indonesia

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Indonesian Government concerning the investigation into the deaths of Malcolm Rennie and Brian Peters. [73272]

**Mr. Fatchett** *[holding answer 25 February 1999]*: We have regularly raised the matter of the deaths in 1975 of the British journalists at Balibo, East Timor, with the Indonesian government. I did so with President Habibie in October and he undertook to look into the matter again.

### Privatisations

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to privatise the provision of *(a)* language training, *(b)* translation, *(c)* interpretation, *(d)* IT, *(e)* deployment

of security officers, *(f)* security vetting procedures, *(g)* conference organising and *(h)* visit organising and *(i)* printing and publishing. [73271]

**Mr. Fatchett** *[holding answer 25 February 1999]:* With the exception of London based security guards (intended to be privatised next year), there are no plans for wholesale privatisation of any FCO support services.

### Human Rights Workshop (New Delhi)

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Human Rights Workshop organised by the UN High Commissioner's office in New Delhi. [73193]

**Ms Quin** *[holding answer 25 February 1999]:* Our High Commission in New Delhi has had contacts with some of the participants in the workshop, which was organised by the Indian Government and opened by the UN High Commissioner for Human Rights. The High Commission was not invited to attend the workshop.

### Technology Export Curbs (Russia)

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of allegations that Russian companies have broken curbs on technology exports. [73253]

**Ms Quin** *[holding answer 25 February 1999]:* We are concerned that a number of Russian companies and institutions may have exported technology and goods to organisations in countries of proliferation concern. Our concerns have been raised with the Russians by Ministers and officials.

Leakage of this kind is to not consistent with Russia's commitments under the terms of the export control regimes of which Russia is a member.

Intelligence constraints prevent us naming any institutions which we suspect of involvement in technology leakage.

### Middle East Conference

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy towards the Palestinian Authorities' request for an international conference to discuss 4 May 1999. [73192]

**Mr. Fatchett** *[holding answer 25 February 1999]:* We have received no request from the Palestinian Authority for a conference to discuss 4 May, nor are we aware of any such conference.

### British Embassies

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs on what date he authorised the creation of a new organisation to supply logistical support to British embassies. [73269]

**Mr. Fatchett** *[holding answer 25 February 1999]:* Setting up a Service Organisation to deliver service to the FCO and Posts abroad was agreed as part of the CSR process in March 1998, and included in the CSR Implementation Plan given to Parliament.

### China

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Chinese Government concerning *(a)* the ratification of the International Covenant on Economic, Social and Cultural Rights, *(b)* the detention of political prisoners, *(c)* the policy of re-education through labour and *(d)* the China Democracy Party. [73194]

**Mr. Fatchett** *[holding answer 25 February 1999]:* Through our bilateral human rights dialogue, we have urged China to ratify and implement the International Covenant on Economic Social and Cultural Rights, suggested reforms to the system of re-education through labour and raised the cases of individuals detained in China, including a review of the cases of all those detained for "counter-revolutionary" offences. The recent imprisonment of pro-democracy activists is unacceptable. We have made our views clear to the Chinese authorities, both bilaterally and in conjunction with EU partners and others. I have also raised our concerns with the Chinese Ambassador.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on human rights in China. [73276]

**Mr. Fatchett** *[holding answer 25 February 1999]:* We continue to have many serious concerns about human rights in China, and the recent imprisonment of Chinese pro-democracy activists is a particularly worrying development. We have been addressing these concerns directly with the Chinese authorities through the continuing bilateral and EU human rights dialogues. With our EU partners, we are reviewing the progress made in these dialogues and shall be deciding in due course what position the EU will take on China at the forthcoming UN Commission on Human Rights.

**Mr. Mullin:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with other EU foreign ministers regarding human rights in China and the possibility of a resolution on the subject at the United Nations; and if he will make a statement. [73245]

**Mr. Fatchett:** We are concerned at recent developments in the area of human rights in China. We are in regular contact with our EU partners on how best to bring about positive change there. Together with our partners, we are reviewing the progress made in our dialogue with the Chinese authorities on this subject, and shall be deciding in due course what position the EU will take at the UN Commission on Human Rights.

### Yemen Trial

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the findings of Dr. Christopher McIlroy following his examination of the five British citizens on trial in the Yemen. [73274]

**Mr. Fatchett** *[holding answer 25 February 1999]:* The decision to publish Dr. McIlroy's report belongs to the families and representatives of those detained, who commissioned the report.

### Morocco

**Mr. Woolas:** To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he has taken to secure a copy of the autopsy report and other information relating to the death of Sara Barhandi in Morocco and to make that available to her family. [73082]

**Mr. Fatchett:** The British Consulate-General in Casablanca has obtained copies of the police and autopsy reports into the death of Sara Barhandi. Copies of these reports are being sent to the FCO and will be forwarded to Sara Barhandi's mother as soon as possible.

**Mr. Woolas:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Morocco requesting an inquest into the reported death of Sara Barhandi. [73081]

**Mr. Fatchett:** None. The autopsy report shows that Sara Barhandi died of natural causes.

### EU Commissioners

**Mr. Trend:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made on the suitability of *(a)* Padraig Flynn, *(b)* Edith Cresson and *(c)* Manuel Marin as EU Commissioners; and if he will make a statement. [73178]

**Ms Quin:** None. The Committee of the Wise set up by the European Commission and European Parliament is to establish by 15 March the extent to which the Commission, either collectively or individually, bears responsibility for the recent allegations of fraud, mismanagement and nepotism.

## AGRICULTURE, FISHERIES AND FOOD

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71270]

**Mr. Morley:** The Department has already taken positive steps to meet the needs of disabled people using its services—for example, the provision of information in alternative formats such as Braille where requested—and is improving access to its buildings. These efforts will continue to ensure compliance with the law and wherever possible, best practice.

The Department has in place guidance on mainstreaming to ensure that all new and existing policies are assessed for any adverse impact on different groups. Policies must comply with the law, and action taken to remove or reduce any adverse impact on these groups where necessary. This complements the guidance "Policy Appraisal for Equal Treatment" which the Cabinet Office issued to all Government Departments last November.

### Flood Defences (Edgware and Burnt Oak)

**Mr. Dismore:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on progress on the flood defence plans for Edgware and Burnt Oak. [72296]

**Mr. Morley:** The Ministry provided the Environment Agency with feedback in January on the technical, economic and environmental aspects of their outline flood alleviation strategy for the whole of the Silk Stream Catchment. The Agency are continuing to prepare a more detailed strategy with a view to obtaining the necessary approvals.

### Mink

**Mr. Swayne:** To ask the Minister of Agriculture, Fisheries and Food if he will write to appropriate district councils and other relevant authorities outlining his Department's contingency plan for dealing with the release of large numbers of farmed mink. [72280]

**Mr. Morley:** Officials are in correspondence with appropriate local authorities and arranging meetings to discuss contingency plans in respect of released mink.

### Biosafety Protocol, Colombia

**Ms Walley:** To ask the Minister of Agriculture, Fisheries and Food who will represent his Department at the Biosafety Protocol meeting in Colombia; and if he will make a statement. [72226]

**Mr. Rooker:** I refer my hon. Friend to the reply given by my right hon. Friend the Minister for the Environment on 23 February 1999, *Official Report*, column *207*.

### Genetically Modified Material

**Mr. Mitchell:** To ask the Minister of Agriculture, Fisheries and Food if he will list the names of those he has nominated to the Advisory Committee to Her Majesty's Government on Releases of Genetic Material into the Environment, together with *(a)* their qualifications *(b)* details of relevant (i) public and (ii) private interests and *(c)* dates of appointment; if he will make a statement on the resources allocated to the Committee; and if he will set out the references to any of the Committee's published reports. [72557]

**Mr. Rooker:** I refer my hon. Friend to the reply given by my right hon. Friend the Minister for the Environment on 23 February 1999, *Official Report*, columns *205–06*.

### Pilot Projects

**Yvette Cooper:** To ask the Minister of Agriculture, Fisheries and Food if he will list the pilot projects instigated by his Department since 1 May 1997, indicating the area in which each pilot took, or is taking, place. [72635]

**Mr. Morley:** The list of pilot projects instigated by MAFF since 1 May 1997 is as follows:

*Arable Stewardship Pilot Scheme*—This project aims to help restore wildlife in arable farmland areas. Grants are available in two areas, East Anglia and West Midlands. This is a three-year pilot scheme, launched in January 1998.

*The Uplands Experiment*—This project involves an integrated approach to a number of existing grant schemes including Countryside Stewardship rather than a new scheme and will be

available in two areas, Forest of Bowland in Lancashire and Bodmin Moor in Cornwall. This is a 2 year pilot due to be launched on 1 March.

*"Operation Gangmaster"*—This project seeks to clamp down on exploitative agricultural gangmasters: co-ordinated enforcement by up to 8 agencies of legislation relevant to casual and seasonal workers, in East Anglia/East Midland area. It began in the 1998 summer season.

*Flood and Coastal Defence Capital Programme*—The Environment Agency, in liaison with MAFF, is undertaking a formal test of the market on two pilot Public Private Partnership (Private Finance Initiative) projects—at Pevensey Bay in Sussex and Broadland in Norfolk. Both schemes have been included on the HM Treasury list of "significant projects" and have been given "pathfinder status". Invitation to Negotiate documents were issued on Pevensey in September 1998 and Broadland in October 1998, and the Agency will continue negotiations with selected consortiums with a view to contracts being let in Autumn 1999. The wider application of this procurement approach to the flood and coastal defence programme will be examined in the light of experience gained from these two pilot projects.

A pilot study in the UK is being conducted in preparation for a National Survey on the "Microbiological quality and Heat Processing of Cows Milk".

A project on the development and testing of a manual designed to help farmers minimise waste was completed in February 1998. Areas covered were Cheshire, Herefordshire, Lancashire, Lincolnshire, Nottinghamshire, Shropshire, Staffordshire, and Dyfed.

A large-scale anonymous postal survey of British sheep farmers concerning the incidence of scrapie took place in November/December 1998 from which the data are presently being analysed. Two pilot studies preceded this survey:

(i) In February 1998, a pilot study of 20 farmers in England and Wales nominated by their veterinary surgeons was conducted to investigate whether a survey of sheep farmers could obtain a valid estimate of the incidence of sheep scrapie.

(ii) A pilot study conducted in May-June 1998 trialled questionnaires amongst 300 sheep farmers throughout Great Britain.

Economic Evaluation of Access Provisions in the MAFF Agri-Environment Schemes—England.

Economic Evaluation of the Milk Quota System—England and Wales.

Customer Satisfaction Survey of MAFF's Regional Service Centres—England.

Economic Evaluation of Nitrate Sensitive Areas Scheme—England.

Farmers' Attitudes to Arable Options in the Countryside Stewardship Scheme—England.

EC Survey of Farmers' Attitudes to and Comprehension of the Agri-Environmental Programme—Northern England.

Interim Evaluation of the PESCA Community Initiative—United Kingdom.

Economic Evaluation of Stage IV Environmentally Sensitive Areas—All six Stage IV ESAs in England: Blackdown Hills; Cotswold Hills; Dartmoor; Essex Coast; Shropshire Hills; and Upper Thames tributaries.

Pilot Study of Countryside Maintenance and Management—The South West: Cornwall; Devon; Somerset; and Dorset.

Arable Land Management Initiative: Norfolk Pilot Study.

Pilot Study of Livestock Marketing Channels and Marketing Practices—North of England.

Earnings and Hours of Agricultural and Horticultural Workers—England and Wales.

Property and Pollution in Arable Agriculture—Arable farms in East Anglia.

Estimating the Value of Environmental Features: Stage One—England.

Economic Evaluation of Farm Animal Welfare Policy: Baseline Study and Framework Development—United Kingdom.

Farmers' Irrigation Decisions and Attitudes to Risk under Conditions of Water Scarcity—England.

Economic Evaluation of the Countryside Stewardship Scheme—England.

Economic Evaluation of MAFF's Contract with ATB Landbase—Great Britain.

Hedgerow Management: a Study of Farmers' and Contractors' Attitudes—England: Devon; Dorset; Somerset; Leicestershire; Northamptonshire; Nottinghamshire; Yorkshire.

Economic Evaluation of the Sheep Annual Premium Scheme—United Kingdom.

## Inhumane Slaughtering

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the total number of cattle and sheep inhumanely slaughtered in the United Kingdom in the last year for which figures are available. [72715]

**Mr. Morley** *[holding answer 24 February 1999]:* Inhumane slaughter would contravene the Welfare of Animals (Slaughter or Killing) Regulations 1995 which implement the provisions of a 1993 EU Directive. The Meat Hygiene Service enforces these rules on a daily basis in licensed slaughterhouses and the State Veterinary Service monitors compliance on farms and other premises. It is not feasible to assess how many animals may have been slaughtered in contravention of the law: however, the Government seek full compliance with these regulations and does not hesitate to take action where there is evidence of contraventions. Prosecution action has been taken in 13 case since the regulations were introduced in April 1995.

## Organic Farming

**Mr. Maclennan:** To ask the Minister of Agriculture, Fisheries and Food what payments he has proposed under the Organic Aid Scheme for *(a)* Arable Area Payments Scheme eligible land, *(b)* ineligible land and *(c)* unimproved grassland or rough grazing. [72620]

**Mr. Morley** *[holding answer 24 February 1999]:* The proposed rates of aid under the Organic Farming Scheme in England are as follows:

£/ha

| *Type of land* | *Year 1* | *Year 2* | *Year 3* | *Year 4* | *Year 5* | *Total* |
|---|---|---|---|---|---|---|
| Eligible for AAPS or under permanent crops | 225 | 135 | 50 | 20 | 20 | 450 |
| Improved land not eligible for AAPS | 175 | 105 | 40 | 15 | 15 | 350 |
| Unimproved land | 25 | 10 | 5 | 5 | 5 | 50 |

**Mr. Soley:** To ask the Minister of Agriculture, Fisheries and Food what *(a)* financial and *(b)* other support he is currently giving to organic farming. [72960]

**Mr. Morley:** Support for organic farming is delivered in the following ways:

under the Organic Aid Scheme, payments are made to farmers who convert to organic farming methods. Payments in England for this financial year total £776,567 to end December 1998. The amount paid in 1997–98 was £570,614. Subject to the approval of Parliament, a new scheme, the Organic Farming Scheme, will be introduced in Spring in which the rates of aid for most types of land will be almost doubled. Payments in England are estimated to increase to a total of £9 million by year 2000;

there is a dedicated research and development programme. Expenditure for the current financial year is estimated at £1.5 million and expected to increase to £2 million in 1999–2000;

MAFF funds the Organic Conversion Information Service (OCIS) which operates a "Helpline" providing advice to potential organic farmers and offers free on-farm advisory visits.

### Minister for Science

**Mr. Redwood:** To ask the Minister of Agriculture, Fisheries and Food what discussions have been held between his Department and the Minister for Science concerning GM foods or crops since July 1998. [73124]

**Mr. Rooker** *[holding answer 25 February 1999]:* This Department has had no discussions with the Minister for Science on either of these two issues.

### Recombinant Bovine Somatotropin

**Mr. Tyler:** To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to validate safety tests in the USA and Canada on Monsanto's genetically engineered bovine growth hormone recombinant bovine somatotropin prior to consideration of its approval in the UK; and if he will make a statement. [73259]

**Mr. Rooker** *[holding answer 25 February 1999]:* The use of recombinant bovine somatotropin (rBST) is subject to a European Union moratorium, which is likely to be reviewed before it expires on 31 December. There could be no unilateral decision in the UK to approve its use. I have asked the Veterinary Products Committee to review recent scientific evidence, including evidence from the USA and Canada, on the safety of rBST in order to inform the Government in preparation for EU discussions on the moratorium.

# Written Answers to Questions

*Monday 1 March 1999*

## ATTORNEY-GENERAL

### Drugs Companies

**Mr. Austin:** To ask the Attorney-General if he will refer to the Serious Fraud Office recent allegations that irregular and unauthorised payments have been made by a drugs company *(a)* to avoid tax and *(b)* to encourage doctors to prescribe certain drugs; and if he will make a statement. [73527]

**The Attorney-General:** Section 1(3) of the Criminal Justice Act 1987 empowers the Director of the Serious Fraud Office to investigate any suspected offence which appears to her on reasonable grounds to involve serious or complex fraud. If my hon. Friend has relevant evidence or information, he should make it available to the Director of the Serious Fraud Office.

## WALES

### Unemployment Statistics

**Mr. Rowlands:** To ask the Secretary of State for Wales what his current estimate is of the number of households of working age in which there is no-one in work for each local authority area in Wales. [72641]

**Mr. Hain:** According to the Spring 1998 Labour Force Survey household dataset, there were an estimated 195,000 working-age households in Wales with no-one in employment; a breakdown by local authority area is not available due to the sample size.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Primary Class Sizes

**Mr. Swayne:** To ask the Secretary of State for Wales what proportion of ordinary classes in primary schools contained more than 30 pupils in January 1998. [73110]

**Mr. Hain:** In January 1998, 28 per cent. (2,735) of ordinary classes in primary schools had more than 30 pupils.

On the basis of grant approvals for local authorities to employ additional teachers from September 1998 to reduce infant class sizes, it is estimated that there are 722 fewer infant classes with over 30 pupils than would have been the case without grant. The additional £50m provided for schools in the local government revenue settlement for 1998–99 will also have had an impact. The results of the January 1999 schools' census will give the actual position.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Brit Awards

**Mr. Maclean:** To ask the Secretary of State for Wales if he will list those Ministers in his Department who were present at the recent Brit awards in an official capacity; and who or what organisation was acting as their sponsor or host. [73348]

**Mr. Michael:** The Under-Secretary, my hon. Friend the Member for Neath (Mr. Hain), was at the awards as the guest of BPI (the British Phonographic Industry Ltd.).

### National Assembly

**Mr. Wigley:** To ask the Secretary of State for Wales if he or his predecessors have signed an agreement to lease land adjacent to Crickhowell House in Cardiff for use as a site for the National Assembly Building. [73620]

**Mr. Michael:** A lease has been signed for a parcel of land of approximately one acre which comprises one half of plot 1E adjacent to Crickhowell House for a term of 150 years from 29 September 1998.

### Rural Development Grants

**Mr. Wigley:** To ask the Secretary of State for Wales how much matching funding has been given for European rural development grants in Wales in the current financial year; how many projects are awaiting match funding and what would be the total requirement of matching funds to enable them to progress; and what funding has been agreed for such match funding for 1999–2000. [72824]

**Mr. Hain:** In the current financial year Rural Development Grant of £809,000 has been committed to support European Agricultural Guidance and Guarantee Fund (EAGGF) Objective 5b awards.

There are currently 35 projects under consideration arising from successful EAGGF Objective 5b bids under Rounds 7 and 8. These represent a total bid of some £3.8m over the financial years 1998–99 to 2001–2002.

The Secretary of State will be making decisions shortly about further funding for the scheme based on the merits of individual projects and our priorities for securing the long-term future of the agriculture and food industries.

### Supermarkets (Regional Selective Assistance)

**Mr. Wigley:** To ask the Secretary of State for Wales how much his Department has paid in regional selective assistance for supermarket developments in Wales in each of the past three years. [73566]

**Mr. Hain:** Retail developments of this type are not eligible for regional selective assistance.

## TREASURY

### Tax Burdens (Businesses)

**Mr. Cash:** To ask the Chancellor of the Exchequer how many representations he has received regarding the tax burden on business. [72341]

**Dawn Primarolo:** I have received a number of representations on this issue.

### Taxation (Charities)

**Mr. Flight:** To ask the Chancellor of the Exchequer what assessment he has made of the impact of the ending of ACT recovery on the finances of charities; and if he will make a statement. [72773]

**Ms Hewitt:** The withdrawal of payable tax credits will be completed from 6 April 1999. We recognise the special position of charities and provided generous compensation for them through public expenditure, for the withdrawal of their payable tax credits. This compensation takes the form of a payment to a charity of a percentage of the dividends it receives, and will apply for five years from 6 April 1999 on a tapering basis, giving charities an opportunity to adjust to the withdrawal of payable tax credits.

### Sierra Leone (Weapon Supplies)

**Ann Clwyd:** To ask the Chancellor of the Exchequer what action Customs and Excise is taking to investigate allegations that Sky Air Cargo of London and Occidental Airlines have been supplying weapons to rebels in Sierra Leone. [73266]

**Dawn Primarolo:** The investigation of alleged breaches of United Kingdom legislation implementing arms embargoes is a matter for the Commissioners of HM Customs and Excise. It is not the Commissioners' general practice to comment publicly about the existence or nature of such investigations.

### Fatal Illnesses

**Mr. Maclean:** To ask the Chancellor of the Exchequer if he will list the 20 most prevalent fatal illnesses in terms of annual death rates. [72713]

**Ms Hewitt** *[holding answer 24 February 1999]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

*Letter from Tim Holt to Mr. David Maclean, dated 1 March 1999:*

To ask Mr. Chancellor of the Exchequer, if he will list the 20 most prevalent fatal illnesses in terms of annual death rates.

The information requested is given in the attached table.

The International Classification of Diseases (ICD) breaks down causes of death, disease and injury into 17 Chapters. It assigns different code numbers to different causes, thus providing a language-independent method of coding causes of death, injury and disease. Since many diseases have alternative names, the ICD system groups all synonymous terms for a particular condition under the one ICD code number assigned to the condition.

We have avoided including in the ranking the ICD Chapter heading or diseases that cover too broad a range of codes e.g. malignant neoplasms (cancers) coded 140–208 are the most common cause of death, accounting for approximately 1 in 4 deaths in 1997. Rather than present this as a single cause we have broken it down into significant identifiable illnesses.

The table presents diseases defined by either a group of codes or an individual code, depending on the disease e.g. ischaemic heart disease is coded 410–414, but female breast cancer is coded 174.

*Crude death rates[1] for the twenty most common causes of death in England and Wales, 1997*

| *Rank* | *Cause of death (ICD9 codes[3])* | *Rate per 100,000* |
|---|---|---|
| | All causes[2] | 1,064 |
| 1 | Ischaemic heart disease (410–414) | 234 |
| 2 | Cerebrovascular disease (430–438) | 111 |
| 3 | Pneumonia (480–486) | 109 |
| 4 | Malignant neoplasm of trachea, bronchus, and lung (162) | 57 |
| 5 | Chronic obstructive pulmonary disease (490–496) | 52 |
| 6 | Malignant neoplasm of female breast (174) | [4]45 |
| 7 | Malignant neoplasm of prostate (185) | [5]33 |
| 8 | Malignant neoplasm of colon (153) | 20 |
| 9 | Malignant neoplasm of lymphatic and haematopoietic tissue (200–208) | 19 |
| 10 | Malignant neoplasm of ovary (183) | [4]15 |
| 11 | Senile and presenile organic psychotic conditions (290) | 13 |
| 12 | Malignant neoplasm of stomach (151) | 13 |
| 13 | Diabetes mellitus (250) | 11 |
| 14 | Malignant neoplasm of oesophagus (150) | 11 |
| 15 | Malignant neoplasm of pancreas (157) | 11 |
| 16 | Malignant neoplasm of rectum, rectosigmoid junction and anus (154) | 9 |
| 17 | Malignant neoplasm of bladder (188) | 9 |
| 18 | Chronic liver disease and cirrhosis (571) | 8 |
| 19 | Ulcer of stomach and duodenum (531–533) | 8 |
| 20 | Accidental falls (E880-E888) | 7 |

[1] Rates per 100,000 population
[2] The death rate for 'all causes' includes deaths to those under 28 days old. Rates for individual causes of death do not.
[3] International Classification of Diseases Ninth Revision
[4] Per 100,000 female population
[5] Per 100,000 male population

### ECOFIN

**Mr. Maclean:** To ask the Chancellor of the Exchequer if he will list the issues for discussion before the ECOFIN Council on 15 March indicating the position he proposes to take on each issue. [72741]

**Ms Hewitt** *[holding answer 24 February 1999]:* Every six months, at the beginning of an EU Presidency, the Minister of State, Foreign and Commonwealth Office, my right hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin), outlines to the House the main items of business expected during the Presidency. Every month, she gives the House details of the items expected at meetings of the Council of Ministers during the month. After each meeting of the ECOFIN Council, I report back to the European Scrutiny Committee on the business conducted at the ECOFIN meeting. This has been the practice under successive Governments.

### Brit Awards

**Mr. Maclean:** To ask the Chancellor of the Exchequer if he will list those Ministers in his Department who were present at the recent Brit awards in an official capacity; and who or what organisation was acting as their sponsor or host. [73494]

**Ms Hewitt:** None.

### European Central Bank

**Sir Teddy Taylor:** To ask the Chancellor of the Exchequer if he will make a statement on the consultations he has had with the European Central Bank since 1 January. [71495]

**Ms Hewitt** *[holding answer 25 February 1999]:* The Chancellor regularly meets his colleagues from other Finance Ministries and Central Banks.

### Single Ombudsman Scheme

**Ms Lawrence:** To ask the Chancellor of the Exchequer what responses he has received to proposals for a single ombudsman scheme as set out in the draft Financial Services and Markets Bill; and if he will make a statement. [74393]

**Ms Hewitt:** The Government are committed to improving consumer protection, and the creation of the single ombudsman scheme is an important element in delivering such protection. The response to the draft Bill published in July 1998 showed strong support for the creation of the single ombudsman scheme. The Government, however, intend to amend some of the relevant provisions of the Bill to meet valid concerns raised.

The draft Bill allows for an appeal to the courts against the ombudsman's determination by either respondent or complainant on a point of law. Consistent with the objective of resolving disputes quickly and with minimum formality, we have decided to remove this provision.

Currently, the Bill allows the Ombudsman to order complainants to pay costs if they behave improperly or unreasonably. In order that complainants should be able to approach the Ombudsman without the fear of being ordered to pay the respondent's costs, we have decided to provide for the scheme operator to make rules authorising awards of the scheme's costs against either party, limited in the case of the complainant to the costs of the scheme operator.

We also intend to widen the FSA's discretion over which complaints are to be included in the compulsory jurisdiction. The FSA will be able to include all financial services carried out by authorised persons, not just those listed in Schedule 2 to the Bill. This change will allow the FSA to bring within the compulsory jurisdiction the large majority of disputes involving authorised persons which can currently be dealt with by the existing schemes, including the Banking and Building Societies Ombudsmen. We will also give the FSA sufficient flexibility to exclude some categories of regulated firms where there is a case to do so. We propose that the scheme operator should have similar discretion over the scope of the voluntary jurisdiction.

## DEFENCE

### Defence Medical Services

**Mr. Viggers:** To ask the Secretary of State for Defence what will be the cost of creating a new chief of staff post on the Surgeon General's staff; and if he will make a statement on the nature of the employment that will be covered under that part of his remit which involves the implementation of the changes following the strategic review of defence medical services. [70879]

**Mr. Spellar:** The upgrading of the Chief of Staff post in the Surgeon General's Department will not result in any additional personnel cost as the new incumbent will replace the current Chief of Staff who, as a medical officer, is in receipt of additional remuneration to reflect his professional qualifications. The new Chief of Staff's responsibilities will include ensuring that the changes to the Defence Medical Services announced by the Secretary of State for Defence on 14 December 1998 are implemented expeditiously and cost-effectively.

### South Africa (Military Cargo)

**Ann Clwyd:** To ask the Secretary of State for Defence what representations he has had from South African police on the incident in May 1998 involving a cargo of military equipment flown from RAF Manston destined for South Africa which failed to reach its destination; and what his response was. [71565]

**Mr. Spellar** *[holding answer 16 February 1999]:* The Ministry of Defence has not received any representations from the South African police or other authorities on this matter. This is a matter for Customs and Excise. I refer my hon. Friend to the response given by my hon. Friend the Financial Secretary on 8 February 1999, *Official Report*, column 22.

### Fast Insertion Craft

**Mr. Hancock:** To ask the Secretary of State for Defence which organisation supplies his Department with fast insertion craft; and which other countries have been supplied with similar vessels. [72644]

**Mr. Spellar:** Fast insertion craft are currently supplied to the Ministry of Defence by Halmatic, who are now part of the Vosper Thornycroft group of companies. Vessels of this type have been procured by Singapore.

### Sir Charles Masefield

**Ann Clwyd:** To ask the Secretary of State for Defence how long after he ceased to be Head of Defence Export Services Sir Charles Masefield joined the Board of GEC; and if he will make a statement. [73267]

**Mr. Spellar:** Sir Charles Masefield joined GEC on 14 December 1998, the day that Mr. Tony Edwards succeeded him as Head of Defence Export Services, HDES. Sir Charles originally joined the MOD on 1 September 1994 on secondment from his previous employer, Airbus Industrie, a subsidiary of BAe. As a secondee, we would have expected Sir Charles to return to industry on completion of the HDES appointment.

### RN Personnel (Drug Trafficking Control)

**Mr. Hancock:** To ask the Secretary of State for Defence how many times in each of the last five years Royal Navy personnel have been involved in activity to assist Her Majesty's Customs and Excise and other agencies to control drug trafficking. [72937]

**Mr. Spellar:** The number of occasions on which Royal Navy personnel have been involved in support of HM Customs and Excise counter-drug operations over each of the last five years is as follows:

1998: 3

1997: 3

1996: 6

1995: 3

1994: 4

In the Caribbean, the West Indies Guardship has been operating in support of the US led Joint Inter-Agency Task Force (East) on a regular basis throughout the past five years.

### Defence Agencies

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the *(a)* Defence Medical Training Organisation and *(b)* Army Personnel Centre published its report for the year 1997–98; and what was the cost of production of the report. [73012]

**Mr. Spellar:** This is a matter for the Chief Executives of the Agencies concerned. I have asked them to write to the hon. Member.

*Letter from Major General C. G. Callow to Mr. Mike Hancock, dated 1 March 1999:*

I am replying to your question to the Secretary of State for Defence about the date that our annual report for 1997–98 was published and the cost as this matter falls within my area of responsibility as Chief Executive of the Defence Medical Training Organisation.

It was published on 27 July 1998 at a cost of £2,130.

*Letter from G. A. M. Hammond to Mr. Mike Hancock, dated 1 March 1999:*

I am replying on behalf of the Chief Executive of the Army Personnel Centre (APC), in his absence on business, to your Question to the Secretary of State for Defence about the date upon which the APC published its report for the year 1997–98 and the cost of producing the report, as this matter falls within the responsibility of this Agency.

The APC Annual Report and Accounts for the year 1997–98 was published on 29 July 1998 at a cost of £4035 (excluding VAT).

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Defence what official visits he, his Ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73457]

**Mr. Spellar:** There have been no visits by MOD Ministers to Zimbabwe since May 1997. Two senior MOD officials visited Zimbabwe in 1998 where they met UK staff working for the regional British Military Assistance Training programme, gave presentations on the UK Strategic Defence Review, held workshops on management issues and paid office calls on Defence Ministers, senior members of the Armed Forces and senior officials. A senior MOD official has been on secondment since May 1995 assisting in the restructuring and management of the Zimbabwean MOD.

There have been a number of visits by other officials and military staff for a variety of reasons. The cost of listing them all would be disproportionate.

### ASTOR

**Mr. Menzies Campbell:** To ask the Secretary of State for Defence what proposals he has to deploy unmanned aerial vehicles in tandem with an airborne stand off radar system. [72755]

**Mr. Spellar** *[holding answer 25 February 1999]:* The planned Airborne Stand-Off Radar, ASTOR, programme, together with the in-service Phoenix unmanned aerial vehicle and future UAV programmes, such as SENDER and SPECTATOR, will form an important part of our integrated Intelligence, Surveillance, Target Acquisition and Reconnaissance, ISTAR, capability.

Long range surveillance and reconnaissance assets, such as ASTOR and longer range radar and UAVs, will help to cue and subsequently direct medium and short range reconnaissance and target acquisition assets, such as Phoenix, to identify, prioritise and engage enemy targets from long range before they can inflict damage on our and friendly forces. This integrated approach ensures our ground attack air assets and long range artillery assets are used to maximum effectiveness.

### Army Training and Recruiting Agency

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Army Training and Recruiting Agency; and what was the figure at its inception. [72818]

**Mr. Spellar** *[holding answer 25 February 1999]:* This is a matter for the Chief Executive of the Army Training and Recruiting Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from C. H. Gordon to Mr. Mike Hancock, dated 1 March 1999:*

I am replying to your Question to the Secretary of State for Defence about the numbers of people currently employed by the Army Training and Recruiting Agency, and at its inception, as this matter falls within my area of responsibility as Deputy Chief Executive of the Agency.

The numbers employed are as follows:

| | *Military Personnel* | *Civilian Personnel* | *Total* |
|---|---|---|---|
| 1996–97[1] | 5,832 | 4,360 | 10,192 |
| 1997–98[1] | 6,101 | 4,541 | 10,642 |
| 31 Dec 1998[2] | 6,178 | 4,410 | 10,588 |

[1] average over the year
[2] actual numbers at this date

The Agency was formed as the Army Individual Training Organisation on 1 April 1996. It was relaunched as the Army Training and Recruiting Agency with effect from 1 July 1997, although it was effectively restructured on 1 April of that year, when it absorbed the functions of the former Directorate of Army Recruiting.

### Old Gym, Caerwent

**Mr. Edwards:** To ask the Secretary of State for Defence if he will make a statement about the future of the Old Gym at Caerwent military base. [73649]

**Mr. Spellar** *[holding answer 26 February 1999]:* The Army is currently in discussions with Caerwent Community Council regarding the sale or lease of the Old Gym at Caerwent Training Area to the Council.

### Defence Dental Agency

**Mr. Hancock:** To ask the Secretary of State for Defence when he expects to set targets for the Defence Dental Agency for the year 1999–2000. [72979]

**Mr. Doug Henderson:** I aim to announce the key targets for the Defence Dental Agency in April.

### Military Exercises (Poland)

**Mr. Hancock:** To ask the Secretary of State for Defence which countries had armed forces involved in the brigade exercise in Poland carried out between 1 April 1997 and 31 March 1998. [72847]

**Mr. Doug Henderson:** Exercise ULAN EAGLE, which took place at the Drawko-Pomorskie training area in north east Poland in October 1997, was a British Army exercise undertaken by 20th Armoured Brigade. No other countries' armed forces were involved.

### Defence Codification Agency

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the Defence Codification Agency published its report for 1997–98; and what was the cost of production of the report. [73035]

**Mr. Spellar:** This is a matter for the Chief Executive of the Defence Codification Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from K. A. Bradshaw to Mr. Mike Hancock, dated 1 March 1999:*

Publication of the Defence Codification Agency's Annual Report for 1997–98

I am replying to your question to the Secretary of State for Defence about publication dates and costs associated with the Annual Report for 1997–98 of the Defence Codification Agency, as this matter falls within my area of responsibility as Chief Executive of the Agency.

The Defence Codification Agency published its annual report on 27th of July 1998. The cost of the publication was £2695.00.

For background information, this was the Defence Codification Agency's first Annual Report since its launch in July 96, it was published using the services of the Stationery Office and the Agency has a Treasury Direction and a clean audit opinion.

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Defence Codification Agency; and what the figure was at its inception. [72978]

**Mr. Spellar:** This is a matter for the Chief Executive of the Defence Codification Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from K. A. Bradshaw to Mr. Mike Hancock, dated 1 March 1999:*

*Staff Employed by the Defence Codification Agency*

I am replying to your question to the Secretary of State for Defence about staff employed within the Defence Codification Agency, as this matter falls within my area of responsibility as Chief Executive of the Agency.

The Defence Codification Agency currently employs 93 staff (including nine surplus staff). At the Agency inception in July 1996 we employed 168 staff.

For background information, following the vesting of the Defence Codification Agency in July 96 a Competing for Quality Feasibility Study was conducted. This included details of plans to increase efficiency and reduce staffing levels. These measures have been implemented and a staff reduction of 50% will have been achieved once the nine surplus staff have been assigned to new posts.

### Defence Bills Agency

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Defence Bills Agency; and what was the figure at its inception. [72839]

**Mr. Spellar:** This is a matter for the Chief Executive of the Defence Bills Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from I. S. Elrick to Mr. Mike Hancock, dated 1 March 1999:*

I am replying to your question to the Secretary of State for Defence about numbers employed in the Defence Bills Agency, as this matter falls within my area of responsibility as Chief Executive of the Agency.

There were 699 people employed in the Agency as at 31 January 1999 and these equate to 662 full-time equivalents. The comparable figures for 1 January 1996 are 680 and 655 respectively, while the full-time equivalent figure for the base line year against which the Agency's effectiveness is measured is 716.

For a meaningful comparison of numbers employed currently against those employed at the Agency's inception, due allowance should be made for changed circumstances in the intervening period. The Service Level Agreement which the Agency has with the Department was amended on 27 June 1997, to effect a budget increase which was based on an additional 30 employees who were required to cope with changed business practices which were introduced to facilitate the introduction of Resource Accounting.

## LORD CHANCELLOR'S DEPARTMENT

### Immigration (Adjudicators' Decisions)

**Ms Oona King:** To ask the Minister of State, Lord Chancellor's Department by what means members of the public may obtain access to an indexed collection of determinations by immigration adjudicators in order to find out if there is a relevant decision relating to their case. [72862]

**Mr. Hoon:** No collection of indexed adjudicator determinations exists. Adjudicators' decisions are not binding on other adjudicators. Determinations are retained on tribunal files and are available to the public only with an adjudicator's permission.

Immigration Appeal Tribunal decisions are available from the Supreme Court Library on request and are available to subscribers on the Electronic Immigration Network Database via the internet.

## ENVIRONMENT, TRANSPORT AND THE REGIONS

### Genetic Modification

**Mr. Baker:** To ask the Secretary of State for the Environment, Transport and the Regions (1) on how many occasions *(a)* Ministers and *(b)* officials in his Department have (i) spoken with and (ii) received representations regarding genetic modification from Mr. Stan Greenberg of Greenberg Research; [72248]

(2) on how many occasions *(a)* Ministers and *(b)* officials in his Department have (i) spoken with and (ii) received representations regarding genetic modification from Dave Hill of Bell Pottinger; [72066]

(3) on how many occasions *(a)* Ministers and *(b)* officials of his Department have (i) spoken with and (ii) received representations regarding genetic modification from Cathy McGlynn of Bell Pottinger. [72059]

**Mr. Meale** *[holding answer 23 February 1999]:* I and my officials are in regular contact with representatives of all those with an interest in biotechnology—including environmental groups, consumer groups and biotechnology companies. It is not the normal practice of Governments to give details of specific meetings with private individuals or companies.

**Mr. Stinchcombe:** To ask the Secretary of State for the Environment, Transport and the Regions what representations *(a)* he and *(b)* his ministers have received on genetically modified organisms and the biotechnology industry from the US Government. [72762]

**Mr. Prescott:** The Department has received one representation on this subject from the US Government.

**Mr. Webb:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the sites in Northavon where genetically modified crops *(a)* are currently grown and *(b)* have been grown in the last three years. [73910]

**Mr. Meacher:** No genetically modified crops are currently grown or have been grown in the last three years in Northavon.

**Mr. Baker:** To ask the Secretary of State for the Environment, Transport and the Regions if he will require the Health and Safety Executive to institute prosecution proceedings against Zeneca for a breach of the regulations governing the escape into the environment, through the consumption by Zeneca staff, of genetically modified tomatoes and tomato seeds. [73402]

**Mr. Meacher:** HSE inspectors have sought clarification from Zeneca regarding reports in the national press that members of staff have eaten whole genetically modified tomatoes as part of taste trials. If this had taken place it would have represented a possible breach of environmental safety regulations. This is because tomatoes are a seed bearing fruit and the inadvertent dispersal of seeds from genetically modified tomatoes could have given rise to growth of genetically modified plants in the environment. The concern would have been that seeds would have dispersed through the sewage system, thereby breaching containment requirements.

It has been found that there were major inaccuracies in the reporting. In particular, it would appear that taste trials have been undertaken only using tomato tissues from which all seeds have been removed. Therefore, there would not appear to have been any breach of environmental safety legislation.

The photograph of Zeneca staff eating whole tomatoes, which appeared in one newspaper, was posed for the cameras using non-modified tomatoes.

### Pilot Projects

**Yvette Cooper:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the pilot projects instigated by his Department since 1 May 1997, indicating the area in which each pilot took, or is taking, place. [72634]

**Mr. Meale:** A table setting out the pilot projects which have been instigated by my Department and its Executive Agencies since 1 May 1997 has been placed in the Library.

### Empty Council Properties (London)

**Mr. Cox:** To ask the Secretary of State for the Environment, Transport and the Regions what recent discussions he has had with London borough councils as to the number of empty council properties within their boroughs and the period of time that such properties are empty; and if he will make a statement. [72629]

**Mr. Raynsford:** I have had no such discussions. However, officials of the Government Office for London regularly discuss with Borough officials, as part of the annual Housing Investment Programme determination, many aspects of the Borough's housing strategy and of its performance as a housing authority. Empty council properties are one aspect of that discussion. The Government regularly mention the number of empty houses in each local authority area, and encourage all local authorities to implement strategies to minimise the number of empty houses in their area.

### Special Areas of Conservation

**Mr. Hancock:** To ask the Secretary of State for the Environment, Transport and the Regions what percentage of the United Kingdom land area he has designated as special areas of conservation; and what the percentage is for other EU member states. [72775]

**Mr. Meale:** A total of 333 UK sites have been submitted to the European Commission as candidate SACs covering over 1,687,000 hectares. This accounts for 3.4 per cent. of the UK land surface. A similar additional area is covered by marine sites below mean low water. The Department does not have official information about other Member States, which is a matter for them and the European Commission.

**Mr. Hancock:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on the designation of new special areas of conservation; and what was his evaluation of each suggestion. [72647]

**Mr. Meale:** 333 UK candidate Special Areas of Conservation have been submitted to the European Commission following consideration of all representations made as a result of consultation. Many representations related to specific proposed sites; others, mainly from environmental organisations, suggested additions to the list. Where these suggestions were judged, on the advice of the nature conservation agencies through the JNCC, to be consistent with the Habitats Directive's criteria and requirements, they have been adopted. The JNCC publications, The Habitats Directive: selection of Special Areas of Conservation in the UK (Report No. 270), sets out the rationale that has been applied. It was published in October 1997 and placed in the Library of the House at the time.

### Transport (London)

**Mrs. Laing:** To ask the Secretary of State for the Environment, Transport and the Regions if he will lay a specific duty on Transport for London to provide services at their existing levels on those parts of the Underground network outwith Greater London. [72653]

**Ms Glenda Jackson:** We do not intend to place such a duty on Transport for London. TfL will be directly accountable to the Mayor who, subject to the passage of the Greater London Authority Bill, will be responsible for arranging for the setting of the general level of services provided or secured by Transport for London. More widely, the Mayor will be under a duty to develop and implement policies for the promotion and encouragement of safe, integrated, efficient and economic transport facilities and services to, from and within Greater London. This duty therefore encompasses services to be provided by Transport for London outside the Greater London boundary.

The Mayor will also have a duty to draw up an integrated transport strategy for London, while taking account of national policy including the Government's integrated transport strategy. The Government have made it clear that their policy is to promote and encourage integrated public transport and the Mayor will need to bear that in mind when making decisions about the level of services provided or secured by Transport for London outside the Greater London boundary.

**Mrs. Laing:** To ask the Secretary of State for the Environment, Transport and the Regions how he proposes that representatives of those areas served by Transport for London railways outside Greater London will be consulted on the development of the services. [72654]

**Ms Glenda Jackson:** Subject to the passage of the Greater London Authority Bill, the Mayor will be under a duty to prepare a transport strategy document. It will be open to the Mayor to consult any body or person he or she thinks it appropriate to consult about the preparation of his or her transport strategy.

In addition, we will establish a new body to represent the interests of users of all modes of transport in London, including all services and facilities provided or secured by Transport for London. The new body will be known as the London Transport Users' Committee (LTUC). We envisage that LTUC will have regular contacts with Transport for London.

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what powers he plans to give to London's Mayor over the former British Rail network within Greater London. [73171]

**Dr. Reid:** Our proposals were set out in our White Paper "A Mayor and Assembly for London" (Cm 3897). Paragraph 5.27 of the White Paper indicates that the Mayor will be able to:

- issue guidance to OPRAF regarding franchisees in London;
- secure the provision of new passenger services to be operated in London;
- promote or fund new network improvements, as well as investment in new stations or improvements to existing ones;
- require operators to participate in new multi-modal ticketing arrangements or concessionary travel schemes; and
- ensure Transport for London is consulted on timetable decisions to ensure that bus, rail and tube services can be planned to complement each other.

The White Paper made it clear that OPRAF would not be bound to accept the Mayor's guidance if it would have an adverse impact beyond London or would result in additional financial liability to the taxpayer. Transport for London will also be able to exercise powers inherited from London Transport to ensure consistency between rail, Underground and bus services in terms of Travelcard fares and ticketing, marketing and passenger information. Transport for London will also have the power to oppose rail schemes which it thinks are contrary to the Mayor's transport strategy or other policies, or to the interests of Londoners.

Clauses 163 to 166 of the Greater London Authority Bill currently set out the draft provisions which will give effect to our proposals. Those clauses were debated in Standing Committee on 23 February 1999, *Official Report, Standing Committee A*, columns 723–49.

### Thameslink 2000

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what is the current estimate for the start date of the construction of the Thameslink 2000 rail scheme. [73092]

**Dr. Reid:** The start of construction work on the Thameslink 2000 rail project is dependent on two factors:

Firstly, the project requires construction powers to be granted under the Transport and Works Act 1992 (TWA). Railtrack submitted an application for a TWA Order for Thameslink 2000 in November 1997. Following consideration of representations made in respect of that application, and changes resulting from a review of the project, Railtrack is currently preparing a supplementary TWA Order application. A decision on when any public inquiry into the proposed scheme might be held has therefore been deferred until December 1999. The earliest an Inquiry could realistically be expected to commence is Spring of 2000. The timing of the Secretary of State's decision on whether to grant powers following the Inquiry Inspector's report, and—if powers are granted—the start of construction work, would depend on a number of factors, including the length of the Inquiry and the Inspector's findings.

Secondly, the Thameslink 2000 project is dependent on Stage 2 of the Channel Tunnel Rail Link (CTRL) for the provision of certain works at St. Pancras. Railtrack has said that it intends to proceed with the exercise of its option to construct Stage 2 of CTRL, but believes that it would be inappropriate to make such a commitment until after the outcome is known of the Rail Regulator's review of access charges. If this option were exercised in 2001, construction of Thameslink 2000 would start in early 2002 and the service could be operational in 2006.

### Robin Hood Line

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what measures he plans to take to provide future funding security for, and protection of, existing service levels on the Robin Hood line between Nottingham and Mansfield. [73095]

**Dr. Reid:** The Office of Passenger Rail Franchising (OPRAF) is in discussion with the local authorities and Central Trains about the future arrangements for the funding and provision of services on the Robin Hood line. For the current financial year (1998–99), OPRAF is providing a contribution of £350,000 to Central Trains in respect of Robin Hood Line services.

### OPRAF

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what powers the Office of Passenger Rail Franchising has concerning proposals made by train operating companies to *(a)* reduce staffing levels and *(b)* change staff pay and conditions. [73107]

**Dr. Reid:** The Franchising Director does not have any power to prevent train operating companies from reducing their staffing levels. He has rights of approval over changes to pension arrangements and changes to pay and conditions which would leave undesirable legacies for the next franchisee.

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment the Office of Passenger Rail Franchising made of the likely impact on staffing levels of the successful bids for rail franchises; and if he will place a copy of each such assessment in the Library. [73152]

**Dr. Reid:** Bids for franchises were assessed on value for money for the provision of passenger rail services. The contents of the bids remain confidential and therefore copies of the assessments cannot be placed in the Library.

### Rail Staff Redundancies

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions how many rail staff took redundancy in each of the years between 1992–93 and 1997–98. [73169]

**Dr. Reid:** I refer my hon. Friend to the answer given by the Under-Secretary, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), on 16 December 1997, *Official Report*, columns *152–53*. I understand from the British Railways Board that, in 1997–98, 310 British Rail staff were made redundant.

### East Coast Main Line

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions if the Government will take into account Sea Containers' punctuality record when evaluating the company's request for a franchise extension for the East Coast main line. [73090]

**Dr. Reid:** As I announced at the rail summit on 25 February, the track record of franchisees will be one of the factors in considering proposals for renegotiation.

### Rail Network (Crime)

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what surveys of public opinion *(a)* his Department and *(b)* the British Transport Police have carried out in the last five years into fear of crime on the national rail network. [73104]

**Dr. Reid:** In 1997 the Department published a report entitled "Perceptions of safety from crime on public transport". This was the outcome of a number of surveys and focus groups carried out across England which included train travel. In the last five years the British Transport Police have carried out annual surveys alternately with railway passengers or staff and these included questions on the fear of crime.

### Disabled Travellers

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what was the total sum invested in measures specifically to improve access to stations for travellers with disabilities in each of the years between 1987–88 and 1997–98. [73103]

**Dr. Reid:** Information on specific expenditure on disabled access is not available for those years.

However, all new stations planned or in build will provide full unassisted wheelchair access. In addition, Railtrack are on course to meet the target, set in the Network Management Statement 1998, of providing unassisted wheelchair access at a further 119 stations this year.

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what duties will be given to the Strategic Rail Authority in regard to improving access to the rail network for travellers with disabilities. [73102]

**Dr. Reid:** Subject to Parliament's consideration of the necessary legislation, the Strategic Rail Authority will have a duty to have regard, in particular, to the interests of disabled people. The SRA would also inherit the Rail Regulator's code of practice for protecting disabled railway passengers and a duty to revise it from time to time and encourage its adoption and implementation. The Rail Vehicle Accessibility Regulations 1998, which came into effect on 1 January this year, have set clear technical requirements for wheelchair access and a range of other features that will apply to all new rolling stock coming into service from that date.

### Rail Tickets

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what has been the average annual increase in the cost of *(a)* supersaver, *(b)* cheap day return and *(c)* standard single tickets on the national rail network for each year from 1992–93 to 1997–98. [73091]

**Dr. Reid:** This information is not available in the form requested. However, I will write to my hon. Friend about the data that are available.

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions how many, and what proportion, of journeys on the InterCity and former InterCity network were made using *(a)* supersavers and *(b)* savers in each of the last 10 years. [73106]

**Dr. Reid:** This information is not available in the form requested.

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* family railcards, *(b)* network cards, *(c)* forces railcards and *(d)* all-line rail rovers were issued in each of the last 10 years. [73105]

**Dr. Reid:** This information is not held centrally.

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions if those rail services provided under the Rail Regulator's Moderation of Competition proposals will be required to accept national interavailable protected fares. [73190]

**Dr. Reid:** In all the access agreements which the Rail Regulator has approved to date, the acceptance of national interavailable protected fares has been a requirement. The Rail Regulator has indicated that he would not expect to approve access rights for new services where he had reason to believe that approval was likely to result in the loss of network benefits. Those benefits include the provision of interavailable tickets. For franchise operators, the obligation to accept interavailable tickets is a condition of their franchise agreement.

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what instructions he gave to passenger transport authorities in regard to fares levels in connection with the payment of the special rail grant to passenger transport executives. [73094]

**Dr. Reid:** None. Where Passenger Transport Authorities (PTAs) have chosen to retain responsibility for setting fares on the rail services which they support, they are free to raise or lower fares as they wish. However, the amount of grant entitlement will take account of the financial consequences of fares changes which diverge from the national fares cap set by the Franchising Director. Fares in the areas of the two PTAs which have chosen to pass responsibility for setting fares to the train operating companies are subject to the regulated fares cap set in franchise agreements, i.e. RPI-1 from 1 January 1999.

### West Coast Main Line

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what criteria were used by the Office of Passenger Rail Franchising to assess the impact on existing or potential rail services of the coach links which OPRAF approved as part of the Virgin/Stagecoach deal for the InterCity West Coast Main Line and Cross Country Franchises. [73089]

**Dr. Reid:** The Criterion for securing the bus links was the integration of public transport in line with our recent White Paper, *A New Deal for Transport*. The primary aim was to transport passengers to rail heads by bus from areas not currently served by rail services and thus to encourage greater use of train services from these rail heads.

### Passenger Train Services

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what was the total number of passenger train services on the national rail network for each year between 1985–86 and 1997–98. [73093]

**Dr. Reid:** Information is not held in this form. However, I will write to my hon. Friend about alternative statistics that are available.

### Driver and Vehicle Licensing Agency

**Ms Keeble:** To ask the Secretary of State for the Environment, Transport and the Regions what progress is being made by the DVLA in reaching their target to deliver 95 per cent. of vocational licences within nine working days. [73097]

**Ms Glenda Jackson:** Since the beginning of 1998–99 the target has been met or bettered during every month except for April 1998, when a 10 day turnaround was recorded. DVLA expects to deliver an 8 day performance for the year as a whole.

### Structure Plan (Hampshire)

**Mr. Oaten:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from Eagle Star in relation to the structure plan for Hampshire. [73181]

**Mr. Raynsford:** Following publication of the Hampshire Structure Plan Examination in Public panel report in May 1997, Eagle Star forwarded to the Secretary of State in October 1997 a copy of the Company's response to Hampshire County Council Conservative Group's press release on the structure plan. In October 1998 the Secretary of State received two representations from Eagle Star asking him to intervene in the Hampshire Structure Plan.

### Number Plates

**Mr. Bob Russell:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to require motor vehicle registration number plates to comply with the laid-down specification. [73255]

**Ms Glenda Jackson:** Enforcement is a matter for the police. We are, however, planning to introduce new regulations, later this year, on the display of number plates which will facilitate enforcement and should reduce abuse. From 1 March this year, motorists who mis-represent their vehicle registration marks may also have them withdrawn.

### London Regional Transport

**Dr. Cable:** To ask the Secretary of State for the Environment, Transport and the Regions when he last advertised posts of *(a)* Chairman, *(b)* Vice-Chairman, *(c)* Executive members and *(d)* non-executive members of the Board of London Regional Transport. [73506]

**Ms Glenda Jackson:** The information requested is set out:

*Chairman*

It is not common practice for posts at Chairman level to be advertised. PricewaterhouseCoopers were appointed last spring to assist us in the search for a new Chairman.

*Vice-Chairman*

It has been the practice to appoint the Vice-Chairman from within the existing Board, rather than through external advertising. This appointment is made by the LT Board itself, not by the Secretary of State.

*Executive Members*

The post of Managing Director of London Underground Limited was advertised last July.

*Non-Executive Members*

It has been the practice to appoint non-executives from recruitment searches, or from names supplied by the Public Appointments Unit (PAU). Those appearing on the PAU's list are largely self-nominated.

**Dr. Cable:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the current members of the Board of London Regional Transport, *(b)* the dates on which they were first appointed and *(c)* their (i) qualifications and (ii) experience. [73510]

**Ms Glenda Jackson:** The information requested is set out.

| *Member* | *First appointed to Board* | *Qualifications and Experience* |
|---|---|---|
| Chairman: Sir Malcolm Bates | 11 February 1999 | Sir Malcolm is Chairman of the Pearl Group and Premier Farnell plc. Until Easter 1997 he was also Deputy Managing Director of GEC plc, and Joint Managing Director of Wm. Brandt & Sons. He is also a member of the Industrial Development Advisory Board, has chaired the Government's Engineering Deregulation Task Force, and was a member of the Treasury's Private Finance Panel. |
| Chief Executive: Denis Tunnicliffe | 1 November 1993 | Mr. Tunnicliffe joined London Transport as Managing Director of London Underground in 1988, and became a full Board member in 1993. This led to his becoming Chief Executive last May. Prior to joining London Transport, Mr. Tunnicliffe worked for British Airways, and subsequently the International Leisure Group. |
| Managing Director, London Underground: Derek Smith | 1 February 1999 | Mr. Smith worked in NHS management prior to joining the LT Board. He has experience of running a large organisation through a period of change, and has experience of dealing with Private Finance programmes. |
| Managing Director, London Transport Buses: Clive Hodson | 1 August 1995 | Mr. Hodson became Managing Director of London Buses Ltd. in 1989. His performance there, and his stewardship of the privatisation of the LBL subsidiaries led to his joining the LT board in 1995 as MD of London Transport Buses. |
| Non-executive Vice-Chairman: Brian Appleton | 1 September 1995 | Mr. Appleton is a former Director of ICI and Polymers, and assessor to the Piper Alpha Inquiry. In 1992 he carried out a study for the HSE of the extent to which London Underground had achieved the right balance in responding to fire and bomb threats. He advises LT on safety matters. |
| Non-executive: Michael Lawrence | 29 June 1994 | Mr. Lawrence was formerly Chief Executive of the London Stock Exchange. His previous experience included being a partner in Price Waterhouse, Group Finance Director for the Prudential Corporation, non-executive Director of the Port of London Authority, and Chairman of the Hundred Group of Finance Directors. He is Chairman of the Financial Audit Committee at LT. |
| Non-executive: Sally O'Sullivan | 1 August 1995 | Ms O'Sullivan's background is in publishing. She is also a member of the Broadcasting Standards Council, and of the Advisory Council on the Misuse of Drugs. She focuses on consumer issues at LT. |
| Non-executive: Sir Alan Bailey | 1 December 1991 | Sir Alan was formerly a Permanent Secretary at the Department of Transport, and formerly worked within the Treasury, Civil Service Department and Cabinet Office. He is Vice-Chairman of London Transport Buses. |

## Air Miles

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions how many Air Miles have been earned by him and each of his Ministers; and how he proposes to use them. [73336]

**Mr. Prescott:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend the Prime Minister on 12 January 1999, *Official Report*, column *141*.

Detailed information on any air miles earned by Ministers as a result of office travel is not recorded centrally.

## Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions what official visits he, his Ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73462]

**Mr. Prescott:** There have been no official visits by DETR Ministers to Zimbabwe since May 1997.

There has been one official visit on 27–30 January 1998 when a senior Departmental official represented DETR at an International Workshop on Strategic Approaches to Freshwater Management. The event was attended by some 80 countries, together with NGOs, industry and International agencies. This event was hosted by the Zimbabwe Government with EC support, and helped pave the way for the Commission for Sustainable Development's Sixth meeting at which a formal Decision on Strategic Approaches to Freshwater Management was adopted by CSD, and later endorsed by UNGASS.

## Zoos

**Mr. Baker:** To ask the Secretary of State for the Environment, Transport and the Regions (1) what criteria are used in assessing the suitability of people to be appointed to Government Zoo Inspectors' List A and Government Zoo Inspectors List B; [73725]

(2) what plans he has to assess the continuing suitability of those on the Government Zoo Inspectors Lists A and B. [73726]

Mr. Meale *[holding answer 26 February 1999]:* The requirements for selecting zoo inspectors are set out under Section 8 of the Zoo Licensing Act 1981. The list of inspectors is compiled after consultation with the British Veterinary Association, the Federation of Zoological Gardens and other bodies. The list consists of two parts: the first part contains the names of veterinary surgeons and practitioners who have experience of animals of the kinds that are or may be kept in zoos; the second part contains the names of other persons who are in the Secretary of State's opinion competent to inspect animals in zoos, to advise on keeping them and on their welfare, and to advise on the management of zoos generally. The Secretary of State may, after the required consultation, vary the list of inspectors by adding or deleting names.

Following the Government's review last year of the operation of the Zoo Licensing Act 1981 we plan to revise and update the current list of zoo inspectors. A new advisory body, the Zoos Forum, which we will be establishing shortly will also have an important part to play in reviewing the current list of inspectors and advising on further nominations for appointment.

**Mr. Baker:** To ask the Secretary of State for the Environment, Transport and the Regions (1) what standards his Department uses to determine whether a *(a)* circus and *(b)* zoo elephant has been excessively shackled; and if he will make a statement; [73727]

(2) what guidance he has given Government Zoo Inspectors on action to be taken in respect of elephants which have been excessively shackled. [73728]

**Mr. Meale** *[holding answer 26 February 1999]:* All zoos in Great Britain are required to comply with the *Standards of Modern Zoo Practice* issued by the Secretary of State under the Zoo Licensing Act 1981. The *Standards* do not at present specifically cover shackling. We announced a package of proposals in September last year to modernise the British zoo licensing system, and this included a review of the *Standards*, which is currently under way.

Local authorities are responsible for the issuing of licences and other executive functions under the Act. In considering whether to issue a new or renewed licence under the Act, local authorities may attach any conditions or recommendations which they consider necessary or desirable, having regard to the *Standards*. Local authorities may also refuse to grant a licence, or to revoke an existing licence, if a zoo is not meeting required standards. The Act provides for inspections of zoos by teams of experts to ensure that the arrangements for accommodation, staffing or management are adequate for the proper care and well being of zoo animals.

My right hon. Friend the Home Secretary has the lead responsibility in Government for the regulation of circuses.

### Homelessness

**Mr. Love:** To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 15 February 1999, *Official Report*, column *445*, what consultation is taking place regarding further assistance and protection for homeless people; what representations he has received on the restoration of a duty to fund permanent housing; when he plans to complete his consideration of the further steps to be taken referred to in his answer; and if he will make a statement. [73526]

**Mr. Raynsford** *[holding answer 26 February 1999]:* The Government have received representations from Shelter about making changes to the homelessness legislation which we are considering carefully. The Government intend to consult very widely on any proposals for strengthening the assistance and protection available to homeless people which it brings forward. No date has been set for completion of consideration of the steps that might be taken.

### Social Housing

**Mr. Love:** To ask the Secretary of State for the Environment, Transport and the Regions what strategy he has to meet the need for social housing over the next 20 years; and if he will make a statement. [73517]

**Mr. Raynsford** *[holding answer 26 February 1999]:* Our aim is to offer everyone the opportunity of a decent home and so promote social cohesion, well-being and self-dependence. The provision of good quality, efficiently managed social housing plays an important part in meeting that aim.

We are making available an extra £5 billion for housing over the life of this Parliament, giving local authorities increased scope to invest in new social housing where this best reflects local needs and priorities, and boosting the Housing Corporation's support for new social housing relative to the last Government's spending plans.

However, the overall number of new social houses built is not a full or satisfactory measure of a successful housing strategy. Decisions on investment have to strike a balance between the need for new social housing and the requirement to invest in improvements to the existing social and private sector stock. They must also take proper account of the demand for social housing, which varies greatly between regions and even between local neighbourhoods. It is important, therefore, that investment decisions reflect local circumstances. The policies we are putting in place following the Comprehensive Spending Review are designed to ensure that investment decisions are based on robust local assessments of housing need, reflected in housing strategies drawn up by local authorities in partnership with their communities.

### Revenue Support Grant (Gloucestershire)

**Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the revenue support grant for Gloucestershire for the last five years for which figures are available; and what revenue support grant he is providing for 1999–2000. [73140]

**Ms Armstrong** *[holding answer 26 February 1999]:* The information requested is shown in the table:

*£ million*

| | 1994–1995 | 1995–1996 | 1996–1997 | 1997–1998 | 1998–1999 | 1999–2000 |
|---|---|---|---|---|---|---|
| Gloucestershire County Council | 122.009 | 116.893 | 114.407 | 121.930 | 125.861 | 128.611 |
| Cheltenham | 3.909 | 3.861 | 3.688 | 3.779 | 3.393 | 3.237 |
| Cotswold | 2.125 | 2.042 | 1.659 | 1.811 | 1.556 | 1.509 |
| Forest of Dean | 1.861 | 1.702 | 1.322 | 1.690 | 1.470 | 1.394 |
| Gloucester | 4.423 | 4.289 | 4.269 | 4.560 | 4.379 | 4.233 |
| Stroud | 2.098 | 1.920 | 1.515 | 1.736 | 1.462 | 1.306 |
| Tewkesbury | 2.510 | 2.318 | 1.902 | 2.015 | 1.499 | 1.450 |
| Gloucestershire Police | – | 9.589 | 9.004 | 9.280 | 9.455 | 9.105 |

[1] Gloucestershire Police Authority came into existence in April 1995. In 1994–95, police services were provided by the County Council.

### Transport on Water Association

**Mr. Austin:** To ask the Secretary of State for the Environment, Transport and the Regions (1) what representations he has received recently from the Transport on Water Association regarding river transport to and from the Millennium Dome; and if he will make a statement; [73528]

(2) what correspondence he has received from the Transport on Water Association since 1998; and if he will lay copies of the letters and his replies in the Library; [73530]

(3) when he first received a copy of the Transport On Water Association's study of the future of passenger services on the River Thames; and what assessment he has made of their recommendations. [73529]

**Ms Glenda Jackson:** My hon. Friend the Minister for London and Construction received a letter from the Chairman of the Transport on Water Association dated 27 July 1998 asking a number of questions about the Government's plan for encouraging new river transport services on the Thames, including services to the Millennium Dome. I replied on 28 September. As requested, I am placing copies of both letters in the Libraries of the House.

My Department first received a copy of the Association's proposals for a system of passenger transport on the Thames in 1994. These were taken into account along with other studies and advice, in developing the Government's own proposals under our Thames 2000 initiative.

### Planning Appeals

**Mr. Baker:** To ask the Secretary of State for the Environment, Transport and the Regions what percentage of planning appeals dealt with by means of written representations since 1 May 1997 have conformed with the timescales required by the Written Representations Regulations 1987. [73403]

**Mr. Raynsford:** The provision of information on planning appeals is the responsibility of the Planning Inspectorate. I have asked the Inspector's Chief Executive, Mr. Chris Shepley, to write to the hon. Member.

*Letter from C. J. Shepley to Mr. Norman Baker, dated 1 March 1999:*

The Secretary of State has asked me to reply to your Question about planning appeals which have conformed with the timescales required by the Written Representations Regulations.

The Written Representations Regulations 1987 require parties to an appeal (including third parties) to comply with a number of timescales set out in the Regulations. These cover such things as the time when the LPA should notify other parties that they have received the appeal (within 5 days) and other timescales for submitting statements and responses. If these are all conformed to the date for the site visit, which would be set by the Inspectorate, could be in 8–10 weeks from the appeal start date.

In a significant number of cases, however, we are not placed to set the site visit in the 8th week because one or other of the parties fails to abide by the time limits (as provided for by the Regulation). Because of the number of stages (or time limits) involved we do not keep records of conformity in the procedural stages.

However the Inspectorate is set performance targets by the Minister. For Written Representation cases the timeliness target for this year is that in 80% of cases a decision should be issued within 18 weeks of the receipt of the appeal. So far since April 1998 we have achieved this target in every month.

### Tufnell Park Railway Station

**Mr. Corbyn:** To ask the Secretary of State for the Environment, Transport and the Regions what evaluation his Department has made of proposals for the possible construction of a new railway station at Tufnell Park on the Barking to Gospel Oak line. [73160]

**Ms Glenda Jackson:** This is a commercial matter for Railtrack. The construction of a new station at Tufnell Park is dependent on an approach from the train operating company and/or the local council. I am advised that to date no formal proposal has been received.

### Railway Lines (Re-openings)

**Mr. Corbyn:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the proposals currently being considered by his Department for the re-opening of closed railway lines. [73159]

**Ms Glenda Jackson:** No specific proposals are currently under consideration, but we announced on 25 February that the Franchising Director is taking forward a wide ranging consultation on the future development of rail services. Proposals for the re-opening of lines may also be submitted under the Rail Passenger Partnership Fund effective from 1 April. The Office of Passenger Rail Franchising will be publishing guidance for bidders shortly.

### Antarctica

**Mr. Corbyn:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment his Department has made of the environmental changes in Antarctica since the agreement of the Environmental Protocol. [73166]

**Mr. Meacher:** The Environmental Protocol entered into force in January 1998, although the UK had implemented its provisions soon after its adoption in 1991. Operational procedures in Antarctica have changed considerably within the past few years to take on board the tough provisions of the Protocol, e.g., the regular use of Environmental Impact Assessments, rigorous waste

disposal standards, etc. All activities of British citizens in Antarctica, including the scientists of the British Antarctic Survey, are the subject of permits issued by the Foreign and Commonwealth Office. An assessment of compliance with environmental standards is a routine part of permitting procedures. From our knowledge of the operations in Antarctica of other Treaty parties it is apparent that all, to a greater or lesser extent, have embraced the provisions of the Protocol.

Scientists from the British Antarctic Survey continually monitor conditions in Antarctica. Whilst the Environmental Protocol has strengthened the environmental protection of Antarctica from activities which are carried out there, changes to Antarctica's environment are occurring due to the impact of wider global events, e.g., pollution from industrial areas outside of Antarctica.

The Department of the Environment, Transport and the Regions partly funds the Hadley Centre to analyse global temperature trends, although they have not studied Antarctica specifically. We do not fund measurements of ozone depletion in the Antarctic although the British Antarctic Survey do so, funded by the National Environmental Research Council.

The Department does, however, follow the work of scientists working in the region. We have also just let a contract to make a risk assessment on the possibility of collapse of the West Antarctic Ice Sheet in the face of climate change. The results of this survey should be available by the end of this year.

### Elderly People

**Mr. Corbyn:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the incidence of elderly people living alone because their extended families have moved elsewhere due to the lack of local affordable housing. [73164]

**Mr. Raynsford:** My Department has made no specific assessment of this issue. Indeed, given the number of factors likely to affect the decisions of individual households, it is difficult to envisage any meaningful conclusions arising from any such assessment.

### Rate Support Grant (Islington)

**Mr. Corbyn:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of, and what representations he received on, the spending needs of Islington Council prior to the rate support grant announcement for 1999–2000. [73165]

**Ms Armstrong:** We looked carefully at the pressures and burdens on all local authorities and the scope for further efficiency savings, taking into account the views of the Local Government Association, when considering the level of provision for local government over the next three years, as set out in the Comprehensive Spending Review. We also looked in detail with local authorities at the distribution of grant to continue our aim of providing a fairer distribution of resources. We consulted local authorities during December and early January on the local government finance settlement 1999–2000 which was approved by Parliament on 4 February. Islington Council did not comment on our proposals during that consultation.

### Traffic Speeds (Central London)

**Mr. Corbyn:** To ask the Secretary of State for the Environment, Transport and the Regions what estimates his Department has made of average traffic speed in central London *(a)* in each of the last 15 years and *(b)* at the latest available date. [73157]

**Ms Glenda Jackson:** Speed surveys covering central, rest of inner, and outer London are conducted on a rotating basis, with each of these three areas surveyed every three to four years. The latest survey in central London was carried out in 1997. The estimates of average traffic speeds (mph) in central London over the last 15 years are as follows:

| | *Morning peak* | *Daytime off-peak* | *Evening peak* |
|---|---|---|---|
| 1983 | 11.8 | 11.9 | 11.5 |
| 1986 | 11.5 | 11.0 | 11.0 |
| 1990 | 10.3 | 10.6 | 10.3 |
| 1994 | 10.9 | 10.9 | 10.8 |
| 1997 | 10.0 | 10.0 | 10.2 |
| Peak times | 7.45am-9.15am | 10.00am-4.00pm | 4.45pm-6.15pm |

### Millennium Dome

**Mr. McNulty:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effect of the Millennium Dome on economic regeneration in London. [72127]

**Mr. Meale:** The building of the Millennium Dome, and its proposed long-term retention, will have major regenerative benefits for London, the full effects of which will become increasingly apparent over time.

Before the decision was taken to site the Millennium Dome at Greenwich, the Greenwich Peninsula was one of the largest derelict sites in the country, suffering from heavy contamination. Yet it lies only a few miles from the centre of London and close to the many historic attractions of Greenwich. The extensive site preparation works and infrastructure improvements required for the Millennium Experience have acted as the catalyst for a major mixed-use development project on the Greenwich Peninsula, under the direction of English Partnerships. This project, including the new Millennium Village that is being built in the southern part of the site as a model for sustainable regeneration of a brownfield site, will establish the Peninsula as a vibrant new urban quarter for London, with ensuing economic, social and environmental benefits for the capital—and beyond.

Furthermore, the Government intend shortly to launch a competition to find an alternative use for the Dome after the Millennium Experience finishes. We consider that retention of this unique structure with a new use that is both suitable and sustainable can make a substantial and lasting contribution to development of the Greenwich Peninsula, and give an added impetus to the long-term regeneration of the Thames Gateway. My hon. Friend will appreciate that different types of use could have widely varying impacts, both locally and nationally. We are confident, however, that the competition will bring forward a wide range of imaginative proposals and an outcome that will be of major benefit to London.

### Red Squirrels

**Mr. Soames:** To ask the Secretary of State for the Environment, Transport and the Regions what has been his Department's expenditure on research on red squirrels since May 1997. [73906]

**Mr. Meale:** The Department's statutory scientific advisers, English Nature, have spent approximately £100,000 on a Species Recovery Programme for the red squirrel, which includes a research element.

**Mr. Soames:** To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the presence of red squirrels in South East Britain. [73907]

**Mr. Meale:** Red squirrels are absent from South East Britain, with the exception of the Isle of Wight and islands in Poole Harbour, where the populations are estimated to number 4,000 individuals.

**Mr. Soames:** To ask the Secretary of State for the Environment, Transport and the Regions what measures the United Kingdom Red Squirrel Group is taking to encourage red squirrels in West Sussex. [73905]

**Mr. Meale:** There are no known populations of wild red squirrels in West Sussex. The focus of work by the UK Red Squirrel Group is currently in areas where there is the best chance to assist the long-term survival of red squirrel populations.

## PRESIDENT OF THE COUNCIL

### Millennium Compliance

38. **Miss McIntosh:** To ask the President of the Council what recent discussions she has had with transport providers on problems concerning millennium compliance and insurance cover for travel on 1 January 2000; and if she will make a statement. [72134]

**Mrs. Beckett:** I have not had any discussions with transport providers on the issue of insurance cover for travel on 1 January.

Responsibility for the transport and insurance industries rests with the Department of the Environment, Transport and the Regions and the Treasury respectively. In my role as Chairman of MISC4 I have however received reports on Year 2000 preparations across the transport and insurance sectors.

### House of Lords Reform

39. **Mr. Plaskitt:** To ask the President of the Council if she will make a statement on progress being made towards establishing a royal commission on reform of the House of Lords. [72135]

41. **Ms Christine Russell:** To ask the President of the Council if she will make a statement on progress being made towards establishing a royal commission on reform of the House of Lords. [72137]

**Mr. Tipping:** The members of the Royal Commission have all been appointed and the Secretariat has started work in its new premises. The first formal meeting of the Royal Commission is being held today.

### Air Miles

**Mr. Maclean:** To ask the President of the Council how many Air Miles have been earned by her and her Minister; and how she proposes to use them. [73342]

**Mrs. Beckett:** As part of our official duties at the Privy Council Office neither I nor the Parliamentary Secretary have earned any Air Miles.

### Zimbabwe

**Mr. Maclean:** To ask the President of the Council what official visits she, her Ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73460]

**Mrs. Beckett:** No visits have been made.

## HOUSE OF COMMONS

### Regional Affairs Committee

42. **Mr. Watts:** To ask the President of the Council if she will make a statement on progress on reviving the Standing Committee on the English regions. [72139]

**Mrs. Beckett:** I refer the hon. Member to the oral answer I gave today to my hon. Friend the Member for Doncaster, Central (Ms Winterton).

### Reporting

**Fiona Mactaggart:** To ask the Chairman of the Administration Committee what action she plans to take to improve the facilities for reporting of the House. [72130]

**Mrs. Roe:** There are no plans at present to change the arrangements for access to, or the facilities available in, the Reporters' Gallery and Lobby. The latter consist of working space (which includes the Press Gallery library, dining room, cafeteria and bar), and telephones for representatives of the media provided free of charge over three floor levels in the area behind the Speaker's Chair. Filmed interviews of hon. Members by the media may take place in the Interview Rooms off Westminster Hall, the Jubilee Room and the Conference Rooms in the Parliamentary Outbuildings and are also permitted on the Terrace, in New Palace Yard and on Abingdon Green, where permanent power cables are provided for this purpose. It is always open to officers and members of the Press Gallery and Lobby Journalist Committees to present proposals for improvements to these facilities, should they wish to do so.

With respect to the availability of the *Official Report*, on the Parliamentary website, a matter which I understand is of interest to the hon. Lady, the recommendation of the Procedure Committee was that the electronic Hansard should be made available on the day that the printed report is available. The rules governing the production of the *Official Report* stipulate that no one may see the contents of the printed report before it is available in the Vote Office the following morning. The only exceptions to that rule are that an hon. Member may read his or her own speech and, of course, the Chair has access to the report if needed.

## PRIME MINISTER

### Ministerial Flights

**Mr. Gibb:** To ask the Prime Minister, pursuant to his answer of 10 February 1999, *Official Report*, column *283*, on Concorde flights, if he will list the Ministers who have taken a Concorde flight; and what was the total cost of the flights. [71307]

**The Prime Minister:** Since 2 May 1997, I and the following Ministers have taken scheduled Concorde flights: my right hon. Friends the Deputy Prime Minister; the Secretary of State for Defence; the Secretary of State for Health; the Foreign Secretary; the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leeds, Central (Mr. Fatchett); the Minister for the Cabinet Office; and the Chancellor of the Exchequer; and my hon. Friend the Minister of State, Lord Chancellor's Department. The total costs of these flights is some £86,800. This compares with 11 Ministers using Concorde on a total of 13 occasions during the last two years of the previous Administration.

Expenditure on these flights is part of the Government's expenditure on Ministers visits overseas of £6.1 million for the period 1 May 1997 to 31 March 1998, and £4.0 million for the period 1 April to 31 December 1998. By comparison, in the last year of the previous Administration, expenditure on overseas visits was £7.8 million.

In addition, as accounted for in answers to the hon. Member for Arundel and South Downs (Mr. Flight) on 14 July 1997, *Official Report*, column *46*, and the hon. Member for Lichfield (Mr. Fabricant) on 13 March 1998, *Official Report*, columns *366–67*, I have also chartered Concorde, as did my predecessor.

### Genetic Modification

**Mr. Baker:** To ask the Prime Minister what factors underlay his statement that genetically modified food is beneficial for human consumption. [72240]

**The Prime Minister** *[holding answer 23 February 1999]:* All genetically modified food produced in the United Kingdom has been approved by independent expert scientific advisers as part of an extensive regulatory process designed to protect both consumers and the environment. No approvals have been given since 1 May 1997.

Genetic modification has the potential to enable us to produce food that is more nutritious and better tasting.

**Mr. Stinchcombe:** To ask the Prime Minister what representations he has received on genetically modified organisms and the biotechnology industry from the US Government. [72763]

**The Prime Minister:** I refer my hon. Friend to the answer I gave to the hon. Member for Lewes (Mr. Baker) on 31 July 1998, *Official Report*, column *600*.

### Economic and Monetary Union

**Mr. Maclean:** To ask the Prime Minister, pursuant to his oral statement of 23 February 1999, *Official Report*, columns 179–84, what his definition is of the term "pooling sovereignty". [73597]

**The Prime Minister:** In his statement to the House on 27 October 1997, *Official Report*, columns 583–88, my right hon. Friend the Chancellor of the Exchequer said that to share a common monetary policy with other Member States represents a major pooling of economic sovereignty.

**Mr. Maclean:** To ask the Prime Minister if he will make a statement on progress made on passing each of the five economic tests for joining the euro; if deadlines have been imposed; and what staff have been tasked to monitor progress. [73596]

**The Prime Minister:** The Government have said that, barring some fundamental and unforeseen change in economic circumstances, making a decision during this Parliament to join the single currency is not realistic. The UK economy needs a period of stability in order to demonstrate sustainable convergence. The Government have put in place a new macroeconomic framework and introduced a series of microeconomic reforms which are both in the national economic interest and will help to deliver the stability required to demonstrate that convergence is sustainable. As I said in my statement to the House on 23 February 1999, *Official Report*, columns 179–84, we cannot say that yet.

**Mr. Maclean:** To ask the Prime Minister who will judge whether the five economic tests for United Kingdom participation in the EMU have been passed; and who will be consulted. [73594]

**The Prime Minister:** The Government have said that the determining factor in any decision to recommend membership of the single currency will be the national economic interest. In order to make the assessment the Government have set out five economic tests which must be met before the UK could join. The final decision on whether or not the UK should join is for Government, Parliament and the British people in a referendum.

**Mr. Gibb:** To ask the Prime Minister, pursuant to his oral statement of 23 February 1999, *Official Report*, columns 179–84, if he will list the Ministers in each department responsible for euro preparation. [73519]

**The Prime Minister:** The following Ministers have responsibility for departmental euro preparations:

| *Department* | *Minister* |
|---|---|
| HM Treasury | Ms Patricia Hewitt MP |
| Department of Trade and Industry | Lord Simon of Highbury |
| Ministry of Defence | Doug Henderson MP |
| Department of Health | Baroness Hayman |
| Department of Social Security | Ms Angela Eagle MP |
| Ministry of Agriculture, Fisheries and Food | Lord Donoughue |
| Department for Education and Employment | George Mudie MP |
| Home Office | Ms Kate Hoey MP |
| Foreign and Commonwealth Office | Baroness Symons of Vernham Dean |
| Department for International Development | George Foulkes MP |
| Department for Culture, Media and Sport | Mrs. Janet Anderson MP |
| Department of the Environment, Transport and the Regions | Alan Meale MP |
| Northern Ireland Office | Paul Murphy MP |
| Welsh Office | Peter Hain MP |
| Scottish Office | Lord Sewel |

**Mr. Gibb:** To ask the Prime Minister, pursuant to his oral statement of 23 February 1999, *Official Report*, columns 179–84, what estimate he has made of the cost to private sector business of conversion to the euro. [73520]

**The Prime Minister** *[holding answer 26 February 1999]:* The level of costs would depend on the approach adopted by individual companies. The Outline Changeover Plan should help businesses as they develop their thinking on this issue. Effective preparations undertaken in good time and with a clear planning lead by Government should reduce the total costs involved.

**Mr. Gibb:** To ask the Prime Minister, pursuant to his oral statement of 23 February 1999, *Official Report*, columns 179–84, what estimate he has made of the cost to the public sector of conversion to the euro. [73521]

**The Prime Minister** *[holding answer 26 February 1999]:* The cost to the public sector of conversion to the euro would depend on the detailed approach that the UK took to the changeover. The outline National Changeover Plan is a first step in planning how the UK would make the changeover to the single currency. A further plan will be published in around a year's time.

The cost to the public sector would also depend on the extent to which organisations are able to build in euro compatibility where IT systems are being upgraded or purchased for other reasons. Effective preparations undertaken in good time and with a clear planning lead by Government should reduce the total costs involved.

**Mr. Gibb:** To ask the Prime Minister, pursuant to his oral statement of 23 February 1999, *Official Report*, columns 179–84, what estimate he has made of Government expenditure necessary to inform the public of the facts regarding the euro. [73522]

**The Prime Minister** *[holding answer 26 February 1999]:* As outlined in chapter eight of the Outline Changeover Plan, if the UK were to join the single currency, there would need to be provision of practical and objective information delivered to the general public and consumers to enable these groups to deal with each of the phases of the changeover.

The cost of any such public information campaign would depend on the particular requirements of the audiences involved and would also be dependent on the extent to which other bodies (for example, banks and retailers) were themselves providing appropriate information. Effective preparations undertaken in good time and with a clear planning lead by Government should reduce the total costs involved.

### European Movement

**Mr. Maclean:** To ask the Prime Minister when he last met representatives of *(a)* the European Movement and *(b)* the Federal Trust; and if he will list the subjects discussed. [73595]

**The Prime Minister:** I refer the right hon. Member to the reply I gave to the hon. Member for Boston and Skegness (Sir R. Body) on 19 October 1998, *Official Report*, column 917.

### Terrorism

**Sir Richard Body:** To ask the Prime Minister if he will make a statement on the nature of the material evaluated in preparing the periodic terrorism threat assessment document. [73771]

**The Prime Minister:** A number of reports and assessments are used within Government, and the threat from terrorism is kept constantly under review in the light of all the available information.

### Departmental Asset Sales

**Mr. Malcolm Bruce:** To ask the Prime Minister, pursuant to his answer of 22 February 1999, *Official Report*, columns 39–40, on departmental asset sales, if he will give details of the two fixed related assets which have been sold; what the sales processes were in each case; and if he will make a statement. [73732]

**The Prime Minister:** *[holding answer 26 February 1999]:* The two related fixed assets which have been sold were an electrically operated fork lift truck and associated battery charging unit which I am advised was used by Recruitment and Assessment Services (RAS) at their Basingstoke office.

Expressions of interest were invited to buy them as one lot. Three companies responded; the highest final bid was accepted.

### Referendums

**Sir George Young:** To ask the Prime Minister, pursuant to his oral statement of 23 February 1999, *Official Report*, column 193, when he will respond to the Committee on Standards in Public Life's recommendations on conduct of referendums. [73965]

**The Prime Minister:** As we made clear when the Neill Committee report on the funding of political parties in the United Kingdom was published in October 1998, the Government will announce their conclusions on the recommendations contained in the report, including those on the conduct of referendums, when we publish a White Paper and draft Bill before the Summer Recess.

### EU Meeting (Petersberg)

**Mr. Connarty:** To ask the Prime Minister if he will report on the outcome of the informal meeting of the EU Heads of State and Government in Petersberg, Germany on 26 February. [74131]

**The Prime Minister:** The meeting at Petersberg was an informal meeting in preparation for the full European Council in Berlin on 24–25 March, at which a broad range of issues were discussed. No formal decisions were taken. The meeting reviewed progress on the "Agenda 2000" package of negotiations on European Union finances and expenditure, the Common Agricultural Policy and the Structural and Cohesion Funds. I set out the Government's objectives: control and stabilisation of expenditure, genuine and affordable reform of the CAP, a fair outcome for United Kingdom recipients of the structural funds, and a fair deal for taxpayers. I made it clear that the Government will maintain the United Kingdom abatement.

Negotiations will continue in the Agriculture Council, which reconvenes on 2 March, and the ECOFIN and General Affairs councils, in preparation for the European Council meeting later this month, when the Presidency hopes to bring the negotiation to a conclusion.

Heads of State and Government also discussed duty free sales, negotiations between the EU and South Africa, relations between the EU and Russia, and the situation in Kosovo and the Middle East.

### Select Committees (Leaked Documents)

**Mr. Wilshire:** To ask the Prime Minister if he will make it his Department's policy to return to the relevant Select Committee leaked copies of unpublished committee documents. [73935]

**The Prime Minister:** As Members of the House, Ministers abide by its practices and conventions. I note that the Speaker has said in her letter of 1 March to the Chairman of the Select Committee on Standards and Privileges that the fundamental responsibility of Members who find themselves in possession of leaked committee papers must be to act in a way which does not impede the committee in the discharge of its responsibilities to the House. My right hon. Friend the Foreign Secretary made it clear on 24 February 1999, *Official Report*, column 417, that he and the Minister of State, Foreign and Commonwealth office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), had acted properly in this regard by not taking any action to interfere with the work of a Select Committee or give premature disclosure.

I also note that the Speaker has requested that, in the absence of an existing decision by the House, the Committee consider the points of order raised with her by the hon. Member and the hon. Member for Witney (Mr. Woodward) with a view to drawing up guidance for general application in such circumstances. Ministers, as members of the House, would of course abide by any future ruling on this matter.

## CULTURE, MEDIA AND SPORT

### World Cup Bid

8. **Mr. Pike:** To ask the Secretary of State for Culture, Media and Sport what current actions his Department is taking in support of the 2006 world cup bid. [72096]

**Mr. Banks:** The Government will continue to provide the fullest diplomatic and promotional support for The FA's bid in accordance with FIFA bidding guidelines. I believe it is an excellent bid with a very good chance of success. My Department is currently helping The FA draft the formal bid submission and I have arranged to meet members of the FIFA Executive visiting this country over the coming weeks.

I am determined that The FA's bid should continue to be pursued with the utmost vigour and integrity, and very much hope that the bidding process between now and March 2000 will be conducted in a spirit of friendly rivalry.

### Performing Arts

10. **Mr. Mackinlay:** To ask the Secretary of State for Culture, Media and Sport what measures he proposes to (i) extend access to the performing arts and (ii) reduce the costs of *(a)* performances and *(b)* tuition. [72098]

**Mr. Alan Howarth:** My Department regards increasing access to all artforms as a key objective. The Arts Council's New Audiences programme is already funding a number of pilot projects which reduce the cost of performances, and further grants have recently been announced.

My Department is setting up the Youth Music Trust which, as an early priority, will wish to review the issue of charging for music lessons. New arrangements were also announced in November to provide more equitable funding support for professional dance and drama students.

11. **Helen Jones:** To ask the Secretary of State for Culture, Media and Sport what steps he is taking to improve the accessibility of the productions of national theatre, opera and ballet companies for those living outside London. [72099]

**Mr. Alan Howarth:** The Arts Council of England encourages the national companies to ensure the widest possible access to performances. Many of the national companies, including Royal Ballet, Birmingham Royal Ballet, Royal Shakespeare Company and Royal National Theatre, tour extensively across the country. In addition, the Arts Council announced last month a range of initiatives under the New Audiences programme which will cover the whole of England.

### Library Service

13. **Ms Perham:** To ask the Secretary of State for Culture, Media and Sport what steps his Department is taking to improve standards in public libraries. [72102]

16. **Mr. Bill O'Brien:** To ask the Secretary of State for Culture, Media and Sport what assessment his Department has made of the service currently being provided by public libraries; and if he will make a statement. [72107]

**Mr. Alan Howarth:** For the first time in 1998 all library authorities were required to prepare an Annual Library Plan. I have sent each library authority both an overall appraisal of the 1998 Annual Library Plans and individual feedback about their own. The vast majority are to be congratulated on their Plans to build on and improve library services we can all be proud of, but I am asking 15 authorities to carry out more work on their Plans and a further 6 authorities to explain proposed cuts in services.

20. **Barbara Follett:** To ask the Secretary of State for Culture, Media and Sport how he is encouraging Britain's library service to extend access to the new technologies. [72112]

**Mr. Hepburn:** To ask the Secretary of State for Culture, Media and Sport what plans he has to help Britain's library service to extend access to new technologies. [72100]

**Mr. Chris Smith:** The Government are committed to ensuring that every public library is connected to the National Grid for Learning through the Public Library IT Network by 2002, where practicable. To this end, £70 million of Lottery funding will be available from the New Opportunities Fund for the development of new digital resources and the provision of ICT training for public library staff together with £6 million from the DCMS/Wolfson Challenge Fund for pathfinder projects to support the development of ICT infrastructure.

The Government are now considering responses to the consultation document 'New Links for the Lottery' which set out proposals for a programme of 'Community Access to Lifelong Learning' which will further support the development of ICT infrastructure for public libraries.

### Hospitality and Tourism Industries

14. **Dr. Starkey:** To ask the Secretary of State for Culture, Media and Sport what plans he has for improving the competitiveness and quality of service of the UK hospitality and tourism industries. [72103]

15. **Jane Griffiths:** To ask the Secretary of State for Culture, Media and Sport what his priorities are for improving the competitiveness and quality of the UK hospitality and tourism industries. [72105]

**Janet Anderson:** "Tomorrow's Tourism", the new strategy which we published on 26 February, contains a number of recommendations for action by central and local government, the tourism industry and other key players to improve the competitiveness and quality of the industry, and thus make it a world leader.

A copy of the strategy has been sent to every hon. Member.

### Millennium Awards

17. **Mr. McNulty:** To ask the Secretary of State for Culture, Media and Sport how many communities have received Millennium awards. [72108]

**Mr. Chris Smith:** Thousands of communities throughout the UK are benefiting from awards from the Millennium Commission. Work is underway on capital projects on over 3,000 sites. Nine hundred and fifty communities across the UK have benefited so far from the awards scheme for individuals and last week I announced over 1,000 celebratory events as part of the Millennium Festival.

### BBC (Free Television Licences)

18. **Mr. Crausby:** To ask the Secretary of State for Culture, Media and Sport if he will assess the benefits of using advertisements as a means to fund free television licences for pensioners as part of the review of future funding of the BBC. [72109]

**Janet Anderson:** The current review of the future of the BBC licence fee after 2002 includes a consideration of the structure of the existing concessionary television licence scheme and whether a suitable alternative structure could be available. The independent review panel has invited written submissions on a number of matters, including possible alternative concessionary arrangements and how they might be funded. The panel will report to my right hon. Friend the Secretary of State by the end of July this year. There will then be a period of public consultation on the panel's recommendations. It would not be right for the Government to preempt the outcome of the review.

### Chess

19. **Mr. Dismore:** To ask the Secretary of State for Culture, Media and Sport what plans he has to promote the designation of chess as a sport. [72111]

**Mr. Banks:** I am very supportive of chess and have impressed on the Sports Councils the need for them to review their recognition criteria. My Department provides some £49,000 each year to the British Chess Federation (BCF) and I am looking very carefully at the ways in which chess can benefit from additional sources of funding.

### Liquor Licensing Laws

21. **Mr. Grogan:** To ask the Secretary of State for Culture, Media and Sport what representations he has received regarding the effect on tourism in England and Wales of liberalising the liquor licensing laws. [72113]

**Janet Anderson:** We have received a number of representations from organisations and individuals in the tourism, hospitality and leisure industry. These have arisen in correspondence, in the course of meetings I have held with trade organisations, and during visits to industry events. I have also met my hon. Friend the Minister with responsibility for fire and emergency planning, liquor, drugs and local elections to make him aware of the importance of this issue to the tourism industry.

### Tourism

23. **Judy Mallaber:** To ask the Secretary of State for Culture, Media and Sport what steps his Department will take to ensure that growth in tourism is sustainable and does not damage the countryside or built heritage. [72115]

25. **Laura Moffatt:** To ask the Secretary of State for Culture, Media and Sport what steps his Department will take to ensure that growth in tourism is sustainable and does not damage the countryside or built heritage. [72117]

**Janet Anderson:** The long-term success of our tourism industry depends upon our safeguarding the best of our countryside and built heritage for future generations. The Government's new Tourism Strategy, *Tomorrow's Tourism: A growth industry for the new Millennium*, places sustainability at its core. It contains specific proposals for action to help tourism move towards a more sustainable future.

### Sports Council

24. **Mr. Wyatt:** To ask the Secretary of State for Culture, Media and Sport what proportion of the Sports Council's Lottery grants have been directed to the council's priority areas. [72116]

**Mr. Banks:** Since the introduction of the Lottery Sports Fund, over £880 million has been awarded to over 2,700 projects. Of these, over 400 grants have

been made to areas of identified deprivation, totalling over £240 million. This accounts for 15 per cent. of all awards and 27 per cent. of the total amount awarded.

### Millennium Experience

29. **Mr. McWalter:** To ask the Secretary of State for Culture, Media and Sport what plans he has to include exhibits in the millennium experience relating to the brain's capacity to make ethical distinctions. [72121]

**Janet Anderson:** As the New Millennium Experience Company (NMEC) announced in November 1998, the MIND zone within the Dome will combine art and technology in its exploration of many aspects of the human mind—celebrating the unique creativity of the human brain. In addition, the Body and the Spirit zone will provide an opportunity to explore wider ethical issues.

30. **Mr. Gray:** To ask the Secretary of State for Culture, Media and Sport if he will list those who have agreed to sponsor the spirit zone. [72124]

**Janet Anderson:** The New Millennium Experience Company (NMEC) is in positive discussion with a number of charitable organisations affiliated to major faith groups about support for the Spirit Zone. The company will confirm the involvement of particular organisations at an appropriate stage in those discussions.

### Royal Naval College

31. **Mrs. Virginia Bottomley:** To ask the Secretary of State for Culture, Media and Sport what discussions the New Millennium Experience Company has had with the Royal Naval college, Greenwich, about co-operation during 2000. [72125]

**Mr. Chris Smith:** The New Millennium Experience Company's very successful Visitor Centre is located at the Royal Naval College in Greenwich and working relationships between the two organisations are excellent. These include discussions about plans for co-operation during the year 2000.

### Millennium Dome (Insurance)

32. **Mr. Gordon Prentice:** To ask the Secretary of State for Culture, Media and Sport how much the dome is insured for. [72126]

**Janet Anderson:** The New Millennium Experience Company (NMEC) has a range of insurance cover relevant to different aspects of its legal and other responsibilities—and that includes building insurance. As is normal practice, the maximum sum payable under certain circumstances would enable the Dome to be rebuilt should that be necessary.

### UK Sports Institute

**Mr. Caplin:** To ask the Secretary of State for Culture, Media and Sport what progress he has made on the establishment of the UK Sports Institute. [74117]

**Mr. Chris Smith:** The English Sports Council is announcing today, Monday 1 March, with the Government's support, the United Kingdom Sports Institute's (UKSI's) network of centres around England. The English Sports Council is prepared to commit, in principle, up to £100 million of Lottery funding to help British athletes achieve future gold medals.

The provision of Lottery funding for the English network will, of course, remain a matter for the English Sports Council to decide on the basis of a full and proper assessment of suitable applications from the sites that have been identified, in line with the Policy and Financial Directions I have given them, and in line with advice from the UK Sports Council and UK Sports Institute when operational.

The Government are determined to ensure our leading sportsmen and women—now and in the future—have access to the very best sporting facilities and services to enable them to compete successfully against the world's top athletes. We have listened to their needs and concerns. The package announced today will deliver the right blend of local provision and central co-ordination. This is what sports want, it is what competitors want and I am confident we have got it right.

The network centres are central to delivering the UKSI's objectives. They will enable our sportsmen and women to have access to the most modern training facilities and methods in the world, near where they live. Competitors will in future be able to spend more time and energy in improving performance and less on struggling to find and get to the right place to train.

Facilities, expertise, resources and services will be sport specific and delivered where, when and how athletes want them. All sports will be able to make use of the facilities and services. There will be a mix of private and public investment. The public investment will be through Lottery funding. The UKSI will concentrate on the Olympic sports and those minority sports lacking a commercial element.

The UKSI will consist of a Headquarters in Sheffield, already announced, supported by network centres across England in 10 areas of England, as well as centres in Scotland, Wales and Northern Ireland. In England these will be at Bath University, Bedford, Bisham Abbey, Crystal Place, Gateshead, Holme Pierrepont/Loughborough, Lilleshall, Manchester, Southampton University and Sheffield. These will be supported by regional sites of expertise; ensuring all best practice is harnessed for the benefit of athletes and coaches through a consortium approach.

The investment of £100 million of Lottery Funds into the network in England brings with it a commitment from the sports in the programme to make use of the services and facilities for a significant amount of time. Therefore the Sports Councils will expect the commitment to the network by the governing bodies of sport to be linked to the Lottery funding they receive through the World Class Performance Plans they produce.

Each of the networks in England, plus those in Scotland, Wales and Northern Ireland, will have access to specialist science and medical advice from the UKSI's headquarters in Sheffield. The HQ will also co-ordinate research and other athlete services and training support to ensure that the UK's top athletes, wherever they may live, have access to the very best facilities and services through UKSI, with an emphasis on making the facilities easily

accessible throughout the country. A separate announcement has already been made in respect of Scotland.

The UKSI's headquarters in Sheffield is also moving forward and announcements will be made at each key stage, as appointments are made and designs finalised.

Today's announcement adds another dimension to the extensive support now being provided to the UK's leading athletes. It will build on the success of the World Class performance programme and the English Sports Council's recent announcement extending this Lottery support to programmes for World Class Start and World Class Potential.

Sporting success brings with it an enormous sense of pride. Pride for the individual competitor; pride for those close to them; and pride for those of us who support the endeavours of British athletes. The UKSI is not a quick fix. It is a long term investment in the future performance of British sportsmen and women.

Work has already been undertaken in full consultation with Performance Directors, coaches, athletes and service providers to develop a menu of 40 UKSI services to be delivered directly to athletes by the network. The list has been further refined to indicate those which would be provided from the HQ and those services which must be provided via each of the network locations.

There has always been a commitment to deliver urgently needed support services as soon as they are ready, particularly those that do not currently exist. The athlete personal development programme, ACE UK, will be the first of these launched in May this year.

With the very best facilities, the best coaching, and the best scientific and medical support, I am confident that our top athletes—both those of today and of future generations—will have the best opportunity to turn potential into medals.

## Departmental Asset Sales

**Mr. Malcolm Bruce:** To ask the Secretary of State for Culture, Media and Sport if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70408]

**Mr. Chris Smith** *[holding answer 11 February 1999]:* The Department itself has sold no assets since November 1997 and its agency, the Royal Parks Agency, has sold one horse which generated proceeds of £2,800. The information for the Department's associated public bodies is listed by asset category, which is in the format as shown in the National Asset Register. The total proceeds from asset sales by associated public bodies amounts to £195,082.

*Associated Public Bodies*

(i) Arts Council of England

Equipment, fixtures, and fittings—proceeds £1,000

Works of Art—proceeds £9,000

(ii) British Tourist Authority

Motor Vehicles—proceeds £11,000

Fixtures and fittings—proceeds £4,000

(iii) English Tourist Board

Computer Equipment—proceeds nil

(iv) British Library

Motor Vehicles—proceeds £5,397

(v) Royal Commission on Historical Monuments (England)

Computer Equipment—proceeds £1,000

(vi) Imperial War Museum

Exhibitions—proceeds £31,115

(vii) Museums & Galleries Commission

Fixtures and Fittings—proceeds £1,045

(viii) National Maritime Museum

Equipment and Vehicles—proceeds £180

(ix) Natural History Museum

Land and Buildings—proceeds £125,000

(x) British Film Institute

Motor Vehicles—proceeds £3,000

(xi) Channel 4 Wales

Plant and Equipment—proceeds £1,000

(xii) English Heritage

Plant and Fixtures—proceeds £1,050

Equipment—proceeds £1,295

## Departmental Expenditure

**Mr. Don Foster:** To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 11 January 1999, *Official Report*, columns *29–30*, if he will list the expenditure not included in his answer incurred by *(a)* his agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for his Department. [71026]

**Mr. Chris Smith** *[holding answer 15 February 1999]:* No expenditure has been spent on behalf of my Department by its agency, non-departmental public bodies or the Central Office of Information. However, the following expenditure has been incurred by my Department's agency and non-departmental public bodies from their own resources.

| | £ |
|---|---|
| Public Opinion Research | 2,849,124 |
| TV, Radio and Newspaper Advertising | 12,507,977 |
| Direct Mail | 1,056,080 |

The figures may also include expenditure met from non government funding.

**Mr. Don Foster:** To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 11 January 1999, *Official Report*, columns *29–30*, if he will list the expenditure not included in his answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if he will list the bodies which incurred the expenditure. [71027]

**Mr. Chris Smith** *[holding answer 15 February 1999]*: The following expenditure has been incurred by my Department's task forces and review bodies. I have no focus groups.

| *Title* | *Cost incurred to date £* | |
|---|---|---|
| Creative Industries Task Force | 53,000 | Publication costs for the Mapping Document into Creative Industries |
| The Football Task Force | 112,825 | Costs incurred, including the publication of three Reports |
| The Film Policy Action Committee | 78,300 | All Industry cost-benefit analysis report |
| | 9,400 | London Film Market feasibility study |
| Review of Film Policy | 23,345 | Cost of producing the report "A Bigger Picture" |
| | 60,479 | Consumer research costs |
| Review of the List of Nationally Important Sporting Events which must be made available on Free-to-Air Terrestrial TV Channels | 1,924 | Costs incurred to date |
| Independent review of the Future of the Royal Opera House and the English National Opera 15,057 | 17,385 | Report publication costs |

| *Title* | *Other costs incurred to date* | |
|---|---|---|
| The Library and Information Commission's public library network implementation Committee | 200,000 | Costs incurred to date |

**Mr. Maclean:** To ask the Secretary of State for Culture, Media and Sport what reviews, task forces and advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71520]

**Mr. Chris Smith:** The following table gives the information required.

| *Title* | *Costs incurred to date* | *Reports published* |
|---|---|---|
| *Task Forces* | | |
| Creative Industries Task Force: to recommend steps to maximise the economic impact of the UK creative industries at home and abroad | £53,156—Publication of the Mapping Document including design, print and paper costs and arrangements for the launch, cost £53,000. Refreshments for 8 meetings of the Taskforce held so far have cost £156 | Mapping Document into the Creative Industries published in November 1998 |
| The Football Taskforce: established to investigate and recommend measures to deal with public concern on a number of issues associated with the game. | £112,825 of which the costs to the Department are £64,604, and costs to the English Sports Council are £48,221 | Eliminating Racism from Football report published 30 March 1998<br>Improving Facilities for Disabled Supporters report published 29 July 1998.<br>Investing in the Community report published 11 January 1999 |
| The Film Policy Action Committee: established to take forward the recommendations of the Film Policy Review | (i) £78,300 | (i) All Industry cost-benefit analysis report published in November 1998 |
| | (ii) £9,400 | (ii) London Film Market feasibility study expected to report Spring 1999 |
| A group of sponsorship experts will assist sports currently in receipt of tobacco sponsorship to find replacement sponsors by: assessing the needs of each sport, offering advice on best practice in establishing commercial relationships with sponsors; and, assist the sports in making links with potential new sponsors | Nil | The group provides advice direct to the sports affected. |
| *Advisory Groups* | | |
| Tourism Forum | £4,200 | Advice given to Ministers on an ad hoc basis |
| Music Industry Forum | Nil | Advice given to Ministers on an ad hoc basis |
| *Reviews* | | |
| Review of Film Policy | £81,824—Cost of producing the report "A bigger Picture" was £23,345. Costs of consumer research was £60,479 | "A Bigger Picture" published March 1998 |
| Review of arrangements for celebrating the Millennium | Nil | June 1997 |
| Review of the National Lottery, leading to the publication of a White Paper | Nil | White Paper published 21 June 1997 |
| Review of Policy on Admission Charging by National Museums (Subsumed within the Departmental Spending Review). | Nil | Departmental Spending Review consultation document published 24 July 1998 |
| Review of the List of Nationally Important Sporting Events which must be made available on Free-to-Air Terrestrial TV Channels | £1,924 | Reported to Ministers on 20 March 1998 and announced 20 June 1998 |

| Title | Cost incurred to date | Reports published |
|---|---|---|
| An independent review of the Future of the Royal Opera House and the English National Opera | £32,442, which include publication costs at £17,385 | Report published on 30 June 1998 |
| Review of the Future Funding of the BBC | Nil spend to date | Report not due to be published until July 1999 |
| Review of the efficiency and effectiveness of Government sponsored museums and galleries | Nil spend to date | Report due to Ministers during 1999 |
| Working Group on Legal Deposit | Costs, which covered refreshments, were met by the British Library | Report published 17 December 1998 |
| The Library and Information Commission's public library network implementation Committee | £200,000 | Report "Building the New Library Network" published October 1998 |

DCMS staff costs for all reviews, taskforces and advisory groups were met from within the Department's existing running costs.

This excludes Advisory NDPBs which have been established since 1 May 1997.

## Disabled People

**Mr. Berry:** To ask the Secretary of State for Culture, Media and Sport what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71285]

**Mr. Chris Smith:** My Department takes the principle of equal opportunities very seriously. Facilities and support to ensure reasonable access to persons with disabilities is built into many of my NDPBs' main programmes. However, it is not always possible to disaggregate all spending on specific initiatives/activities for disabled people within those programmes. It is not, therefore, possible to provide a meaningful answer on the amounts spent attributable to disabled people and the proportion this represents of my Department's total budget.

## Heritage Lottery Fund

**Mrs. Virginia Bottomley:** To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 8 February 1999, *Official Report*, columns *77–78*, on the Heritage Lottery Fund, if he discussed his answer with the *(a)* former and *(b)* present Chairman of the Heritage Fund. [72228]

**Mr. Chris Smith:** My hon. Friend the Minister for the Arts did not discuss the Answer with either the former or the present Chairman of the Heritage Lottery Fund. The guarantee we have given that there will be no further adjustments to the percentage shares of Lottery income for the arts, sport, heritage and charities, and that each can count on receiving 16 per cent. after the current temporary reduction ends in May, and beyond 2001, is excellent news for these good causes and for the Heritage Lottery Fund.

## Award Ceremonies

**Mr. Maclean:** To ask the Secretary of State for Culture, Media and Sport what awards ceremonies he has attended since becoming Secretary of State. [72708]

**Mr. Chris Smith** *[holding answer 24 February 1999]*: I have attended the following awards ceremonies:

*1997*

Annual Sony Radio Awards Presentation and Dinner on 12 May 1997

Hotel of the Year Awards on 10 September 1997

Grand Final of the World Piano Competition on 7 October 1997

1997 Mental Health Media Awards on 8 October 1997

Booker Prize for Fiction o 14 October 1997

The Gramophone Awards 1997 on 27 October 1997

Prudential Awards for the Arts on 30 October 1997

Museum of the Year Awards on 10 November 1997

Musicians of Black Origin Awards on 10 November 1997

Ambassadors for London Awards on 13 November 1997

The 1997 Stirling Prize for Architecture on 20 November 1997

ABSA Pairing Scheme Reception on 24 November 1997

Highland Park/Spectator Parliamentarian of the Year Awards on 26 November 1997

Reception to present the Mike Rhodes and Pink Paper Awards on 27 November 1997

Dinner for the 1997 Turner Prize on 2 December 1997

The ABSA Goodman and Garrett Awards on 15 December 1997

*1998*

Presentation of Designation Award on 21 January 1998

Whitbread Book of the Year Awards on 27 January 1998

Evening Standard British Film Awards on 1 February 1998

BRIT Awards, Docklands Arena on 9 February 1998

Variety Club Business Awards on 10 February 1998

The Laurence Olivier Awards on 16 February 1998

London Press Club Annual Press Awards on 24 February 1998

Perrier Young Jazz Awards 1998 on 24 February 1998

Arts Council Writers' Award on 10 June 1998

1998 Nat West Art Prize on 16 June 1998

ABSA Pairing Scheme Reception on 25 June 1998

Designation Certificate for Harewood House, Leeds on 8 September 1998

Opening of the Jerwood Space and award of the 5th Jerwood Painting Prize on 21 September 1998

ABSA Pairing Scheme Reception on 28 October 1998

Fourth Annual British Diversity Awards on 6 November 1998

IBBY Conference and Announce the Children's Laureate Award on 14 November 1998

The Turner Prize 1998 dinner on 1 December 1998

*1999*

1998 Charter Mark Awards on 26 January 1999

Whitbread Book of the Year Presentation Dinner on 26 January 1999

BFI Fellowship Award for Sir John Paul Getty on 29 January 1999

Hunting Art Prizes 1999 on 3 February 1999

Laurence Olivier Awards on 12 February 1999

BRIT Awards on 16 February 1999

ABSA Pairing Scheme Reception on 24 February 1999

### Local Radio Licences

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport (1) what representations he has received from the Chairman of Southampton City Radio Ltd. concerning that company's bid for a local radio licence; [73117]

(2) what representations he has received concerning the award of local radio licences in Southampton, Bournemouth and Winchester. [73116]

**Mr. Chris Smith** *[holding answer 25 February 1999]:* I have received one letter from a company in support of the Radio Authority's award of a licence to Southampton City Radio Ltd. and one from a group expressing their concern about the award of independent local radio licences in the area of Southampton, Bournemouth and Winchester.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Culture, Media and Sport what official visits he, his Ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73455]

**Mr. Chris Smith:** Neither my Ministers, officials nor I have visited Zimbabwe since May 1997.

### Air Miles

**Mr. Maclean:** To ask the Secretary of State for Culture, Media and Sport how many Air Miles have been earned by him and each of his ministers; and how he proposes to use them. [73334]

**Mr. Chris Smith:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend the Prime Minister on 12 January 1999, *Official Report*, column *141*.

No air miles have been received by me or my Ministers in connection with any travel on official business.

### Arts Boards

**Mr. Amess:** To ask the Secretary of State for Culture, Media and Sport what recent representations he has received on the funding of arts boards. [72092]

**Mr. Alan Howarth:** My department has received a number of representations concerning the Regional Arts Boards on a variety of issues, including funding.

### Musical Instrument Tuition

**Mr. Ben Chapman:** To ask the Secretary of State for Culture, Media and Sport what action he has taken to increase young people's access to musical instrument tuition. [72110]

**Mr. Alan Howarth:** My right hon. Friend the Secretary of State announced last summer the creation of a new independent Youth Music Trust with £10m Arts Council Lottery funding a year, which will work to enable greater access to instrumental music making for young people. It will be operational in April. Taken together with the Standards Fund announced on 27 January by my right hon. Friends the Secretary of State for Education and Employment and the Secretary of State for Culture, Media and Sport, this provides a total minimum investment of £180m over three years for the improvement of music making opportunities.

## SCOTLAND

### New Housing Partnership

**Mrs. Laing:** To ask the Secretary of State for Scotland what the timescale is for the implementation of the New Housing Partnership scheme. [70314]

**Mr. Macdonald:** New Housing Partnerships were introduced in 1997–98 there were two rounds of bidding for resources. A third round, for resources in the period 1999–2002, is at present in progress.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Fisheries

**Mr. Maclennan:** To ask the Secretary of State for Scotland if he will list (i) the successful applications *(a)* by location and *(b)* by value and the (ii) the total value of the awards made in the most recent round of the Financial Instrument for Fisheries Guidance scheme. [70714]

**Mr. Macdonald** *[holding answer 22 February 1999]:* The information is as follows:

*Aquaculture Projects—Objective 1 Area*

£

| *Company* | *Location* | *FIFG Award* |
|---|---|---|
| Kinloch Damph Ltd. | Kishorn, Ross-shire | 197,000 |
| Loch Laxford Shellfish Ltd. | Loch Laxford, Sutherland | 78,110 |
| Caledonian Oyster Company | Loch Creran, Argyll | 48,740 |
| Rubha Mor Oysters | Loch Creran, Argyll | 15,070 |
| Skerries Salmon | Shetland | 23,000 |
| Shetland Norse Fish Farm | Yell, Shetland | 58,500 |
| Hydro Seafoods GSP Ltd. | Bixter, Shetland | 35,250 |
| Clousta Shellfish | Aithsing, Shetland | 5,450 |
| Catfirth Bay Shellfish | Catfirth Bay, Shetland | 12,870 |
| Total | | 473,990 |
| *FIFG Processing and Marketing—Objective 1 Area* | | |
| Shetland Catch Ltd. | Lerwick | 220,500 |
| Whalsay Fish Processors Ltd. | Whalsay | 22,925 |
| Saga Seafoods 1994 Ltd | Scalloway | 88,025 |
| Lerwick Fish Traders Ltd. | Lerwick | 44,380 |
| D. Watt (Shetland) Ltd. | Trondra, Shetland | 129,052 |
| Total | | 504,882 |
| *FIFG Processing and Marketing—Non-Objective 1 Area* | | |
| Granite City Fish Ltd. | Aberdeen | 25,163 |
| International Fish Canners (Scotland) Ltd. | Fraserburgh | 109,400 |
| Cool Seas (Seafoods) Ltd. | Peterhead | 250,000 |
| Young's Seafood | Annan | 25,998 |
| Whitelink Seafoods Ltd | Fraserburgh | 51,500 |
| Macfish Ltd. | Fraserburgh | 89,300 |
| Laeso Fish Ltd. | Peterhead | 35,308 |
| Croan Seafoods Ltd. | Peterhead | 89,182 |
| Crube International Ltd. | Fraserburgh | 48,712 |
| Messrs. George Downie | Whitehills | 70,630 |
| Taste the Sea Ltd. | Castle Douglas | 53,570 |
| Total | | 848,763 |

*Aquaculture Projects—Objective 1 Area*

| *Company* | *Location* | *£ FIFG Award* |
|---|---|---|
| *FIFG Ports Facilities—Objective 1* | | |
| Stornoway Pier and Harbour | Stornoway | 164,325 |
| *FIFG Ports Facilities—Non-Objective 1* | | |
| Smith Maritime Ltd. | Peterhead | 79,672 |
| Total | | 243,997 |
| *Total FIFG Assistance* | | 2,071,632 |

These awards will also trigger Member State contribution from Scottish Office and Enterprise Network in excess of £600,000.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Mr. Maclennan:** To ask the Secretary of State for Scotland if he will list the number of eligible applications received by location which were not grant aided in the most recent round of the Financial Instrument for Fisheries Guidance scheme, indicating which had been carried forward from one or more earlier rounds. [70716]

**Mr. Macdonald** *[holding answer 22 February 1999]:* The lists of eligible applications received which were not grant aided under the most recent round of awards under the Financial Instrument for Fisheries Guidance scheme are as follows:

| *Applicant* | *Location* | *Number of times deferred* |
|---|---|---|
| *Aquaculture Projects—Objective 1 area* | | |
| North Minch Shellfish | Lock Inchara | 1st deferment |
| Norquay Fish Farms | Echnaloch Bay, Orkney | 1st deferment |
| John Eccles Hatcheries | Hoy, Orkney | 1st deferment |
| Orkney Sea Farms | Shapinsay, Orkney | 1st deferment |
| Ardencaple Oysters | Ardencaple Bay, Argyll | 1st deferment |
| Balta Island Seafare Ltd. | Balta Island, Shetland | 1st deferment |
| West Coast Oysters | Oban, Argyll | 1st deferment |
| Slett Salmon Farms Ltd. | Binna Ness, Shetland | 1st deferment |
| David Pollard | Oban, Argyll | 2nd deferment |
| Highland Fish Farmers Ltd. | Portree, Isle of Skye | 2nd deferment |
| Loch Ness (Lachs) Ltd. | Loch Ness | 2nd deferment |
| Lakeland Unst Ltd. | Hamar's Ness, Shetland | 2nd deferment |
| Migdale Smolt Ltd. | Sutherland | 2nd deferment |
| Shetland Norse Fish Farm Ltd. | Reafirth, Shetland | 2nd deferment |
| Ardvar Salmon Ltd. | Drumbeg, Sutherland | 2nd deferment |
| *Aquaculture Projects—Non-Objective 1 area* | | |
| Kinnaird Mill Trout Farm | Brechin, Angus | 1st deferment |
| Mill of Elrick Fish Farm | Auchnagatt, Aberdeenshire | 1st deferment |
| *Processing and Marketing Projects—Objective 1 area* | | |
| Osprey Seafoods (Highland) Ltd. | Inverness | 1st deferment |
| Scrabster Seafoods Ltd. | Scrabster | 1st deferment |
| Catfirth Bay Shellfish | Scalloway | 1st deferment |
| Euroscot Seafoods Ltd. | Inverness | 1st deferment |
| Lerwick Fish Traders Ltd. | Lerwick | 1st deferment |
| Saga Seafoods 1994 Ltd. | Scalloway | 1st deferment |
| Shetland Apero | Lerwick | 2nd deferment |
| *Processing and Marketing Projects—Non-Objective 1 area* | | |
| Fintarn Ltd. | St. Monans | 1st deferment |
| Fresh Catch Ltd. | Peterhead | 1st deferment |
| Caley Fisheries Ltd. t/a Stephen Buchan | Peterhead | 1st deferment |
| R. Croan & Sons Ltd. | Edinburgh | 2nd deferment |
| *Ports facilities projects—non-objective 1 area* | | |
| Aberdeen Harbour Board | Aberdeen | 1st deferment |
| Alfred Cheyne Engineering Ltd. | King Edward, Banff | 1st deferment |

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Mr. Maclennan:** To ask the Secretary of State for Scotland what advice he has sought from the LECs in determining which projects to assist under the Financial Instrument for Fisheries Guidance scheme. [70715]

**Mr. Macdonald** *[holding answer 22 February 1999]:* The views of the Local Enterprise Companies are taken into account in the appraisal process which precedes every round of awards under the Financial Instrument for Fisheries Guidance.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Mr. Maclennan:** To ask the Secretary of State for Scotland when the next round of the Financial Instrument for Fisheries Guidance scheme will open. [70717]

**Mr. Macdonald** *[holding answer 22 February 1999]:* Applications for the next and final round under the current Financial Instrument for Fisheries Guidance had to be submitted by 31 December 1998. Decisions on these awards are expected to be announced before the end of June 1999. The possibility of a successor scheme and its funding is being negotiated in the context of the Agenda 2000 proposals.

## Genetically Modified Food

**Dr. Godman:** To ask the Secretary of State for Scotland what recent discussions he has had with the food industry anent the production of genetically modified food; and if he will make a statement. [69799]

**Mr. Galbraith** *[holding answer 15 February 1999]:* Scottish Ministers have had no recent discussions with the food industry about the production of genetically modified food. However, the industry is included in the broad public consultation on the biosciences currently being undertaken to ensure that the comprehensive framework to regulate and assess genetically modified products will continue to keep pace as this potentially very beneficial area of science develops.

The Government's overriding duty is to safeguard the public and the environment and this is achieved through rigorous regulation and assessment of products based on the best possible scientific advice.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Ms Walley:** To ask the Secretary of State for Scotland if he will place in the Library the full research findings of Dr. Pusztai in respect of genetically modified food. [72208]

**Mr. Macdonald:** Copies of the Audit Committee Report and the accompanying Press Release issued by the Rowett Research Institute on 28 October 1998; Dr. Pusztai's Report in response to the Audit Committee's Report; the Audit Committee's further response to Dr. Pusztai's report and the accompanying Press Release by the Rowett Research Institute on 16 February 1999, have been placed in the House of Commons Library. These reports cover all the relevant experiments carried out at the Rowett Research Institute.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Ministerial Visits

**Mr. Gray:** To ask the Secretary of State for Scotland if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71340]

**Mr. Dewar** *[holding answer 15 February 1999]:* The information requested, for visits I have made during the past 12 months in my capacity as Secretary of State, is shown in the table.

Glasgow, Kelvin
Edinburgh, Central
Clydebank and Milngavie
Stirling
Glasgow, Ballieston
Dundee, West
Linlithgow
Edinburgh, North and Leith
Edinburgh, South
Dumfries
Inverness, East, Nairn and Lochaber
Glasgow, Maryhill
Renfrewshire, West
Ross, Skye and Inverness, West
Glasgow, Govan
Aberdeenshire, West and Kincardine
Edinburgh, Pentlands
Moray
Cities of London and Westminster
North-East Fife
Tweeddale, Ettrick and Lauderdale
Roxburgh and Berwickshire
Galloway and Upper Nithsdale
Ochil
Aberdeen, North
Aberdeen, Central
Manchester, Central
Ayr
Kilmarnock and Loudoun
Motherwell and Wishaw
Perth
Glasgow, Pollok
Glasgow, Shettleston
Edinburgh, East and Musselburgh
Edinburgh, West
Paisley, North
Dunfermline, East
Dundee, East
Livingston
Glasgow, Cathcart
Clydesdale
Dumbarton
Kirkcaldy
Fife, Central
Cunninghame, South
Paisley, South
Caithness, Sutherland and Easter Ross
Falkirk, East
Holborn and St. Pancras
Tayside, North
Glasgow, Rutherglen
Aberdeen, South
Cunninghame, South
Glasgow, Springburn
Hamilton, North and Bellshill

### Open Countryside

**Mr. Gordon Prentice:** To ask the Secretary of State for Scotland how much land held by his Department he estimates would fall within the definition of open country as set out in the consultation document Access to the Open Countryside of February 1998. [71634]

**Mr. Macdonald** *[holding answer 22 February 1999]:* The consultation document Access to the Open Countryside did not apply to Scotland where the law and traditions relating to access differ from those in England and Wales. Earlier this month my right hon. Friend the Secretary of State for Scotland announced our intention to lay formal legislation for consideration by the Scottish Parliament that would introduce a right of access, to be exercised responsibly for informal recreation and passage.

The land held by the Scottish Office has not been classified according to the definition of open country set out in the consultation document.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Further Education

**Mrs. Ewing:** To ask the Secretary of State for Scotland (1) if the costs for *(a)* line management time, *(b)* teaching time spent on commercial activities, *(c)* non-summable teaching time, *(d)* in-service training, *(e)* costs for premises not used for summable teaching activity and *(f)* administration staff costs not related to summable teaching staff activity are included in the staff cost per weighted sum shown on pages 44 and 45 of the Further Education in Scotland 1997 report; [71955]

(2) if the costs for *(a)* teaching non-staff costs related to non-summable teaching activity, commercial activity and line management, *(b)* other premises costs for premises not used for summable teaching activity and *(c)* other administration costs not related to summable

teaching activity are included in the non-staff cost per weighted sum shown on pages 44 and 45 of the Further Education in Scotland 1997 report. [71956]

**Mrs. Liddell:** The unit cost tables on pages 44 and 45 of the Further Education in Scotland 1997 Report include only costs relating to college activity which is fundable by The Scottish Office. No costs relating to non-SUMmable activity are therefore included in either the staff or non-staff costs per weighted SUM shown on those pages.

From 1 July 1999 this will be a matter for the Scottish Parliament.

**Mrs. Ewing:** To ask the Secretary of State for Scotland in what year funding in respect of bursaries was classed as income for further and higher education colleges. [71937]

**Mrs. Liddell:** The incorporated further education colleges in Scotland assumed responsibility for bursaries from 1 April 1996. Since that date annual grant in aid allocations have been made by the Secretary of State to the colleges for bursary purposes.

From 1 July 1999 the Secretary of State's powers to fund further education colleges will pass to the Scottish Further Education Funding Council.

**Mrs. Ewing:** To ask the Secretary of State for Scotland (1) what steps he is taking to ensure that Unit Costs Data Form BMU submissions by incorporated colleges are *(a)* accurate and *(b)* submitted on a comparable basis; [71935]

(2) if he will make a statement on the *(a)* internal and *(b)* external auditing arrangements for the Unit Cost Data Form BMU submitted by incorporated colleges. [71936]

**Mrs. Liddell:** The Scottish Office provides detailed guidance to colleges regarding completion of the Unit Cost Data Forms BMU, in order to ensure accuracy and comparability. Although the forms are not themselves audited the figures are reconciled with colleges' audited annual accounts.

From 1 July 1999 the responsibility for issue or analysis of such forms will pass to the Scottish Further Education Funding Council.

**Mrs. Ewing:** To ask the Secretary of State for Scotland if he will list the public funds available to further and higher education colleges as income. [71938]

**Mrs. Liddell:** The public funds available to colleges of further and higher education as income include grant in aid allocations made by the Secretary of State, tuition fees paid by the Student Awards Agency for Scotland, contractual income form the Employment Service (including in respect of New Deal activity), the local enterprise network (for Skillseekers and other training) and the Secretary of State (for Project 2000 nurse training) and other grant income which may include European Regional or Social Funds, local authority grants and research grants.

From 1 July 1999 these will be matters for the Scottish Parliament, apart from the grant in aid allocations which from that date will become the responsibility of the Scottish Further Education Funding Council.

**Mrs. Ewing:** To ask the Secretary of State for Scotland if he will list the amount each further and higher education college has acquired from his Department's budget in terms of *(a)* recurrent grant in aid, *(b)* bursaries, and *(c)* restructuring and capital costs in each year since incorporation in (i) cash terms and (ii) real terms at 1998–99 prices. [72039]

**Mrs. Liddell:** In view of the volume of information requested I shall write to the hon. Member and place a copy of the letter in the Library of the House of Commons.

From 1 July 1999 the Secretary of State's powers to fund further education colleges will pass to the Scottish Further Education Funding Council.

**Mrs. Ewing:** To ask the Secretary of State for Scotland what *(a)* guidelines and *(b)* penalties apply to spending by incorporated colleges of grant allocation on (i) non-teaching staff, facilities and equipment and (ii) teaching staff, facilities and equipment. [71934]

**Mrs. Liddell:** The Financial Memorandum between the Secretary of State and the Boards of Management of the Colleges of Further Education, dated February 1996, sets out the guidelines and penalties which apply to spending by incorporated colleges of all grant in aid allocations. The Secretary of State may require the repayment, in whole or in part, of sums paid by him if any condition subject to which sums were paid is not complied with.

From 1 July 1999 the Secretary of State's powers to fund further education colleges will pass to the Scottish Further Education Funding Council.

### Dr. Pusztai

**Dr. Gibson:** To ask the Secretary of State for Scotland what employment procedures were followed during the recent dismissal of Dr Pusztai from the Rowett Institute. [71952]

**Mr. Macdonald:** Following his formal retirement from the Rowett Research Institute in 1990, at the age of 60, Dr. Pusztai was engaged as a consultant and Senior Research Fellow on a year-to-year contract, while drawing full pension. The Director of the Rowett Research Institute informed him in August 1998, in writing, that his existing contract would not be renewed when it ended on 31 December 1998.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Scottish Parliament

**Mr. Salmond:** To ask the Secretary of State for Scotland what guidance he has given to businesses in central Edinburgh on the potential impact of *(a)* the interim location of the Scottish Parliament in the Assembly Rooms, *(b)* the new parliament building at Holyrood on its completion, *(c)* the estimated completion date of the new building and *(d)* the estimated date of transfer of the parliament from the Assembly Rooms to Holyrood; how often he gives local business such guidance; and if he will make a statement. [72299]

**Mr. Dewar:** My Ministerial colleagues and I meet regularly with a wide variety of representatives of the Edinburgh business community and other local organisations. Views are exchanged on the impact of the new Parliament in both of the proposed locations.

The Scottish Office, the City of Edinburgh Council and Lothian and Edinburgh Enterprise Ltd. are joint sponsors of a study on "The Scottish Parliament: Maximising Local Economic Benefit through Area Regeneration". The study team has consulted with all identified interested parties, including representatives of local commerce and industry. The final report is expected shortly.

The estimated completion date of the new Parliament building at Holyrood is autumn 2001; the transfer date will be a matter for Members of the new Scottish Parliament to decide.

### Caesarean Sections

**Dr. Starkey:** To ask the Secretary of State for Scotland how many caesarean sections took place in Scotland in each of the last five years; and what they were in each year as a percentage of all deliveries. [72534]

**Mr. Galbraith:** The information requested is as follows:

*Maternities—Scotland*
*Number and percentage involving a caesarean section;*

| Year ending 31 March | Maternities | Caesarean sections Number | Percentage |
|---|---|---|---|
| 1994 | 61,954 | 9,716 | 15.7 |
| 1995 | 59,862 | 9,688 | 16.2 |
| 1996 | 58,478 | 9,604 | 16.4 |
| 1997 | 57,499 | 9,802 | 17.0 |
| 1998[1] | 57,478 | 10,386 | 18.1 |

[1] Provisional data

*Notes:*
1. The information shown in the table has been extracted from the Scottish Morbidity Record (SMR02)—Maternity discharge.
2. Maternities are defined as a pregnancy which results in a live or stillbirth, multiple pregnancies being counted only once.
3. In multiple deliveries individual babies may have different modes of delivery.
4. The data exclude maternities delivered at home.

From 1 July 1999 this will be a matter for the Scottish Parliament.

**Dr. Starkey:** To ask the Secretary of State for Scotland in how many health authorities in Scotland, and in which ones, the rate of caesarean section exceeds the WHO recommended rate. [72533]

**Mr. Galbraith:** The World Health Organisation (WHO) does not make specific recommendations about rates of caesarean delivery which will inevitably vary from place to place and will reflect the health and nutritional status of pregnant women and the level of maternity care provision. The rate of caesarean section for each Health Board in Scotland is as follows:

*Maternities—Scotland; by Health Board area of treatment*
*Number and percentage involving a caesarean section*
*Year ending 31 March 1998*

| Area of treatment | Maternities | Caesarean sections Number | Percentage |
|---|---|---|---|
| Scotland | 57,478 | 10,386 | 18.1 |
| Argyll and Clyde | 4,517 | 927 | 20.5 |
| Ayrshire and Arran | 3,864 | 770 | 19.9 |
| Borders | 973 | 169 | 17.4 |
| Dumfries and Galloway | 1,531 | 258 | 16.9 |
| Fife | 3,181 | 598 | 18.8 |
| Forth Valley | 3,288 | 536 | 16.3 |
| Grampian | 5,996 | 1,064 | 17.7 |
| Greater Glasgow | 12,877 | 2,283 | 17.7 |
| Highland | 2,393 | 470 | 19.6 |
| Lanarkshire | 4,635 | 872 | 18.8 |
| Lothian | 9,053 | 1,635 | 18.1 |
| Orkney | 116 | 18 | 15.5 |
| Shetland | 193 | 10 | 5.2 |
| Tayside | 4,667 | 743 | 15.9 |
| Western Isles | 194 | 33 | 17.0 |

*Notes:*
1. The information shown in the table has been extracted from the Scottish Morbidity Record (SMR02)—Maternity discharge.
2. Maternities are defined as a pregnancy which results in a live or stillbirth, multiple pregnancies being counted only once.
3. In multiple deliveries individual babies may have different modes of delivery.
4. The data exclude maternities delivered at home.
5. The data provided are provisional.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Rowett Institute

**Dr. Gibson:** To ask the Secretary of State for Scotland when he expects to receive the annual reports of the Rowett Institute for the years 1997 and 1998. [71953]

**Mr. Macdonald:** The Rowett Research Institute's Annual Report for 1997–98 should be available in March-April 1999. The Report for 1998–99 should be available at the same time next year.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Dr. Gibson:** To ask the Secretary of State for Scotland if he will make publicly available all the research documentation concerning the experiments carried out with genetically modified potatoes at the Rowett Institute. [71954]

**Mr. Macdonald:** Copies of the Audit Committee Report and the accompanying Press Release issued by the Rowett Research Institute on 28 October 1998; Dr. Pusztai's Report in response to the Audit Committee's Report; the Audit Committee's further response to Dr. Pusztai's Report and the accompanying Press Release by the Rowett Research Institute on 16 February 1999, have been placed in the House of Commons Library. These reports cover all the relevant experiments carried out at the Rowett Research Institute.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Sheriff Court, Dumbarton

**Mr. Worthington:** To ask the Secretary of State for Scotland how many *(a)* solemn and *(b)* summary, (i) civil and (ii) criminal cases which have been adjudicated upon at the Sheriff Court in Dumbarton in each of the past five years. [72884]

**Mr. McLeish:** The information requested is given in the following table:

*Dumbarton Sheriff Court*

| *Cases Concluded* | *1994* | *1995* | *1996* | *1997* | *1998* |
|---|---|---|---|---|---|
| *Criminal* | | | | | |
| Summary Cases | 2,775 | 2,584 | 2,646 | 2,654 | 2,419 |
| Solemn Cases | 92 | 80 | 72 | 76 | 90 |
| *Civil*[1] | | | | | |
| Ordinary Actions | 1,000 | 1,038 | 967 | 895 | 1,052 |
| Summary Cause | 2,544 | 2,150 | 1,996 | 2,040 | 2,042 |

[1] Civil does not include miscellaneous civil proceedings e.g. adoptions, simplified divorces, sequestrations etc.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Social Exclusion

**Mr. David Stewart:** To ask the Secretary of State for Scotland if he will make a statement on the progress made by the Government in tackling social exclusion in Scotland. [74118]

**Mr. Dewar:** Social exclusion is a pernicious phenomenon and we have made clear our determination to confront it. Since coming into office we have put in place a wide-ranging and well resourced programme of action. We have today published a social inclusion strategy for Scotland, which has been developed and endorsed by the Scottish Social Inclusion Network, chaired by my noble Friend Lord Sewel. The strategy aims to ensure that action already underway achieves the greatest possible impact, and that future action to promote social inclusion is integrated, evaluated and informed by new ideas and existing best practice.

A statement of the Government's programme of action is set out in a companion document to the strategy, also published today. Copies of both documents are available from the House Library.

From 1 July 1999 action taken forward under the social inclusion strategy will be a matter for the Scottish Parliament.

### Elderly (Long-term Care)

**Mr. Russell Brown:** To ask the Secretary of State for Scotland when he expects to respond to the report of the Royal Commission on Long Term Care of the Elderly. [74394]

**Mr. Dewar:** As my right hon. Friend the Secretary of State for Health has indicated today, we have just received the Royal Commission's very full and detailed report. I join my right hon. Friend in his tribute to the work of the Commission, under the chairmanship of Sir Stewart Sutherland. We are grateful to all the Commission members, including the other Scottish-based member, Professor Mary Marshall of the Dementia Services Development Centre at the University of Stirling.

The report's recommendations are important and wide ranging. They will require very careful consideration. Some relate to matters such as social security and pensions which are to be reserved to Westminster. Scottish Ministers and officials will play a full part in inter-departmental discussions on these matters, both now and, I am sure, after devolution. Other recommendations relate to matters such as social work, health and housing, which will be devolved. From 1 July 1999 these will be a matter for the Scottish Parliament and the response to the recommendations will be for the Scottish Executive and Parliament to take forward in the light of the informed debate which the Commission hopes to see, and our proposals for modernising social work services which will be set out in a White Paper later this month.

The Commission has made two key recommendations. The first is that personal care as defined by the Commission (that is, not including the costs of board and lodging) should be free in all settings. This recommendation will clearly have to be addressed in the light of the spending priorities of the Scottish Parliament. The second is that there should be a National Care Commission to look at the whole system in a strategic way, represent the interests of older people receiving services and produce national benchmarks. Again this will have to be considered carefully.

I congratulate the Royal Commission and Sir Stewart on the production of this report. I am confident that the Scottish Executive and Parliament will give it the full consideration it deserves and requires.

### Seals

**Mr. Soames:** To ask the Secretary of State for Scotland what assessment he has made of seal damage to salmon in the last five years. [73908]

**Mr. Macdonald:** Seals are opportunistic predators which take whatever prey is locally abundant, and only by studying rivers on a site-by-site basis can the effects of seals on salmon be measured.

A study based on direct observation of seals and their impact on salmon in the estuaries of the Rivers Dee and Don was conducted between 1993 and 1996. This found that common seals were the most prevalent species, that peak numbers were seen in the winter months, but that the number of individual seals was very low.

A new project studying the interaction between the two species has begun on the River Conon, funded by The Scottish Office, through the Marine Laboratory, and Aberdeen University.

There are no estimates of predation on salmonids in the open sea.

From 1 July 1999 the protection and management of seals in Scottish waters will be a matter for the Scottish Parliament.

**Mr. Soames:** To ask the Secretary of State for Scotland what proposals he has to control the seal population. [73909]

**Mr. Macdonald:** A delicate balance must be struck between maintaining a sustainable population of seals and protecting legitimate fishing interests. Current legislation provides local solutions to local problems.

Under the Conservation of Seals Act 1970, fishermen are permitted to shoot seals during the open seasons, providing an appropriately licensed firearm is used. Limited shooting under licence is permitted during the close seasons for the prevention of damage to fisheries.

Throughout the year, fishermen may shoot seals to prevent them from causing damage to a fishing net or fishing tackle, or to any fish captured by that net or tackle.

In April 1998 we announced the lifting of the year round protection given to common seals in Shetland under the Conservation of Seals (Common Seals)(Shetland Islands Area) Order 1991. We have no plans at present to change the existing management regime. This matter is kept under constant review.

From 1 July 1999 the protection and management of seals in Scottish waters will be a matter for the Scottish Parliament.

## HOME DEPARTMENT

### Criminal Cases Review Commission

**Mr. Singh:** To ask the Secretary of State for the Home Department (1) what is the total number of cases referred to, and awaiting review by, the Criminal Cases Review Commission; [72772]

(2) how many cases are awaiting intensive review by the case review managers that work for the Criminal Cases Review Commission. [72771]

**Kate Hoey:** I understand that, at the end of January, 1,055 cases were awaiting review by the Criminal Cases Review Commission (of which 1,010 were awaiting detailed review) and 482 cases were under active review.

### Police (Millennium Celebrations)

**Mr. Austin:** To ask the Secretary of State for the Home Department, pursuant to his answer of 8 February 1999, *Official Report*, columns *92–93*, on policing Millennium celebrations, what proportion of the £176 million additional special payment is in respect of the Millennium. [72665]

**Mr. Boateng:** The £176 million special payment allocated to the Metropolitan Police is in recognition of the force's distinct national and capital city functions which, in the next financial year, include policing related to Millennium celebrations. It is a matter for the Commissioner of Police of the Metropolis to decide on the operational deployment of his resources.

### Pilot Projects

**Yvette Cooper:** To ask the Secretary of State for the Home Department if he will list the pilot projects instigated by his Department since 1 May 1997, indicating the area in which each pilot took, or is taking, place. [72638]

**Mr. Straw:** Details of key pilot projects instigated by the Home Office since 1 May 1997 are as follows:

| *Pilot project* | *Area* | *Date pilot started* |
|---|---|---|
| *Youth Justice*—Measures contained in the Crime and Disorder Act 1998: | | |
| (1) The final warning scheme<br>(2) The repatriation order<br>(3) Action plan order | London Boroughs of Hammersmith and Fulham, Kensington and Chelsea and the City of Westminster; Southampton; Portsmouth and the Isle of Wight; Wolverhampton; Sheffield (1) to (5) | 30 September 1998 |
| (4) Child safety order and parenting order<br>(5) Youth offending teams | Blackburn (1) (2) (5)<br>London Borough of Lewisham; Luton and Bedfordshire; Devon; St. Helens; Sunderland (4) (5) | |
| *Reducing delays in the criminal justice system*—pilots of the Crime and Disorder Act 1998 provisions to speed up the criminal justice system: | Blackburn and Burnley; Croydon, Bromley and Sutton; Northamptonshire; North Staffordshire; North Wales; and Tyneside | October 1998. January 1999 for those relating to the sending of cases to the Crown Court |
| Getting cases into court the day after charge or as soon as possible thereafter;<br>Crown Prosecution Service staff working alongside the police in the police stations to get cases ready for court;<br>Crown Prosecution Service using trained lay staff to prosecute straightforward guilty plea cases in the magistrates' courts in Early First Hearings.<br>Introduction of Early Administrative Hearings in the magistrates' courts to be presided over by a single Justice or Justices' Clerk to manage the pre-trial preparation of all magistrates' court cases;<br>Free legal advice from the duty solicitor at court for defendants attending Early First Hearings or Early Administrative Hearings.<br>Introduction of tougher bail conditions to increase the use of securities and enable the courts to require a defendant to attend an interview with his legal representative.<br>Sending indictable-only cases to the Crown Court after only one preliminary hearing in the magistrates' court. | | |
| *Probation*<br>Drug Treatment and Testing Orders | Liverpool; Gloucestershire; Croydon | 1 October 1998 |
| *Pathfinder projects*—to identify examples of best practice and share them amongst probation services: | | September 1998 |
| 1. Programme Solving, Training and Offending Behaviour | Devon, Teesside and Greater Manchester | |
| 2. Thames Valley Sex Offender Programme | Oxfordshire, Buckinghamshire and Berkshire | |
| 3. Women Offenders Programme | Hereford and Worcestershire | |

| *Pilot project* | *Area* | *Date pilot started* |
|---|---|---|
| *Electronic Tagging* | | |
| 1. Community Service Orders and Curfew Orders on Persistent Petty Offenders, Curfew Orders on Juveniles (aged 10 to 15), Driving Disqualifications on Offenders and Fine Defaulters | Norfolk<br>Greater Manchester | January 1998<br>April 1998 |
| 2. Electronic Monitoring as a Condition of Bail | Norfolk<br>Greater Manchester | April 1998<br>July 1998 |
| *Integrating business and information systems (IBIS)*—to enable the exchange of electronic case files and case-tracking information between the police, Crown Prosecution Service and the magistrates' courts | Stockport | November 1998 |
| *Police dogs*—Trials of scent discrimination methods of training police dogs using bloodhounds and German Shepherds | Essex police force | April 1998 |
| *Fire safety*—community fire safety pilot publicity campaign that concentrated on chip pan safety to test out an integrated approach to communications. TV advertising ran throughout Granada TV area | Lancashire | 3 April 1998 to 5 May 1998 |
| *Review of Fire Cover*—Pathfinder projects with selected fire brigades to trial a new scheme for providing fire cover based on the risk | London; Strathclyde (Glasgow); Lothian and the Borders; South Wales (Cardiff); Oxfordshire; Devon | January 1999 |
| *Passport issuing*—project to introduce a more secure digitally printed British Passport | Passports issued by the Liverpool and Newport Passport Offices (North West, North and South of England and Wales) | 5 October 1998 |
| *Prison Service* | | |
| Welfare to Work | 11 prisons across the estate | April 1998 |
| Video Links | South-West (Bristol and Eastwood Park prisons linked to Bristol and Swindon magistrates court)<br>North-West (Manchester prison and Hindley YOI linked to Manchester magistrates court) | November 1998 |
| New Security passes | Bullwood Hall prison, Essex; The Mount prison, Herts; Hull prison | April to June 1998 |
| Prisoner Escort Form | Brixton and Holloway prisons; London prisoner escort service and 9 London police stations | May to June 1998 |
| Extended Sex Offender Treatment Programme | Albany, Wakefield, Channings Wood, Swinfen Hall and Wandsworth prisons | 1997 to 1998 |
| Improved regimes for women prisoners | Holloway prison, London<br>Styal prison Cheshire | December 1998<br>November 1998 |
| Dyslexia screening | 5 dispersal prisons: Frankland, Full Sutton, Long Lartin, Wakefield, Whitemoor | January 1999 |
| Family literacy | Stoke Heath YOI; Norwich, Bullwood Hall<br>Cookham Wood<br>Dover YOI | September 1998<br>October 1998<br>February 1999 |
| Volunteer tutoring schemes | Frankland, Full Sutton and Wakefield prisons | January 1999 |
| Peer partnership (basic skills) | 7 prisons across the estate | August to September 1998 |
| | Birmingham | January 1999 |
| Disinfecting tablets | 11 prisons across the estate | July to November 1998 |

A number of pilot projects will also form part of the Crime Reduction Programme, beginning in April 1999. There will be about 70 projects initially, launched as part of the burglary and targeted policing initiatives within the Programme. There will be others to follow. The first projects are expected to be confirmed shortly, following validation of the bids that have been submitted to the Home Office.

## Domestic Violence

**Mr. Wicks:** To ask the Secretary of State for the Home Department what assessment he has made of the impact of the Crime and Disorder Act 1998 on domestic violence. [72769]

**Mr. Boateng:** Tackling domestic violence requires partnership working between agencies in the public, private and voluntary sectors. The Crime and Disorder Act 1998 has reinforced the statutory framework under which such partnership working can take place. We have always made it clear that we expect the local crime and disorder partnerships set up under the Act to identify the level of domestic violence in their area and to develop and implement strategies for reducing it.

The first crime and disorder audits and strategies should be in place by 1 April 1999 and are currently being drawn up. It is too early to draw from them any general

conclusions, but a number of audits—including Croydon's—have already identified domestic violence as a priority.

### Deportations

**Mr. Hancock:** To ask the Secretary of State for the Home Department how many prisoners sentenced to life imprisonment *(a)* have been deported upon release in each of the last five years and *(b)* will be deported on release; and to which countries in each case. [72930]

**Mr. Mike O'Brien:** I regret that the precise information requested can be obtained only at disproportionate cost.

The available information, relating to deportation removals following recommendation by a court, or on grounds conducive to the public good following conviction for a criminal offence, is given in the table.

*Deportation removals[1] following recommendation by a court[2] or on grounds conducive to the public good[3] following conviction for a criminal offence, 1994–1998[4]*

*Number of persons*

| | *Removed or departed voluntarily[5]* |
|---|---|
| 1994 | 320 |
| 1995 | 340 |
| 1996 | 370 |
| 1997 | 360 |
| 1998[6] | 320 |

[1] Includes persons departing voluntarily following initiation of deportation action against them.
[2] Under section 3(6) of the Immigration Act 1971.
[3] Under section 3(5)(b) of the Immigration Act 1971.
[4] Data are rounded.
[5] 1998 data are provisional and relate to 1 January to 30 November only.

### Drugs Misuse

**Ms Kelly:** To ask the Secretary of State for the Home Department (1) if he will list the occasions on which gammahydroxybutyrate has been referred to the Advisory Council on the Misuse of Drugs; and what representations have been made on its use; [72902]

(2) what criteria are applied in determining whether the degree of abuse of a drug and the social consequences arising from its misuse are sufficient to warrant *(a)* the banning of the drug under the Misuse of Drugs Act 1971 and *(b)* other Government action. [72903]

**Mr. George Howarth:** Representations have periodically been made since 1994 for the control under the Misuse of Drugs Act 1971 of gammahydroxybutyrate. In total, eight Parliamentary Questions have been answered in this House and nine letters from Members.

The Advisory Council on the Misuse of Drugs, which is established under the Misuse of Drugs Act 1971 to advise the Government on drug misuse issues, has considered the misuse of gammahydroxybutyrate on three occasions—in May 1994 shortly after the drug first appeared as a drug of misuse in this country; in November 1996; and in May 1998.

Section 1 of the 1971 Act provides that the Council has a duty to keep under review drugs which are being or appear likely to be misused and of which the misuse is having to appear capable of having harmful effects sufficient to constitute a social problem; and to give to Ministers advice on measures (whether or not involving alteration of the law) to be taken for preventing the misuse of such drugs or dealing with social problems connected with their misuse.

When reviewing the misuse of a substance and deciding what measures should in its opinion be taken, the matters which the Council take into account include the substance's pharmacology; availability (including any existing controls on the substance); prevalence of misuse; effects on health; abuse liability; dependence potential; and therapeutic usefulness.

### EU Nationals

**Ms Oona King:** To ask the Secretary of State for the Home Department how many letters have been sent to Community nationals in the United Kingdom advising them that they are no longer considered to be exercising treaty rights and should therefore leave the United Kingdom since 1 February 1998. [72865]

**Kate Hoey:** Between 1 February and 31 August 1998, 9 Residence Permits or Documents were revoked.

**Ms Oona King:** To ask the Secretary of State for the Home Department how many EU nationals are estimated to have been exercising treaty rights in the United Kingdom during the period 1 February 1998 to date. [72871]

**Mr. Mike O'Brien:** The information available relates to the number of nationals of other European Union countries who were usually resident in the United Kingdom in autumn 1998. There were some 870,000 such persons, of whom 450,000 were citizens of the Irish Republic.

**Ms Oona King:** To ask the Secretary of State for the Home Department (1) what was the average time for consideration of applications for residence documents or evidence of residence made by third country family members of EU nationals exercising treaty rights in the United Kingdom during the period 1 February 1998 to date; [72870]

(2) what was the average time for consideration of applications for residence documents for EU nationals exercising treaty rights in the United Kingdom during the period 1 February 1998 to date. [72869]

**Kate Hoey:** The information sought is not recorded in the form requested and could be obtained only at disproportionate cost.

**Ms Oona King:** To ask the Secretary of State for the Home Department how many applications for *(a)* residence permits and *(b)* leave to remain as the spouse of an EEA national exercising treaty rights, were refused on the basis that the marriage was one of convenience over the period 1 February 1998 to date. [72875]

**Kate Hoey:** From 1 February to 31 August 1998, 216 applications for residence documents on the basis of marriage to an European Economic Area (EEA) national were refused. The reasons for refusal are not separately categorised. The granting of leave to remain relates to applications made under the Immigration Rules and does not apply to requests for residence documents by the spouses of EEA nationals exercising treaty rights.

**Ms Oona King:** To ask the Secretary of State for the Home Department what is the length in time of residence documents or endorsements given to third country national spouses of EC nationals exercising treaty rights who have been granted indefinite leave to remain. [72855]

**Kate Hoey:** Where a European Economic Area (EEA) national has been granted indefinite leave to remain, the third country national spouse may apply either for leave to remain under the Immigration Rules on the basis of marriage to a person present or settled in the United Kingdom or for a residence document in accordance with European Community law. In the former case, the applicant, if successful, would be granted 12 months' leave to remain in the first instance; in the latter case, the third country national spouse may apply for a residence document which, if issued, would have the same validity as any extant residence permit issued to the EEA spouse. If the EEA spouse no longer holds a valid residence permit, one would be issued with five years' validity as the basis for the issue of a residence document of the same validity to the third country national.

**Ms Oona King:** To ask the Secretary of State for the Home Department how many EU nationals were refused entry to the United Kingdom on the grounds of *(a)* public policy, *(b)* public security and *(c)* public health during the period 1 February 1998 to date. [72866]

**Mr. Mike O'Brien:** The available information relates to European Union nationals who were refused leave to enter because their exclusion from the United Kingdom was deemed conducive to the public good or because they were medically undesirable. A provisional total of 46 persons in the first of those categories were removed between February and December 1998. During the same period, no European Union nationals were recorded as having been refused and removed on health grounds.

**Ms Oona King:** To ask the Secretary of State for the Home Department what measure has been implemented in the United Kingdom to give effect to the decision of the European Court of Justice in the case of Vander Elst [1994] ECR 1-3803 to the effect that third country national employees of service providers based in another member state are entitled by Community law to exercise on behalf of their employers the right to provide services in the United Kingdom. [72873]

**Mr. Mike O'Brien:** Effect is given to implementing this judgment through instructions that third country national employees of service providers established in another member state are not required to obtain work permits when they are sent to provide services in the United Kingdom.

**Ms Oona King:** To ask the Secretary of State for the Home Department how many applications for residence permits were made by EU nationals exercising treaty rights in the United Kingdom in the period 1 February 1998 to date. [72861]

**Kate Hoey:** From 1 February to 31 August 1998, 1,424 applications for residence permits were received.

**Ms Oona King:** To ask the Secretary of State for the Home Department how many applications for residence documents and endorsements by third country national spouses of Community nationals exercising treaty rights were refused entry on the basis that he considered the marriage to be one of convenience during the period 1 February 1998 to date. [72872]

**Mr. Mike O'Brien:** I regret the information requested is not available in the form requested.

**Ms Oona King:** To ask the Secretary of State for the Home Department how many applications for residence documents by third country national family members of EU nationals exercising treaty rights were made in the period 1 February 1998 to date. [72877]

**Kate Hoey:** From 1 February to 31 August 1998, 2,608 applications for residence documents by third country national family members of European Union nationals exercising treaty rights were received.

**Ms Oona King:** To ask the Secretary of State for the Home Department how many applications for residence documents by EU nationals exercising treaty rights in the United Kingdom were granted in the period 1 February 1998 to date. [72857]

**Kate Hoey:** Between 1 February and 31 August 1998 (the latest date for which figures are available), 894 residence permits were issued to European Union nationals exercising Treaty rights.

**Ms Oona King:** To ask the Secretary of State for the Home Department how many residence documents and evidence of residence were granted to third country national family members of EU nationals exercising treaty rights in the United Kingdom during the period 1 February 1998 to date. [72864]

**Kate Hoey:** From 1 February to 31 August 1998, 1,596 residence documents were issued to third country national family members (spouses and other family members) of European Union nationals.

### Passports and Identity Documents

**Ms Oona King:** To ask the Secretary of State for the Home Department how many *(a)* passports and *(b)* identity documents purporting to be issued by a member state presented on arrival in the United Kingdom have been the subject of inquiries with the authorities of the member state as to their (i) genuineness and (ii) correct issuance during the period 1 February 1998 to date. [72858]

**Mr. Mike O'Brien:** Statistics are not kept of the number of such inquiries. Normally, document abuse is identified without the need to refer to the issuing authority. In 1998, 3,478 forged European Union/European Economic Area travel documents were detected at our ports of entry.

### Entry Clearance

**Ms Oona King:** To ask the Secretary of State for the Home Department how many non-EEA family members who arrived in possession of entry clearance holding an EEA family permit were refused entry by the immigration officer at a British port of entry during the period 1 February 1998 to date. [72874]

**Mr. Mike O'Brien:** I regret the information requested is not available and could be obtained only at disproportionate cost.

**Mr. Norman:** To ask the Secretary of State for the Home Department how many applications for leave to remain in the United Kingdom were submitted in the last year; and how many are currently outstanding. [73002]

**Mr. Mike O'Brien:** I regret that full information is not available in the form requested. In 1998, some 46,000 asylum applications, including those at the ports of entry but excluding dependants, were received and at the end of the year 68,400 applications were outstanding. The number of applications received from non-European Economic Area nationals for an extension of stay is not available, but 157,000 initial decisions were made in 1998 and it is estimated that around 27,000 applications were outstanding at the end of the year.

## Lowdham Grange Prison

**Mr. Garnier:** To ask the Secretary of State for the Home Department if he will make a statement on the progress of the arrangement between Premier Prisons Services and his Department for the employment of prisoners at Her Majesty's Prison Lowdham Grange, Nottingham; and how many other such arrangements are proposed, where and with whom. [73173]

**Mr. George Howarth:** The aim is to generate work for the certified normal accommodation of 500 prisoners at Lowdham Grange prison. Approximately 150 prisoners are employed on jobs servicing the prison such as in the kitchens, cleaning and gardening. There is capacity for 350 prisoners at the industrial complex within the prison. At present, some 250 prisoners are employed at the complex on work for five different companies. The work consists of coat hanger recycling, paper hat manufacture for the catering industry, welding, painting model soldiers and folding and enveloping charity bags. Premier Prison Services Ltd. manages the prison and is actively seeking work for the remaining 100 prisoners from other companies in the locality.

Premier Prison Services' policy, which is in line with that of the Prison Service, is to seek work for prisoners which is not economically viable elsewhere, cannot be done in the United Kingdom or cannot be organised by a company due to restrictions on its premises or labour force.

The industrial complex at Lowdham Grange is operated on a cost recovery basis and, should any profit be generated, it would be returned to the prisoners' amenities fund.

## Turkish Workers

**Ms Oona King:** To ask the Secretary of State for the Home Department what statutory provision gives effect to the rights of Turkish workers as regards residence and employment in accordance with Article 6(3) of the Association of Council Design 1/80 adopted under the Turkey/EC Association Agreement 1963 and its Protocol. [72867]

**Mr. Mike O'Brien:** There is no separate statutory provision which gives effect to Article 6(3) of the Agreement. Instructions to caseworkers ensure that Turkish nationals who have rights under the Agreement are granted leave to remain in the United Kingdom, as appropriate.

## Immigration and Nationality Department

**Ms Oona King:** To ask the Secretary of State for the Home Department how many people, on average, were employed in the EC group of the Immigration and Nationality Department between 1 February 1997 and 31 January 1998. [72863]

**Kate Hoey:** The number of staff in post for each month from February 1997 to December 1998 is given in the table. Responsibility for EC casework was transferred from EC group of the European Directorate to the Integrated Casework Directorate in December 1998.

*European Directorate (EC group) monthly staff in post*

| *Month* | *1997* | *1998* |
|---|---|---|
| January | — | 28 |
| February | 22 | 28 |
| March | 21 | 28 |
| April | 23 | 28 |
| May | 23 | 28 |
| June | 23 | 28 |
| July | 23 | 28 |
| August | 23 | 28 |
| September | 23 | 28 |
| October | 23 | 29 |
| November | 27 | 27 |
| December | 27 | 0 |

**Mr. Norman:** To ask the Secretary of State for the Home Department how many letters sent to the Immigration and Nationality Department by special and recorded delivery in the last six months have not yet been opened. [72859]

**Mr. Mike O'Brien:** There are currently 4,730 items of recorded and registered post to be opened in the Integrated Caseworking Directorate Mail Handling Section. The earliest date of unopened post is 9 February 1999. There are a further 507 items to be opened in the Travel Documents Section. The earliest date of unopened post is 3 February 1999. Despite the disruption caused by the move of offices, the backlog on post opening should reduce further in the weeks to come.

## Young Offenders

**Mr. Bob Russell:** To ask the Secretary of State for the Home Department when he plans to publish the report on the former young offenders' institution at the Military Corrective Training Centre, Colchester. [73238]

**Mr. George Howarth:** It is intended to publish the full results of the evaluation of the young offender regime at Colchester Military Corrective Training Centre at the end of 1999, when one-year reconviction data will be available.

**Mr. Cox:** To ask the Secretary of State for the Home Department if he will list the education facilities that exist in each of the establishments in England and Wales where young offenders are held. [73497]

**Mr. George Howarth:** I refer my hon. Friend to the reply I gave to him on 13 January 1999, *Official Report*, column *198*.

Education for prisoners over the age of 16 years is entirely optional. Education provision in prison establishments in England and Wales where young offenders are held focuses on remedial education in basic skills, combined with a wide variety of experience and training to equip young offenders to deal more effectively with life after imprisonment.

Education provision for those under 17 years of age is linked to the National Curriculum for schools insofar as facilities allow.

Information on educational facilities in each of the establishments in England and Wales where young offenders are held is not held centrally. This information could be obtained only at disproportionate cost.

### Unsolved Murders

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will list the police officers in England and Wales who have been murdered in the last 10 years and in respect of whom no one has been brought to court charged with their murder; and if he will make a statement. [73554]

**Mr. Boateng:** I will write to the right hon. Member with full details.

### Speeding (Loughton)

**Mrs. Laing:** To ask the Secretary of State for the Home Department how many people have been fined for exceeding the speed limit at Forest Side, Claypit Hill, Gravel Hill, Pynest Green Lane and Wellington Hill, all situated in High Beech, Loughton, in each of the last five years. [73615]

**Mr. Boateng:** The information requested is not available.

### Air Miles

**Mr. Maclean:** To ask the Secretary of State for the Home Department how many Air Miles have been earned by him and each of his ministers; and how he proposes to use them. [73340]

**Mr. Straw:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend the Prime Minister on 12 January 1999, *Official Report*, column *141*.

Detailed information on any air miles earned by Ministers as a result of official travel is not recorded centrally.

### Victim Support

**Mr. Maclean:** To ask the Secretary of State for the Home Department what the Government funding for Victim Support has been for each of the last 12 years. [73553]

**Mr. Boateng:** The Home Office grant to Victim Support in each of the last 12 financial years is as follows:

| *Financial Year* | *Grant (£ million)* |
|---|---|
| 1987–88 | 1.763 |
| 1988–89 | 2.740 |
| 1989–90 | 3.910 |
| 1990–91 | 4.735 |
| 1991–92 | 5.670 |
| 1992–93 | 7.260 |
| 1993–94 | 8.375 |
| 1994–95 | 10.016 |
| 1995–96 | 10.817 |
| 1996–97 | 11.682 |
| 1997–98 | 12.682 |
| 1998–99 | 12.682 |

As announced on 23 February 1999, *Official Report*, column *210*, the grant is being increased substantially from 1 April 1999 and, by 2001–02, will have risen to some £19 million, a 50 per cent. increase over the current figure.

### Schizophrenia

**Sir Alastair Goodlad:** To ask the Secretary of State for the Home Department how many of those convicted of crimes in England in the last year for which figures are available have ever been admitted to National Health Service mental illness hospitals and units with a main diagnosis of schizophrenia psychoses. [73358]

**Mr. George Howarth:** I refer the hon. Member to the reply I gave on 25 February 1999, *Official Report*, column *393*.

### Stephen Lawrence Inquiry

**Sir Norman Fowler:** To ask the Secretary of State for the Home Department, pursuant to his oral statement of 22 February 1999, *Official Report*, columns 21–34, if he will describe the procedure to be used in the inquiry by his Permanent Secretary into the unauthorised publication of extracts from the Macpherson report; when he expects the inquiry to be completed; and if he will make a statement. [73518]

**Mr. Straw** *[holding answer 26 February 1999]:* My Permanent Secretary has instituted a leak investigation under well established procedures. An independent investigator will be assisted by my Department's Security Unit. He will report in the first instance to the Permanent Secretary, who will report to me. It is not known how long the investigation will take. I will inform the House of its outcome in due course.

**Sir Norman Fowler:** To ask the Secretary of State for the Home Department, pursuant to his oral statement of 22 February 1999, *Official Report*, columns 21–34, how many copies were in circulation of the Macpherson report prior to 21 February and who had access to them; what steps were taken to preserve the security of the report; and if he will make a statement. [73525]

**Mr. Straw** *[holding answer 26 February 1999]:* It would not be in the interests of the investigation now under way into the leak of parts of Sir William Macpherson's Report on the Stephen Lawrence Inquiry to give these details. I will inform the House of the outcome of that investigation in due course.

**Mr. Maclean:** To ask the Secretary of State for the Home Department (1) if he will publish in full the diary of official appointments for the Minister of State, the hon. Member for Brent, South (Mr. Boateng), from 15 February to 21 February; [73713]

(2) if he will list those journalists who entered the Home Office to meet Ministers or officials during the period 15 February to 21 February; [73710]

(3) if he will list the journalists met by the Minister of State, the hon. Member for Brent, South (Mr. Boateng), in his official capacity in *(a)* the Home Office and *(b)* his room at the House from 15 February to 21 February; [73712]

(4) if he will list all those questioned by the leak inquiry team on the Macpherson report; [73734]

(5) which Home Office Ministers were provided with a full copy of the Macpherson report prior to 21 February; on what date each was given the copy; and if any Ministers were given extra copies; [73711]

(6) if he will list those journalists granted a pass to visit ministers in the Home Office in the period 15 February to 21 February. [73709]

**Sir Brian Mawhinney:** To ask the Secretary of State for the Home Department if he will list for each day from his receipt of Sir William Macpherson's report on Stephen Lawrence's death of 21 February, how many copies were out of the Department and in whose possession each copy resided while out of the Department. [73800]

**Mr. Straw:** It would not be in the interests of the investigation now under way into the leak of parts of Sir William Macpherson's Report on the Stephen Lawrence Inquiry to give these details.

**Mr. Maclean:** To ask the Secretary of State for the Home Department when he expects to receive the report on the leak inquiry on the Macpherson report. [73733]

**Mr. Straw:** There is no fixed length of time for the leak investigation; the investigating officer will make his report as soon as he is able to do so.

### Airport Liaison Officers

**Mr. Gerrard:** To ask the Secretary of State for the Home Department if he will list for each airport to which an airline liaison officer has been posted, the number of people who have been prevented from boarding planes as a result of action taken by the officers. [73888]

**Mr. Mike O'Brien:** Airline liaison officers are posted overseas to offer advice and assistance to airlines on inadequately documented passengers. Any decision to refuse carriage to a passenger is solely a matter for the airline concerned. In 1998, airlines operating from the five locations where airline liaison officers were based refused carriage to 2,095 prospective passengers who were not adequately documented for travel to the United Kingdom. The figures for each location are: Accra 592; Colombo 191; Delhi 922; Dhaka 220; and Nairobi 170.

### Police (Gloucestershire)

**Mr. Laurence Robertson:** To ask the Secretary of State for the Home Department what discussions he has had with senior police officers of Gloucestershire Constabulary concerning the impact on services of the 1999–2000 financial settlement; and if he will make a statement. [73138]

**Mr. Boateng** *[holding answer 26 February 1999]*: The Chief Constable of the Gloucestershire Constabulary (Mr. Tony Butler) wrote to my officials about the 1999–2000 funding settlement and met them subsequently to discuss the force's financial position. My officials replied to Mr. Butler on 18 January.

Gloucestershire Constabulary's funding will be £62.4 million in 1999–2000, an increase of 1.4 per cent. over 1998–99. According to latest information from the Audit Commission, expenditure on policing per head of population in Gloucestershire is £105.79. This expenditure level is higher than that in 19 other forces.

It is for the chief officer of each force to decide on the operational deployment of the total resources allocated to them.

### Security Service

**Mr. Baker:** To ask the Secretary of State for the Home Department if the present remit of MI5 extends to monitoring pressure groups involved in campaigns against genetically modified food. [73399]

**Mr. Straw:** The Security Service has no powers to investigate any such pressure group and therefore does not do so unless it is suspected of presenting a threat to national security or to the economic well-being of the United Kingdom; or unless the Service has been tasked by a law enforcement agency to investigate the group because it is suspected of involvement in serious crime.

**Mr. Baker:** To ask the Secretary of State for the Home Department if MI5 is empowered to disconnect phone lines connected to organisations for the purpose of preventing possible subversion; if explicit authorisation is required from him for such action; and if he will make a statement. [73407]

**Mr. Straw:** The Security Service will undertake operations involving entry onto or interference with property only in accordance with its statutory functions and under the authority of a warrant issued by the Secretary of State in accordance with section 5 of the Intelligence Services Act 1994. It has been the policy of successive Governments not to disclose information about Security Service operations.

### Greenpeace

**Mr. Baker:** To ask the Secretary of State for the Home Department if he will call for a report from the Chief Constable of Merseyside into the incident in which his officers recently intercepted a number of members of Greenpeace at a Cheshire motorway service station. [73398]

**Mr. Boateng:** I have received a report from Merseyside Police who have informed me of the following:

On Wednesday 17 February, Merseyside Police became aware of the presence of a large group of Greenpeace activists at Hapsford Service Station on the M56 in Cheshire. It was apparent to the police that the members of Greenpeace were intending to demonstrate at Liverpool Docks in order to disrupt commercial trade. After consultation with Cheshire Constabulary, Merseyside Police officers attended and, given the dangers of any potential demonstration, seized a number of dinghies under section 19(3) of the Police and Criminal Evidence Act 1984; section 3 of the Criminal Damage Act 1971 and section 12(1) of the Aviation and Maritime Security

Act 1990. I understand that the seizure was carried out with the co-operation of the demonstrators and the dinghies were placed in a safe location.

The following day, Thursday 18 February, 11 Greenpeace activities were arrested for aggravated trespass under section 68 of the Criminal Justice and Public Order Act 1994 at the Seaforth Dock on Merseyside. Ten people were later charged and will appear at South Sefton Magistrates Court on 25 March.

### Asylum Seekers

**Mr. Corbyn:** To ask the Secretary of State for the Home Department what estimate he has made of the cost of administration of the subsistence benefit system for asylum seekers by local authorities. [73158]

**Mr. Mike O'Brien:** Local authorities can include reasonable administration costs in their claims for asylum seekers subject to an overall unit cost limit. Administration costs are not disaggregated.

### Charities

**Mr. Flight:** To ask the Secretary of State for the Home Department what discussions have taken place between his Department and the Treasury over the future fiscal framework under which charities will operate. [72106]

**Mr. Boateng:** The Home Office continues to work closely with the Treasury and all Government Departments on matters relating to the charitable sector. My right hon. Friend the Chancellor intends to publish the consultation document on the Charity Taxation Review at the time of the budget.

### Licensing Hours

**Mr. Gale:** To ask the Secretary of State for the Home Department what will be the licensing hours that his Department will recommend to licensing justices for the period of 30 December 1999 to the 2 January 2000 inclusive. [73565]

**Mr. Straw:** We have just consulted on proposals for extending permitted hours on the Millennium Eve and subsequent New Year's Eves. Our preference was for an all-night relaxation, but we also sought views on a more modest extension to 4am. We will announce the outcome shortly.

We have not proposed any change to the hours on 30 December or 2 January.

### Green Goddess Fire Appliance

**Mr. Bob Russell:** To ask the Secretary of State for the Home Department what plans he has for supply of fuel for the Green Goddess fire appliances when the new petroleum regulations on leaded petrol are implemented. [74037]

**Mr. George Howarth:** Extensive tests undertaken on two appliances indicate that the engines will run on unleaded fuel with minor routine adjustment. We have also carried out conversions to the cylinder heads of two engines, which should enable them to run on unleaded fuel without further adjustment. The converted engines will be evaluated under test conditions before further conversions are undertaken. We are also evaluating proprietary fuel additives, which are claimed to allow vehicles such as the green goddesses to run on unleaded fuel without polluting the environment.

### Au Pairs

**Mr. Dismore:** To ask the Secretary of State for the Home Department what is the immigration status of au pairs; and if he will make a statement. [71967]

**Mr. Mike O'Brien** *[pursuant to his reply, 25 February 1999, c. 392–93]:* Under the Immigration Rules, an au pair must be unmarried, aged between 17 and 27 and without dependants, and come from one of the designated countries. They may stay in the United Kingdom for up to two years, living as part of an English speaking family and learning the language. They may help in the home for no more than five hours a day, with two days off per week, in return for a reasonable allowance.

### Drug Conference (Rangoon)

**Mr. Miller:** To ask the Secretary of State for the Home Department if Her Majesty's Government will be represented at Interpol's fourth International Drug Conference in Rangoon on 23 to 26 February. [72886]

**Mr. Fatchett:** I have been asked to reply.

The UK, along with a majority of EU Member States, was not represented at Interpol's International Drug Conference in Rangoon held from 23 to 26 February.

## TRADE AND INDUSTRY

### Plutonium Shipments

**Mr. Llew Smith:** To ask the Secretary of State for Trade and Industry what assessment was made of the security and safety arrangements covering the plutonium shipments from France to Japan in 1992 prior to deciding upon the appropriate arrangements for the forthcoming shipment of plutonium MOX fuel from Sellafield to Japan. [72962]

**Mr. Battle:** The transport of MOX fuel from Europe to Japan will be undertaken in full accordance with internationally agreed commitments and recommendations on physical protection, reflecting the concern of all parties to prevent the proliferation of sensitive nuclear materials. The Government are satisfied that the security measures proposed for the shipment of MOX fuel provide at least the same level of protection as the arrangements which were in place for the 1992 shipment of plutonium from France to Japan and that they are adequate and make the security risks negligible.

The ships which will be used for the shipment of MOX fuel meet the highest safety rating of the International Maritime Organisation (IMO), a United Nations agency, which regularly reviews its regulations. The design and construction of the ships are approved by the Department of the Environment, Transport and the Regions and by Lloyds Register. The ships have a range of safety features which exceed those found on conventional cargo vessels. PNTL has been safely transporting nuclear fuel by sea for over thirty years during which time its ships have covered over 4.5 million miles without a single incident involving an escape of radioactivity.

### Wind Turbines (North-East)

**Dr. Kumar:** To ask the Secretary of State for Trade and Industry what discussions he has had with north east industrialists involved in the manufacturing and supply of components for off-shore wind energy turbines; and if he will make a statement. [73174]

**Mr. Battle:** Last year I addressed two conferences held by the British Wind Energy Association (BWEA), many of whose members are based in the North East of England. At the Cardiff conference I launched a consultation exercise on the most suitable arrangements for incorporating the development of offshore wind energy into the NFFO process. I have also visited several wind projects including that of Border Wind at Blyth Harbour which will be one of the first UK offshore wind installations.

Through the New and Renewable Energy (NRE) programme, my Department has also held seminars aimed at encouraging engineering companies to invest in the manufacturing and supply of components for wind farm sites. One such event was held in September 1997 in Durham where firms from the region were given a detailed outline of the technology, the market and the opportunities open to engineering industry. The programme has supported 10 projects to develop wind turbine components to date. These projects are worth a total value of £2.4 million. In addition, the programme has supported a number of companies visits to wind turbine manufacturers in Europe as part of this initiative.

### Transatlantic Post

**Mr. Hoyle:** To ask the Secretary of State for Trade and Industry if he will list the criteria which the United Kingdom and United States of America Governments use in tendering for the contracts to transport post in each direction between the United Kingdom and the United States of America. [72882]

**Mr. Ian McCartney:** Within the United Kingdom it is the Post Office rather than the Government that has responsibility for postal operational matters such as the tendering for contracts to transport mail. Contracts are awarded by the Post Office, in accordance with public procurement regulations, based on the most economically advantageous tenderer against a range of criteria which may vary from one route to another including, but not limited to, the ability by an airline to serve the destination; carry the weight of traffic tendered; achieve required handover time; service quality; price; and acceptance of Post Office terms and conditions. I am advised by the Post Office that routes are normally tendered annually or bi-annually.

I am unable to comment on the detail of procurement procedures that are applicable to the operations of the postal administration of the United States of America.

### Steel Products (Dumping)

**Mr. MacShane:** To ask the Secretary of State for Trade and Industry what steps he is taking to prevent dumping of steel products in the United Kingdom. [73472]

**Mr. Wilson:** It is the responsibility of the European Commission, on behalf of the Community and Member States, to investigate complaints about dumped or subsidised imports if they believe there is sufficient evidence to warrant doing so. The Commission is currently investigating six complaints of allegedly dumped steel imports and three complaints of allegedly subsidised steel imports.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry what official visits he, his Ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73557]

**Mr. Byers:** The information is as follows:

15–20 November 1997: Peter Watford, Export Promoter for Southern Africa. Met with Government Officials, representatives from UK and Zimbabwean Industry. Trade and commercial issues were discussed.

3–5 February 1998: Lord Clinton Davis, as Minister for Trade. (To attend UK/Zimbabwe Co-operation week.) Met with Zimbabwean Ministers, Government Officials, representatives from the UK and Zimbabwean Industry. Trade and commercial issues were discussed.

3–6 February 1998: Peter Watford, Export Promoter for Southern Africa; Dave Waring Head of Southern Africa Region; Steve Clarke, Country Manager for Zimbabwe. (To attend UK/Zimbabwe Co-operation week.) Met with Government Officials, representatives from UK and Zimbabwean industry. Trade and commercial issues were discussed.

17–18 September 1998: Mark Runacres, Director, Trade Promotion for Sub-Saharan Africa and South Asia. Met with Government Officials, representatives from UK and Zimbabwean industry. Trade and commercial issues were discussed.

17–19 September 1998: Peter Watford, Export Promoter for Southern Africa. Met with Government Officials, representatives from UK and Zimbabwean industry. Trade and commercial issues were discussed.

### British Shoe Manufacturing Industry

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry what measures he proposes to take to limit job losses in the British shoe manufacturing industry. [73306]

**Mr. Battle:** My Department is working closely with the British shoe manufacturing industry to improve its competitiveness in domestic and overseas markets. I launched an Action Plan designed to achieve this at the National Footwear Conference in Rossendale in February 1998. The Plan is being taken forward by the Footwear Liaison Action Group (FLAG). This is an industry led Group which has representatives from companies, trade associations, unions, training organisations, Business Links, DTI and DFEE. My Department is supporting a number of projects developed under this initiative.

### Quidhampton (Power Plant Construction)

**Mr. Key:** To ask the Secretary of State for Trade and Industry when he will announce his decision on the proposed construction of a mini-power plant at Quidhampton near Salisbury. [73382]

**Mr. Battle:** This is one of a number of cases which are being carefully considered and on which an announcement should be made shortly.

### Caribbean Countries

**Mr. Cox:** To ask the Secretary of State for Trade and Industry what efforts his Department is making to increase the volume of United Kingdom trade with the countries of the Caribbean; and if he will make a statement. [72630]

**Mr. Wilson:** My Department offers a full range of services, including support for trade missions and trade fairs, to British companies seeking business in the Caribbean.

During the current financial year, we have provided financial support and assistance for trade missions organised by CARITAG (to Cuba and the Dominican Republic), the Hull & East Riding Chamber of Commerce and Shipping (to Trinidad & Tobago, Barbados and Jamaica), the Bristol Chamber of Commerce and Initiative (to Trinidad and Tobago, Barbados and Jamaica) and CARITAG in association with the Leicester African Caribbean Business Association (to Antigua, St. Kitts, St. Lucia and St. Vincent). We also provided financial support, under the Trade Fair Support Scheme, for a British pavilion at the Havana International Trade Fair, which took place in November 1998.

Working closely with multiplier organisations in the United Kingdom, we also arrange seminars and workshops throughout the country to promote market opportunities in the Caribbean region.

**Mr. Cox:** To ask the Secretary of State for Trade and Industry if he will list the Ministers from his Department who have visited Caribbean countries since 1 May 1997; and if he will make a statement. [72632]

**Mr. Wilson:** I visited Cuba in November 1998. No other Minister from this Department has visited the Caribbean since 1 May 1997.

### Genetically Modified Organisms

**Mr. Stinchcombe:** To ask the Secretary of State for Trade and Industry what representations *(a)* he and *(b)* his ministers have received on genetically modified organisms and the biotechnology industry from the US Government. [72761]

**Mr. Battle:** My Ministerial colleagues and I have regular contacts with US Government representatives across the whole range of issues for which we are responsible. Trade in genetically modified crops and the biotechnology industry are two subjects amongst a great many which have been raised in those contacts.

### Recycling

**Mr. Steen:** To ask the Secretary of State for Trade and Industry what representations he has made to the EU regarding the harmonisation of recycling requirements and certification for all firms selling their products within the EU. [73653]

**Mr. Battle:** Prevention of distortions in the Internal Market is a key objective in the Government's consideration of any proposed EU measure to promote recycling, and will be among the issues that the UK will ensure is brought out during the discussions now taking place in the EU Recycling Forum, where options for improving the competitiveness of the recycling industries are currently being considered.

The Packaging and Packaging Waste Directive (94/62/EC), the only Directive containing recycling targets so far adopted, harmonises Member States' management of packaging waste. It also lays down certain "essential requirements" with which packaging must comply before being allowed to circulate within the Community. These provisions in the Directive were transposed into UK law in the Packaging (Essential Requirements) Regulations 1998.

### Digital Economy (Special Representative)

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry what *(a)* budget and *(b)* resources will be available to the Special Representative on the Digital Economy. [72800]

**Mr. Wills** *[holding answer 24 February 1999]:* The detail of remuneration and day to day support for the *e*-Envoy will be agreed with the successful candidate. They will also be expected to draw resources broadly from this Department and others in Whitehall.

### New York Fashion Show

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry what his Department is doing to promote British fashion at the New York Fashion Show. [72705]

**Mr. Battle** *[holding answer 24 February 1999]:* My Department has taken many steps to promote British Fashion in the US market over the past year. Notably a major British promotion of SAKS Fifth Avenue which focused on fashion, culture, food and design took place over a week in September 1998.

### Internal Market

**Mrs. Gillan:** To ask the Secretary of State for Trade and Industry if he will place in the Library a copy of the internal document on the development of the internal market. [73268]

**Mr. Wilson** *[holding answer 25 February 1999]:* I am not entirely certain to which document the hon. Member is referring. A copy of the European Commission's latest document charting progress in the internal market, published in October 1998 and entitled Single Market Scoreboard No.3, can be found in the Library of the House. An explanatory memorandum on this document was submitted to the Parliamentary scrutiny committees on 11 December. I understand that the Commission intends to issue shortly a communication which assesses progress on the Single Market Action Plan. When published, this will be placed in the Library of the House according to normal procedures, although I expect that it will be available sooner via the European Commission's website.

### National Minimum Wage

**Mr. Ennis:** To ask the Secretary of State for Trade and Industry if he will estimate how many workers in the

Barnsley, East and Mexborough constituency will benefit from the implementation of the national minimum wage. [73373]

**Ms Hewitt:** I have been asked to reply.

The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

*Letter from Tim Holt to Mr. Jeff Ennis, dated 1 March 1999:*

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question requesting information about the number of people who will benefit from the introduction of the national minimum wage in the Barnsley East and Mexborough constituency.

The New Earnings Survey (NES) can provide earnings data for small geographical areas. Estimates of the proportion of people who are currently earning below the proposed minimum wage for a range of geographical areas have been placed in the House of Commons Library under the title of 'New Earnings Survey (NES) 1998— National Minimum Wage Distribution Tables'. However, figures for workers in Barnsley East and Mexborough earning less than the minimum wage are not given since the sample size is too small to provide reliable estimates.

I will arrange for a copy of this letter to be placed in the Library.

### Petrol and Diesel Fuel

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry what cost compliance assessment has been made for Directive 98/70/EC. [72532]

**Dr. Reid:** I have been asked to reply.

A compliance cost assessment was provided to the House under cover of a Supplementary Explanatory Memorandum (SEM) dated 15 January 1998 reference number 8822/97 on the European Parliament and Council Directive relating to the quality of petrol and diesel fuel. A copy of the SEM is available in the House Library.

## HEALTH

### Mental Health Services

**Sir Alastair Goodlad:** To ask the Secretary of State for Health how many mental illness hospital beds have been *(a)* opened and *(b)* closed in each health authority in England and Wales in the last year for which figures are available. [72579]

**Mr. Hutton:** This information is not available centrally.

A national inquiry has been set up to give advice on the future number, mix and use of NHS beds in England. This inquiry has recently been extended to include psychiatric services which will cover the whole age range from child and adolescent mental health services through to services for older people and to consider services for learning disabilities. The inquiry's findings will be published in spring 1999.

**Sir Alastair Goodlad:** To ask the Secretary of State for Health how much was spent in England and Wales in the last year on the care and treatment of patients suffering from schizophrenia; and what percentage that figure represents of total expenditure on *(a)* mental and *(b)* all health services. [72578]

**Mr. Hutton:** Over £2,767 million was spent on National Health Service care and treatment of patients suffering from a mental illness in 1997–98 in England, but we cannot break this down to separately identify each condition such as schizophrenia. The total expenditure on the purchase of healthcare for 1997–98 was nearly £28,956 million.

### Ministerial Meetings (US Ministers)

**Mr. Matthew Taylor:** To ask the Secretary of State for Health how many times Ministers in his Department have met their counterparts in the US Government since 1 June 1998; and if he will list the *(a)* dates, *(b)* locations, *(c)* ministers involved and *(d)* names of the US counterparts at each meeting. [71984]

**Ms Jowell:** My right hon. Friend the Secretary of State met the United States Secretary of State for Health, Donna Shalala, in Washington DC on 21 October 1998. No other meetings have taken place.

### Respite Care

**Mr. Best:** To ask the Secretary of State for Health, following the Devon High Court judgment, what plans he has to amend the eligibility criteria used by health authorities to make decisions on joint funding of respite care to include those in need of nursing home care. [72767]

**Mr. Hutton:** Following the judgment in R v. North and East Devon Health Authority ex parte Coughlan, the health authority submitted an application for leave to appeal against the High Court's decision. In light of the impact on policy of the High Court's view on funding of nursing care, we decided to support the health authority's application for leave to appeal, given the importance of clarifying the judgment and making the legal position clear. This application for leave to appeal was granted on 4 February. We will consider the need for guidance to Health and Local Authorities once the result of the appeal is known. In the interim, health authorities and social services departments are advised to seek their own legal advice if they have any concerns. The overall implications of the case are still being assessed.

### Medical Research Ethics Committee

**Mr. Cohen:** To ask the Secretary of State for Health if he will list the *(a)* local medical research ethics committees, *(b)* members on each committee and their qualifications and *(c)* clinical trials each one has authorised in the last five years; and if he will place a summary of the result of each trial in the Library. [73239]

**Ms Jowell:** The latest available list of Local Research Ethics Committees (LRECs) has been placed in the Library. Information about LREC members, and clinical trials authorised by LRECs is available only from health authorities.

Since 1991, LRECs are established under Departmental guidance. Each health authority is required to set up at least one LREC, and there are approximately 211 operating in England. In addition, Multi-Centre Research Ethics Committees (MRECs) were established in 1997 and there is one MREC attached to each English region, one in Scotland and one in Wales.

LRECs have eight to twelve members and should include hospital medical staff, nursing staff, general practitioners and lay persons who are appointed in a personal capacity and recognised for their experience and sound judgment in their respective fields. MRECs have 15 to 18 members from similar backgrounds to LREC members (some may also be serving LREC members).

Information about clinical trials authorised by an LREC is available from the annual report which each is required to submit to the health authority. These annual reports should also name the members and give details of the number of research proposals considered. MRECs submit their annual reports to the my right hon. Friend the Secretary of State, which must include a list of proposals considered. MRECs considered about 600 applications in 1998.

To achieve greater coherence and uniformity of practice in the operation of Research Ethics Committees we are currently conducting a review of the system as a whole.

### Prostheses Users

**Mr. Oaten:** To ask the Secretary of State for Health what steps his Department has taken to ensure that prostheses users are able to obtain out of area treatment after April 1999 if their local limb centre cannot meet their needs for comfort, capability and cosmesis. [73182]

**Mr. Hutton:** The arrangements for commissioning patient services from 1 April 1999 will ensure that all referrals to National Health Service hospitals are covered by either the new long-term service agreements or the new arrangements for access to specialised services.

Where there are consistent patterns of referrals to a service, whether a specialised service or more locally, these are being built into service agreements. Cases that do not fit this will be covered by the new arrangements for out of area treatments.

All out of area treatment referrals will be covered by the standards for quality and effectiveness specified in the main commissioner's service agreement and will be treated under the same agreements and on exactly the same basis. Prior approval will not be required for out of area treatment.

Under the new arrangements, general practitioners and consultants will retain the clinical freedom to refer patients for the most appropriate treatment. However, they should explore fully the scope to make maximum cost-effective use of local NHS facilities before contemplating recourse to non-NHS provision.
The decision to commission services provided by non-NHS facilities will continue to be made locally and will be made in the interests of the patient.

### Smoking-related Diseases

**Mr. Sheerman:** To ask the Secretary of State for Health what discussions he has had with his European counterparts on the cost of health services for the treatment of patients with smoking-related diseases. [73179]

**Ms Jowell:** We have had no discussion on this specific aspect of smoking policy.

**Mr. Sheerman:** To ask the Secretary of State for Health what estimate his Department has made of the annual cost to the NHS of the treatment given to patients with smoking-related diseases. [73180]

**Ms Jowell:** The annual cost to the National Health Service of treating smoking-related disease is estimated to be between £1.4 billion and £1.7 billion for England.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Health what official visits he, his ministers or officials have paid to Zimbabwe since May 1997; who they met; and what was discussed. [73456]

**Ms Jowell:** No official visits have been made to Zimbabwe by Ministers or officials of this Department since May 1997.

### NHS Staff (Pay)

**Mr. Austin:** To ask the Secretary of State for Health what was the increase in pay between 1984 and 1998 for NHS staff covered by the Pay Review Body; and what was the pay rise for the same period for those NHS professional staff not covered by the Pay Review Body separately identifying *(a)* laboratory scientists, *(b)* technicians, *(c)* clinical psychologists, *(d)* pharmacists and *(e)* speech and language therapists. [71806]

**Mr. Denham:** *[holding answer 16 February 1999]:* The percentage increase in basic pay rates for National Health Service staff covered by the Pay Review Body and those five groups not covered by the Pay Review Body between 1984 and 1998 is set out in the table.

*Percentage*

| *Name of profession* | *Minimum* | *Maximum* |
|---|---|---|
| Doctors | 125 | 126 |
| D grade Nurses, Midwives and Health Visitors (and 1984 equivalent) | 138 | 123 |
| Professions Allied to Medicine | 146 | 140 |
| Medical Laboratory Scientific Officers | 137 | 122 |
| Technicians | 146 | 145 |
| Qualified Clinical Psychologists | 113 | 145 |
| Speech and Language Therapists | 158 | 170 |
| Hospital Pharmacists | 118 | 116 |

*Source:*
Advanced letters

### Primary Care Groups

**Mr. Brady:** To ask the Secretary of State for Health by what date he plans to have completed the collection of information relating to the composition of primary care group boards. [73801]

**Mr. Denham:** The process for collecting the information relating to the composition of primary care boards will commence shortly. The data collection will be completed once all board members have been appointed.

### Dental Services

**Mr. Jim Cunningham:** To ask the Secretary of State for Health what plans he has to increase the number of NHS dentists. [73204]

**Mr. Denham:** The investing in dentistry (IID) initiative, which we launched in September 1997 is designed to help improve access to National Health Service dentistry. IID provides grants to enable dentists to expand existing practices or to set up new ones in those areas of the country where the provision of NHS dental services is inadequate and oral health inequalities are most acute.

### IVF Treatment

**Mr. Laurence Robertson:** To ask the Secretary of State for Health, pursuant to his answer of 8 December 1999, when he expects to send a substantive reply to the hon. Member for Tewkesbury. [73536]

**Ms Jowell:** A reply setting out the current position on IVF and the Department's plans for re-assessment of infertility services in light of the Royal College of Obstetricians and Gynaecologists guidance will be sent shortly.

### Speech Therapists (West Sussex)

**Mr. Soames:** To ask the Secretary of State for Health what estimate he has made of the number of speech therapists required in West Sussex; and how many are in post at present. [73904]

**Mr. Hutton:** Estimates of the number of speech therapists required in West Sussex are not available centrally.

The latest information available is that 60 whole-time equivalent staff, rounded to the nearest ten, are classed as therapists working in the speech and language therapy area of work in West Sussex. West Sussex includes West Sussex Health Authority, Crawley and Horsham National Health Service Trust, Worthing Priority Care NHS Trust, Chichester Priority Care Services NHS Trust, Worthing and Southlands Hospitals NHS Trust, The Royal Sussex NHS Trust and Mid-Sussex NHS Trust. This information is taken from the Department of Health Annual Non-Medical Workforce Census.

### Air Miles

**Mr. Maclean:** To ask the Secretary of State for Health how many air miles have been earned by him and each of his Ministers; and how he proposes to use them. [73333]

**Ms Jowell:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend, the Prime Minister on 12 January 1999, *Official Report*, column *141*.

No air miles have been earned by Ministers in this Department on official business.

### Schizophrenia

**Sir Alastair Goodlad:** To ask the Secretary of State for Health how many people with a main diagnosis of schizophrenia psychoses were discharged from mental illness hospitals in England in each of the last three years; and how many of them were taken into local authority residential care in the same year. [73362]

**Mr. Hutton:** Information is shown in the table. The figures provide information on the number of discharges from National Health Service trusts over the last three years where the patient was discharged to local authority care following inpatient care for schizophrenia. It is not possible to estimate the total numbers of patients who may have been referred to local authority residential care up to a year following their discharge from hospital.

*Estimated five discharges from NHS trusts with a primary diagnosis of schizophrenia (F20-F29), 1995–96 to 1997–98*

*England*

| *Year* | *All discharges* | *Intended discharge destination Local Authority care* |
|---|---|---|
| 1995–96 | 40,390 | 540 |
| 1996–97 | 31,850 | 430 |
| 1997–98 | 30,190 | 350 |

*Note:*
Data has been rounded
*Source:*
Hospital Episode Statistics, Department of Health

## CABINET OFFICE

### Civil Service (Reserved Posts)

**Mr. Hancock:** To ask the Minister for the Cabinet Office if he will make a statement on the criteria used to assign posts classified as reserved within the Civil Service. [72648]

**Mr. Kilfoyle:** Article 48 of the EC Treaty is concerned with the free movement of workers between Member States, but it contains a derogation in Article 48(4) which permits Member States to reserve to their own nationals posts which constitute

"employment in the public service".

The term

"employment in the public service"

has been interpreted by the European Court as meaning posts which involve direct or indirect participation in the exercise of powers conferred by public law and duties designed to safeguard the general interests of the State or of other public authorities.

These criteria are applied on a case-by-case basis in determining whether a particular post in the civil service is reserved to a UK national.

### Ministerial Group on Biotechnology and Genetic Modification

**Mr. Redwood:** To ask the Minister for the Cabinet Office if he will list the terms of reference of the Misc 6 Cabinet Committee and his responsibility for it as it relates to genetically modified crops. [73121]

**Dr. Jack Cunningham:** The terms of reference of the Ministerial Group on Biotechnology and Genetic Modification, which I chair, are:

To consider issues relating to biotechnology, in particular those relating to genetic modification.

### Public Appointments

**Mr. Kidney:** To ask the Minister for the Cabinet Office if he will put to the House proposals for a system of confirmation hearings for public appointments. [72138]

**Mr. Kilfoyle:** No. The Committee on Standards in Public Life recommended that ministerial accountability and selection on merit should be the key elements of the appointment system for public bodies, overseen by an independent Commissioner for Public Appointments. The Government have accepted this recommendation and have no plans to propose confirmation hearings.

## INTERNATIONAL DEVELOPMENT

### Montserrat

**Sir Alastair Goodlad:** To ask the Secretary of State for International Development what recent assessments she has made of toxic air pollution levels in Montserrat; and if she will make a statement. [73226]

**Clare Short:** We have since 1997 been providing health warnings and monitoring the effects of the ash on health in Montserrat. Preliminary studies into the toxicity of the ash and the respiratory health of children on Montserrat have recently been completed. The results have been disseminated on the island via radio and information leaflets. Ash levels continue to be monitored daily from various points on the island. We plan to support further research on ash toxicity later this year. Further clinical surveys of Montserratians living on the island will also be undertaken. We have sought proposals for this work and are improving facilities on the island so that the work can be undertaken to a satisfactory standard.

### Sudan

**Mr. Cox:** To ask the Secretary of State for International Development what discussions her Department is having with the Government of the Sudan; and if she will make a statement. [73610]

**Clare Short:** We keep in touch with the Sudanese authorities' views on humanitarian issues through our frequent dialogues with UN and donor government partners. But we have had no substantive bilateral discussions on these matters with the Government of Sudan since they withdrew their Ambassador and Deputy from London and the consequent temporary withdrawal of British staff from our Embassy in Khartoum last August.

**Mr. Dalyell:** To ask the Secretary of State for International Development if she will make a statement on British aid to the Sudan. [73941]

**Clare Short:** We were a key donor to the 1998 crisis. The UN 1999 Inter Agency Consolidated Appeal recently issued and we discussed it with other multilateral and bilateral donors at a meeting of the Operation Lifeline Sudan International Advisory Committee on 12 February. There will continue to be substantial humanitarian needs in Sudan this year and the UN World Food Programme (WFP) currently holds enough food stock until at least early summer. We continue to press WFP to make full use of all delivery methods in order to increase the efficiency and effectiveness of good aid delivery and targeting. British aid to Sudan will focus on supporting the most vulnerable groups of people, particularly in those areas in the south where the situation following last year's crisis is most fragile.

We also continue to press all parties to the civil war in Sudan to come to a negotiated settlement. Peace is the only long-term solution to the continuing suffering.

### Transnational Corporations

**Mrs. Gillan:** To ask the Secretary of State for International Development what plans she has to establish an international code of conduct for transnational corporations in developing countries. [73280]

**Mr. Wilson:** I have been asked to reply.

There are no specific plans for such a code. However, the Government are participating fully in the current review of the OECD Guidelines for Multinational Enterprises, a set of recommendations representing Governments' firm expectations for multinational enterprise behaviour. A key question being addressed in the review is how the Guidelines relate to multinational enterprise activity outside OECD territories. We support also the use of voluntary codes of conduct by companies. Those based on internationally agreed core labour standards can bring improvements to the lives of millions of the poorest people.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for International Development what official visits she, her ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73454]

**Clare Short:** I visited Zimbabwe in January 1998 to meet the Department for International Development (DFID) staff in Harare. I also met the right hon. Herbert Murerwa, Minister of Finance, and discussed with him our White Paper on International Development as well as economic issues. Senior DFID officials have also visited Zimbabwe, to brief Harare-based staff on management and policy issues, and to discuss our development assistance programme with Zimbabwean Ministers and officials.

**Mr. Maclean:** To ask the Secretary of State for International Development if she will list the projects in which British Government aid *(a)* workers and *(b)* advisers have been involved in Zimbabwe. [73297]

**Clare Short:** All development assistance projects funded by the Department for International Development are managed by British Government officials. I have already placed a list of projects funded in Zimbabwe in the Library of the House, as promised, in my answer of 22 February 1999, *Official Report*, column *15*.

**Mrs. Gillan:** To ask the Secretary of State for International Development what representations she has made to the World Bank concerning developments in Zimbabwe. [73730]

**Clare Short** *[holding answer 25 February 1999]:* My officials in Washington work closely with the World Bank to address poverty in Zimbabwe. I am in continuous contact with my officials.

### Human Rights

**Mr. Maclean:** To ask the Secretary of State for International Development if she will list those countries in receipt of British aid which *(a)* have a record of

civil rights abuses, and *(b)* do not have a democratically-elected Government, indicating in each case the amount of aid they received in the last year for which figures are available. [73682]

**Clare Short:** Throughout our work, we seek to enhance respect for human rights, particularly those of the poorest. We consider civil and political rights and broader governance issues when we assess the scope for partnerships with developing countries and when we draw up country strategy papers. The position is kept continuously under review, but no country has a perfect record of respect for civil or other human rights and DFID work is concentrated in the poorest countries where it is difficult to secure all human rights for all citizens. Completed strategy papers are publicly available and provide details of progress to date and the prospects for development and partnerships. Full information of DFID's bilateral programmes in 1993–94—1997–98 was published in "Statistics on International Development" in December 1999.

## NORTHERN IRELAND

### Civil Servants (Misconduct)

**Mr. Maclean:** To ask the Secretary of State for Northern Ireland if she will list the offences or acts of misconduct under which a civil servant in her Department could have his pension removed or reduced; and how often this has happened during the last five years. [70780]

**Mr. Paul Murphy:** The Forfeiture Act 1970 provides for the automatic loss of pension rights where a person is convicted of treason.

The rules of the Principal Civil Service Pension Scheme (Northern Ireland PCSPS (NI)), which provides pension benefits for staff in the Northern Ireland Civil Service (NICs), give the Department of Finance and Personnel, the administrators of the Scheme, discretionary power to withhold benefits where a civil servant or former civil servant is convicted:

(i) of one or more offences under the Official Secrets Acts 1911 to 1989 for which the person concerned has been sentenced to a term of imprisonment of at least ten years or has been sentenced on the same occasion to two or more consecutive terms amounting in the aggregate to at least ten years or more; or

(ii) of an offence in connection with any employment to which the scheme applies, and a Minister of the Crown certifies that the offence is gravely injurious to the interests of the State or is liable to lead to serious loss of confidence in the public service.

The rules regarding the Home Civil Service (HCS) are as follows:

Under the rules of the Principal Civil Service Pension Scheme, the Minister for the Civil Service has the power to withhold pension benefits where a Civil Servant or former Civil Servant is convicted under the Official Secrets Act 1911 to 1989 to at least 10 years in prison or convicted of offences deigned to have been gravely injurious to the State or be liable to lead to serious loss of confidence in the public service.

The above rules apply to the Home Civil Servants employed in the Northern Ireland Office.

The discretionary forfeiture provisions, which apply to both the NICS and the HCS, have not been applied in the last five years.

### Dangerous Wild Animals Act 1976

**Mr. Baker:** To ask the Secretary of State for Northern Ireland what controls exist in respect of the importation of those animals which are subject to the Dangerous Wild Animals Act 1976 into Northern Ireland. [71420]

**Mr. Paul Murphy** *[holding answer 16 February 1999]:* The import of those animals into Northern Ireland which are subject to the Dangerous Wild Animals Act 1976 is governed by the Importation of Animals Order (Northern Ireland) 1986 made under the Diseases of Animals (Northern Ireland) Order 1981. There are further legislative provisions setting controls in relation to the import of animals susceptible to rabies and to the import of animals covered by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). These controls are in line with those in Great Britain.

### Worktrain Programme

**Rev. Martin Smyth:** To ask the Secretary of State for Northern Ireland (1) how many trainees are *(a)* on the new Worktrain Programme and *(b)* what was the average number of trainees in each month on the Action for Community Employment scheme in the last 12 months for which figures are available; [72542]

(2) what assessment she has made of the effectiveness of the Worktrain Programme; and if she will make a statement; [72543]

(3) what special help will be made available to organisations which have used Action for Community Employment in order to help them adjust to the loss of funding. [72544]

**Mr. Ingram:** Responsibility for these matters has been delegated to the Training and Employment Agency under its Chief Executive, Mr. Ian Walters. I have asked him to arrange for a reply to be given.

*Letter from Ian Walters to Rev. Martin Smyth, dated 1 March 1999.*

*Parliamentary question 72542–72544*

The Secretary of State for Northern Ireland has asked me as Chief Executive of the Training and Employment Agency to reply to your questions about the Action for Community Employment (ACE) and Worktrain programmes.

*Parliamentary question 72542*

(a) We are planning to introduce Worktrain on 1 August 1999 if not sooner. Currently there are no trainees participating in the programme.

(b) The number of trainees in the ACE programme during 1998 is shown in the attached table.

*Parliamentary question 72543*

A major review of the provision for the long-term unemployed and an independent evaluation of ACE highlighted the need for the programme to be better targeted, tailored to the individual needs and focused on helping people into permanent jobs. The introduction of Worktrain reflects the findings of this research and the allocation of resources in accordance with Government objectives and priorities.

The effectiveness of the programme will be fully evaluated.

*Parliamentary question 72544*

I am pleased to say that help is being offered on several fronts to ACE organisations.

Existing contracts with ACE providers have been extended to 31 July from their original expiry date of 31 March. This extension will allow ACE organisations more time to prepare for New Deal and Worktrain and to take business decisions about their future.

The Management Committees of organisations which might find it hard to survive are being encouraged to urgently consider the possibilities of amalgamating with others, subcontracting and, of course, the preparation of bids for Worktrain. The Agency is working as quickly as possible to implement the tendering and contracting process for Worktrain to minimise any period of uncertainty for organisations.

For those organisations already part of New Deal Consortia, there will be an increasing role for them to play under the Voluntary and Environmental Sector Options of the New Deal for 18–24 year olds and the Intensive Activity Period of the New Deal for the over 25s. As ACE numbers decline, New Deal numbers will increase, thereby helping to maintain an equilibrium within organisations.

Organisations are also being encouraged to work together to develop innovative proposals within the framework of Worktrain. There is scope for new approaches customised to meet the needs and circumstances of local communities. Contracts will be awarded on the basis of competitive tendering and ACE organisations, either individually or as a member of a partnership, will be well placed to bid.

The Minister, Mr. McFall, has established a cross departmental team which reports directly to him. The team is tasked with offering advice and whatever support may be possible to effect a smooth transition from ACE to New Deal and Worktrain.

I hope you find this reply useful.

*ACE average occupancy January 1998-December 1998*

| *Month* | *Occupancy* |
|---|---|
| January | 4,201 |
| February | 4,219 |
| March | 4,183 |
| April | 4,172 |
| May | 4,063 |
| June | 3,944 |
| July | 3,781 |
| August | 3,700 |
| September | 3,712 |
| October | 3,756 |
| November | 3,776 |
| December | 3,838 |

### Hospital Waiting Lists

**Rev. Martin Smyth:** To ask the Secretary of State for Northern Ireland if she will publish waiting lists for hospital treatment and consultant appointments monthly. [72351]

**Mr. McFall:** In Northern Ireland waiting list figures are produced quarterly and are routinely available on request. I have asked officials within the Department of Health and Social Services to make arrangements for this information to be published each quarter.

### Sinn Fein Members (Ministerial Appointments)

**Mr. Wilshire:** To ask the Secretary of State for Northern Ireland if she will make it her policy to oppose Sinn Fein members taking up ministerial jobs in Northern Ireland before a start is made on decommissioning their arms and explosives. [72605]

**Marjorie Mowlam:** The Government's policy on the Belfast Agreement is clear—all parties must live up to all their commitments. This means that decommissioning must take place and it means that the new institutions of government in Northern Ireland must be established.

As my right hon. Friend, the Prime Minister, said in response to a question from the right hon. Member for Upper Bann (Mr. Trimble), 24 February 1999, *Official Report*, column *388*, the whole of the Agreement must be implemented in full and we must know that violence has been given up for good. It is unreasonable to expect people to sit down together unless they know that that is the case.

## AGRICULTURE, FISHERIES AND FOOD

### Sugar

**Mr. Hancock:** To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 11 January 1999, *Official Report*, column *120*, what assessment he has made of the extent of competition within the UK sugar industry; and what assessment he has made of the impact of the sugar import levy on that competition. [66671]

**Mr. Rooker:** I have made no assessment of the extent of competition within the UK sugar industry. This is a matter for the competition authorities.

EU import tariffs restrict imports of sugar from third countries, with the important exception of some 1.6 million tonnes per annum under preferential agreements with African, Caribbean and Pacific countries and India, most of which come to the UK. In accordance with the Uruguay Round agreements, these tariffs will have to be cut by 20 per cent. by 2000–01.

The Government believe that the EU sugar regime imposes unnecessarily high prices on consumers and sugar-using industries, and will be seeking significant changes when it comes up for reform in 2001.

### Genetically Modified Crops

**Mr. Alan Simpson:** To ask the Minister of Agriculture, Fisheries and Food what assessment his Ministry has made of the research work on genetically modified potatoes undertaken by Dr. Pusztai whilst at the Rowett Research Institute. [70046]

**Mr. Macdonald** *[holding answer 16 February 1999]:* I have been asked to reply as responsibility for this subject lies with The Scottish Office.

The Department has itself made no assessment of the work in question, but following the publicity which surrounded this project the Rowett Research Institute arranged last August for an audit committee, including external experts, to carry out a full analysis of all data available. The audit committee concluded that the data did not support any suggestion that the consumption by rats of transgenic potatoes expressing the lectin GNA (*Galanthus nivalis*) has an effect on growth, organ development or the immune system.

The report of the Audit Committee was published by the Director of the Rowett Research Institute in October 1998.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Agriculture Council (Brussels)

**Mr. Jim Marshall:** To ask the Minister of Agriculture, Fisheries and Food what the outcome was of the Agriculture Council held in Brussels on 22 and 23 February; and if he will make a statement. [73486]

**Mr. Nick Brown:** I represented the United Kingdom, accompanied by my noble Friends the Parliamentary Under-Secretaries for Scotland and for Northern Ireland and my hon. Friend the Parliamentary Under-Secretary of State for Wales, at a meeting of the European Union Agriculture Council in Brussels beginning on 22 February.

The Council embarked upon negotiations on the Commission's proposals for reform of the Common Agricultural Policy. These comprise proposals for reform of the arable crops, beef, milk and wine regimes, proposals on rural development and on common measures affecting direct payments to farmers, and a proposals concerning the financing of the CAP. My objective in the negotiations was to secure ambitious and worthwhile reforms in all sectors and to ensure that, by 2006, CAP spending is stabilised in real terms at its current level.

By the early hours of Friday morning, after several days of intensive negotiation, the conditions were not yet ripe for an overall agreement to be reached. The Council will accordingly meet again on Thursday 4 March to continue the negotiations.

## EDUCATION AND EMPLOYMENT

### Teacher Training

**Mr. Willis:** To ask the Secretary of State for Education and Employment if he will list for 1998–99 the current number of applicants for *(a)* primary and *(b)* secondary teacher training courses including PGCE by (i) gender, (ii) age and (iii) subject. [69902]

**Ms Estelle Morris:** As at 6 February 1999, the current number of postgraduate applicants to primary and secondary PGCE courses is as follows:

*Current applicants to postgraduate initial teacher training courses, by gender, phase and subject, in England and Wales, academic year of entry 1999–2000*

| *As at 6 February 1999* | *Male* | *Female* |
|---|---|---|
| *Primary*[1] | 1,992 | 9,702 |
| *Secondary* | | |
| Mathematics | 223 | 228 |
| English | 343 | 1,114 |
| Science | 392 | 580 |
| Languages | 144 | 656 |
| Technology | 183 | 187 |
| History | 500 | 526 |
| Geography | 210 | 279 |
| Physical education | 589 | 502 |
| Art | 124 | 373 |
| Music | 90 | 178 |
| Religious education | 91 | 244 |
| Other | 104 | 165 |
| Total secondary | 2,993 | 5,032 |
| Overall total | 4,985 | 14,734 |

[1] GTTR have set a deadline on 1999–2000 primary applications of 15 December 1998. Applications received after this date will be considered if the institution still has vacancies for the named course.
*Note:*
Age of applicant is not available
*Source:*
Graduate Teacher Training Registry (GTTR)

At the corresponding date in 1998, secondary applicants to 1998–99 PGCE courses made up about half of the final number of secondary postgraduate applicants. Over the last three years there has been a trend for postgraduate applications increasingly to be made later in the year.

Information is not available about applicants to undergraduate ITT, but the following table gives information about applications as at 5 February 1999. Undergraduate applicants can make up to six applications.

*Current applications[1] to undergraduate initial teacher training courses, by gender, phase and subject, in England and Wales, academic year of entry 1999–2000*

| *As at 5 February 1999* | *Male* | *Female* |
|---|---|---|
| *Primary* | 7,867 | 48,458 |
| *Secondary* | | |
| Mathematics | 102 | 145 |
| English | 22 | 98 |
| Science | 115 | 156 |
| Languages | 7 | 22 |
| Technology | 436 | 290 |
| History | 0 | 0 |
| Geography | 7 | 17 |
| Physical education | 2,767 | 2,613 |
| Art | 22 | 64 |
| Music | 14 | 6 |
| Religious education | 3 | 15 |
| Other | 578 | 553 |
| Total secondary | 4,073 | 3,979 |
| Overall total | 11,940 | 52,437 |

[1] UCAS count up to six applications per applicant.
*Source:*
Universities and Colleges Admissions Service (UCAS)

**Mr. Jim Cunningham:** To ask the Secretary of State for Education and Employment if he will develop fast track PGCE qualifications for British teachers who have taught with non-PGCE qualifications abroad. [73199]

**Ms Estelle Morris:** The new employment-based training routes—the Graduate and Registered Teacher Programmes—which began last year, enable trainees to work as teachers at the same time as following an approved training programme designed to enable them to gain Qualified Teacher Status. In the case of people with

relevant teaching experience, which can include experience overseas, graduates can gain Qualified Teacher Status in as little as three months.

### Departmental Policies

**Mr. Maclean:** To ask the Secretary of State for Education and Employment what systems he has in place to ensure that policies being developed by his Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72692]

**Mr. Blunkett** *[holding answer 24 February 1999]:* Government Departments are co-operating on policy development and, therefore, I work closely with other Ministers on any likely implications for crime of new developments, as indicated by research.

As far as my Department is concerned, all our policies should support Home Office Aim 1, which is to reduce crime and fear of crime. Giving everyone the chance, through education, training and work to realise their full potential and thereby contributing to the building of an inclusive and fair society supports this aim. Our research programme monitors and evaluates the effects of new policy and other interventions.

### School Funding (Cumbria)

**Mr. Maclean:** To ask the Secretary of State for Education and Employment if he will make a statement on the provision of capital funding for schools in Cumbria. [72668]

**Ms Estelle Morris** *[holding answer 24 February 1999]:* The following table shows the total amount of capital funding made available to Cumbria Local Education Authority since 1997–98. There are a significant number of Grant Maintained schools in Cumbria, for which the Funding Agency for Schools has funding responsibility. I have asked the Agency to arrange for a reply to be sent to the right hon. Member.

Announcements on the Class Size and New Deal for Schools allocations for 1999–2000 will be made shortly.

*Capital allocations for Cumbria Local Education Authority*

£000

| | 1997–98 | 1998–99 | 1999–2000 |
|---|---|---|---|
| Annual Capital Guideline | 3,450 | 3,252 | 3,720 |
| New Deal for Schools | 598 | 856 | — |
| Infant Class Size Reduction | — | 113 | — |
| Energy Improvement | — | 119 | — |
| Removal of Outside Toilets | — | 143 | — |
| Supplementary Credit Approvals (excluding Schools Renewal Challenge Fund) | 47 | 416 | — |
| Schools Renewal Challenge Fund | 150 | — | — |
| Total | 4,245 | 4,899 | 3,720 |

### NVQs

**Mr. Field:** To ask the Secretary of State for Education and Employment what proportion of adults are qualified to NVQ *(a)* level 3 and *(b)* level 4; and what the figures were in each year from 1992. [73389]

**Mr. Mudie** *[holding answer 26 February 1999]:* The information requested is contained in the following table. Figures for 1992 are not available on a comparable basis with later years.

*Highest qualification held by people of working age, United Kingdom, 1993–98.*

Percentage

| | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 |
|---|---|---|---|---|---|---|
| Number of people working age (000s) | 33,242 | 35,308 | 35,407 | 35,535 | 35,678 | 35,807 |
| NVQ level 5 | 2 | 2 | 2 | 3 | 3 | 3 |
| NVQ level 4 | 17 | 17 | 18 | 17 | 17 | 18 |
| NVQ level 3 | 15 | 16 | 16 | 16 | 17 | 18 |
| NVQ level 2 | 20 | 21 | 21 | 21 | 22 | 22 |
| Below NVQ level 2 | 19 | 21 | 22 | 20 | 22 | 21 |
| No qualification | 27 | 23 | 21 | 22 | 19 | 18 |

*Source:*
Labour Force Survey, Spring quarters.

### Education Funding (North Yorkshire)

**Miss McIntosh:** To ask the Secretary of State for Education and Employment what representations he has received on levels of education funding in North Yorkshire schools following the setting of the education standard spending assessment. [73974]

**Ms Estelle Morris:** I refer the hon. Member to my reply of 23 February 1999, *Official Report*, column 281.

### Further Education Colleges

**Mr. Jim Cunningham:** To ask the Secretary of State for Education and Employment what plans he has to increase the number of staff with engineering assessor and verifier qualifications in further education colleges. [73208]

**Mr. Mudie:** We have no such plans.

**Mr. Jim Cunningham:** To ask the Secretary of State for Education and Employment (1) what plans the Government have to introduce *(a)* best practice in strategic planning and *(b)* evaluation in course development in further education colleges; [73203]

(2) what plans he has to improve the pass rates for GCSE courses in further education colleges; [73206]

(3) what action he proposes to improve retention rates in further education colleges. [73207]

**Mr. Mudie:** The Government are strongly committed to raising standards in further education. We have increased funding for the sector and are introducing measures to secure year on year improvements in achievement across the board and to promote better retention rates in colleges.

In particular, we are introducing a new Further Education Standards Fund from April 1999, worth £115 million over the next two years. This will provide additional and targeted financial support for improvement plans prepared by colleges causing significant concern; support for other colleges to implement improvements following a Further Education Funding Council inspection; and support for all colleges for the professional development and training of staff and governors.

The Fund will also be used to support the dissemination of good practice in all its forms by colleges identified as beacons of excellence.

These policies to secure better standards will be taken forward in close partnership with the further education sector, including key national bodies such as the Further Education Funding Council, the Further Education Development Agency, the Association of Colleges and the Further Education National Training Organisation.

### Kingsbridge Primary School, South Devon

**Mr. Steen:** To ask the Secretary of State for Education and Employment what additional funds he plans to make available for essential works to the Kingsbridge Primary School, South Devon, following its application under the New Deal scheme of 3 February. [73650]

**Mr. Charles Clarke:** We expect allocations under the 3rd phase of the New Deal for Schools Programme to be announced at the end of March.

### Teachers' Pay

**Mr. Jim Cunningham:** To ask the Secretary of State for Education and Employment what plans the Government have to reform the teachers' pay system. [73196]

**Ms Estelle Morris:** The Government's proposals for reforming the teachers' pay system were set out in the Green Paper *teachers: meeting the challenge of change* (CM 4161), published on 3 December 1998, and the Technical Consultation Document on Pay and Performance Management, published on 1 February 1999. The consultation period on both documents ends on 31 March 1999.

### Teacher Recruitment

**Mr. Jim Cunningham:** To ask the Secretary of State for Education and Employment what plans he has to set up a teaching recruitment helpline. [73197]

**Ms Estelle Morris:** The Teacher Training Agency already operate a telephone Teaching Information line and website providing advice and information for those wishing to train as teachers. The information line received 72,841 calls in 1998. Responsibility for advertising vacancies and managing recruitment and selection rests with schools and local authorities and vacant posts are widely advertised in the national and local press and on the internet. In October last year, I announced £3 million of funding over the next year for a network of local advisers who will assist schools with recruitment and co-ordinate local recruitment efforts.

**Mr. Jim Cunningham:** To ask the Secretary of State for Education and Employment if he will provide a breakdown of teacher requirement and recruitment rates on a regional basis. [73200]

**Ms Estelle Morris:** The following table shows the headcount of full-time teachers in service in the maintained nursery, primary, secondary and special sector at 31 March 1996 together with recruitment rates[1] by region.

| *Government office region of service* | *Teachers in service* | *Recruitment rate* |
|---|---|---|
| North East | 23,000 | 7.5 |
| North West | 61,000 | 8.4 |
| Yorkshire and the Humber | 44,000 | 9.1 |
| East Midlands | 35,000 | 8.4 |
| West Midlands | 48,000 | 9.4 |
| Eastern | 46,000 | 10.6 |
| London | 57,000 | 12.1 |
| South East | 63,000 | 10.6 |
| South West | 39,000 | 9.7 |
| England | 418,000 | 9.8 |

[1] Recruitment rate is based on entrants to teaching in a region as a percentage of full-time and part-time teachers in service. "Entrants" means new entrants to teaching, returners to teaching, maintained nursery, primary, secondary and special sector teachers changing region, teachers moving to the maintained nursery, primary, secondary and special sector from other sectors, either in the same or a different region.

### New Deal (Public Sector)

**Mr. Jim Cunningham:** To ask the Secretary of State for Education and Employment what plans the Government have to extend the New Deal within public sector employment. [73202]

**Mr. Andrew Smith:** The public sector has an important role in the labour market and we are keen to involve this sector in New Deal. We are working closely with public sector employers to encourage offers of public sector jobs to New Deal participants. However, the large majority of jobs in the economy are in the private sector, and we would expect this balance to be broadly reflected in job opportunities offered to New Deal participants.

## SOCIAL SECURITY

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Secretary of State for Social Security what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71278]

**Mr. Bayley:** We are acting to ensure that the Department's policies meet the needs of disabled people and that we comply with our legal requirements. The Department already takes positive steps to make it easier for disabled people to make use of its services. We shall continue to do so, not only by complying fully with new duties in the Disability Discrimination Act but by aiming to exceed them where appropriate.

The Department will ensure that all new and existing policies and programmes are assessed for any adverse impact not only on disabled people, but on any minority or disadvantaged group. That includes the need to ensure that our policies and their outcomes comply with the law. Where necessary we shall act to remove or reduce the impact on these groups. This complements the guidance

"Policy Appraisal for Equal Treatment" which the Cabinet Office issued to all Government Departments in November 1998, and which was signed jointly by my right hon. Friends the Minister for Women, the Secretary of State for Education and Employment and the Home Secretary.

### Asbestosis (North-west)

**Ms Kelly:** To ask the Secretary of State for Social Security how many people have been awarded benefits related to asbestosis in *(a)* Bolton and *(b)* the north-west in the last five-year period for which figures are available; and, of these, how many previously worked in the locomotive industry. [72904]

**Mr. Bayley:** The administration of Industrial Injuries Benefit is a matter for the Chief Executive of the Benefits Agency, Peter Mathison. He will write to my hon. Friend.

*Letter from Peter Mathison to Ms Ruth Kelly, dated March 1999:*

I am replying to your recent Parliamentary Question asking how many people have been awarded benefits related to asbestosis in (a) Bolton and (b) the North West in the last five year period for which figures are available; and, of these, how many previously worked in the locomotive industry.

The information is not available in the format requested. Data is only available for Industrial Injuries Disablement Benefit (IIDB). Information for Bolton is not available as figures for IIDB are collated by Benefit Agency (BA) Area Directorate which do not correspond to Parliamentary constituency or Local Authority boundaries. The BA Area Directorate which includes Bolton also includes Salford and other areas of Greater Manchester. Data about injuries specific to the locomotive industry are not kept.

The information that is available is shown on the enclosed table.

I am sorry I could not be of more help on this occasion.

*Industrial injuries disablement benefit asbestosis assessments in the North West*

| Period | Number of assessments |
|---|---|
| 1995 | 140 |
| 1996 | 100 |
| 1997 | 104 |
| January to June 1998 | 33 |

*Notes:*
Figures are provisional and subject to change
Figures include Pneumoconiosis (PD D1), where the attributable agent has been asbestos, Diffuse Mesothelioma (PD D3), Primary Carcinoma of the Lung with accompanying evidence of one or both of the following: (a) asbestos (b) unilateral or bilateral diffuse pleural thickening (PD D8) and Unilateral or bilateral diffuse pleural thickening (PD D9).
Figures for the North West are available by Government Office Region (GOR). The North West GOR covers the counties of Cumbria, Cheshire, Greater Manchester and Lancashire.
*Source:*
DSS (Analytical Services Division) 100% Data.

### Child Benefit

**Mr. Ennis:** To ask the Secretary of State for Social Security if he will estimate how many families in the Barnsley, East and Mexborough constituency will benefit from the increase in child benefit. [73375]

**Angela Eagle:** The administration of Child Benefit is a matter for the Chief Executive of the Benefits Agency, Peter Mathison. He will write to my hon. Friend.

*Letter from Peter Mathison to Mr. Jeff Ennis, dated March 1999:*

I am replying to your recent Parliamentary Question asking if I will estimate how many families in the Barnsley East and Mexborough constituency will benefit from the increase in child benefit.

Unfortunately the information to identify families, by region, who are receiving Child Benefit is not readily available. These figures could only be obtained at disproportionate cost.

I can however explain the new rates of Child Benefit from April 1999. They will be £14.40 for the eldest child and £9.60 for each subsequent child. The increase for the eldest child includes the extra £2.50 a week announced in the March budget, plus uprating. This is an overall increase of £3.25 for a family with two children.

I am sorry I could not have been of more help on this occasion but I am pleased to have had the opportunity to comment.

### Benefit Fraud

**Mr. Field:** To ask the Secretary of State for Social Security if he will estimate the total amount of money lost through fraud to his Department's budget for 1997–98, indicating that amount as a percentage of the budget for that year; and if he will break down these figures by individual benefits. [73969]

**Mr. Timms:** The Green Paper "Beating Fraud is Everyone's Business; securing the future" set out the difficulties of measuring a covert activity such as fraud. Previous work reviewing individuals' claims shows that at least £2 billion per year is lost through fraud. This figure is based on a sample of cases where we have obtained firm evidence or an admission of fraud. There are strong indications that a further £3 billion is lost. This figure is based on a sample of cases where there is strong suspicion, but it cannot actually be shown that the claimant was guilty of fraud.

In other cases still, claim reviews have raised suspicions that there could be fraud, but the evidence is weak—for example, where people have been observed to be living above their means. Cases of this kind account for a further £2 billion per year in benefit claims. In addition, customer and staff errors lead to about £750 million being overpaid each year and £600 million being underpaid.

*£ billion*

| | Amount |
|---|---|
| Confirmed fraud | 2 |
| Strong suspicion of fraud | 3 |
| Low suspicion of fraud | 2 |

The annexe to the Green Paper showed the estimates of the levels of fraud available at the time. Since the Green Paper, we have published further estimates for Housing Benefit and Jobseeker's Allowance (Contributory). These estimated levels of fraud and strong suspicion of fraud at £610 million for Housing Benefit and £47 million for Jobseeker's Allowance (Contributory).

We indicated in the Green Paper that we intended to overhaul how fraud was calculated. Working with the National Audit Office, we have developed and refined our methodology. We now have a continuous monthly programme of reviews using random samples of Income Support and Jobseeker's Allowance (Income Based) cases in each area of the Benefits Agency. The results from the first six months were published in November and showed

around £640 million and £281 million fraud and error in Income Support and Jobseeker's Allowance (Income Based) respectively. We have further investigated those cases where there was strong suspicion that the benefit was wrong to see whether the payment was in fact wrong. The results of this investigation will give a more complete picture of fraud and error in these benefits.

We shall extend this new methodology to other benefits to provide a complete picture.

### Income Support

**Mrs. Fyfe:** To ask the Secretary of State for Social Security if a person of working age, who has been refused incapacity benefit, will no longer have 20 per cent. deducted from the personal allowance element of his income support, pending the outcome of his appeal to the ITS. [73758]

**Angela Eagle:** There are no plans to change the Income Support rules.

**Mr. Flynn:** To ask the Secretary of State for Social Security what the rates of income support for pensioners would be in *(a)* 1998–99 and *(b)* 1999–2000, if they had been increased in (i) April 1998 and (ii) 1999 in line with average earnings. [73395]

**Mr. Timms:** The information is in the table.

*Weekly rates of Income Support based on average earnings uprating from April 1998*

£

| | April 1998 | April 1999 (a) | April 1999 (b) |
|---|---|---|---|
| Single aged 60–74 | 71.90 | 73.60 | 75.10 |
| Single aged 75–79 | 74.20 | 75.95 | 77.55 |
| Single aged 80+ | 79.10 | 81.00 | 82.65 |
| Couple one/both 60–74 | 111.60 | 114.40 | 116.65 |
| Couple one/both 75–79 | 114.80 | 117.55 | 120.00 |
| Couple one/both 80+ | 120.30 | 123.30 | 125.75 |

*Notes:*

1. Average earnings growth has been estimated at 4.5 per cent. in each year, based on Treasury estimates.

2. In column *(a)* the rates for April 1999 are based on uprating the actual rates which applied in 1998 by average earnings. In column *(b)*, the rates for 1999–2000 are based on the rates for 1998–99 uprated by average earnings, and therefore show the cumulative effect of two successive earnings upratings.

3. The weekly rates in the table are the total of the appropriate personal allowance and pensioner premium before any adjustments for other income, and do not include any additional amounts which may apply in a particular case.

4. In the case of a couple, the age of the elder partner determines the rate which applies.

### Welfare Reform and Pensions Bill

**Dr. Moonie:** To ask the Secretary of State for Social Security if the Welfare Reform and Pensions Bill conforms with all the provisions of the Human Rights Act 1998, with particular reference to article 9, Clause 11 concerning Christian conscience; and if he will make a statement. [73535]

**Mr. Timms:** Under section 19 of the Human Rights Act 1998, the Minister in charge of a Bill in the House must make a statement about the Bill's compatibility with the European Convention on Human Rights.

Accordingly, before the introduction of the Welfare Reform and Pensions Bill, my right hon. Friend the Secretary of State signed the following statement, which is printed on the front page of the Bill:

"In my view, the provisions of the Welfare Reform and Pensions Bill are compatible with the Convention rights."

### Benefit Payments

**Mr. Field:** To ask the Secretary of State for Social Security if he will estimate the proportion of all benefit payments in 1997–98 which were accurate. [73940]

**Mr. Timms:** The figures used for reporting the accuracy of individual benefits to Parliament are reported to agreed levels of statistical confidence. The request to

"estimate the proportion of all benefit payments in 1997–98 which was accurate"

means providing a figure which does not carry statistical confidence. Bearing this in mind, it is estimated that 93.4 per cent. of recipients received accurate payments of benefit in 1997–98.

### Severe Disablement Allowance

**Mr. Field:** To ask the Secretary of State for Social Security how many people are currently claiming severe disablement allowance in each quintile of income distribution. [73899]

**Mr. Bayley:** The information is in the table.

*Number of people claiming severe disablement allowance in each quintile of income distribution*

| Income quintile | Before housing costs | After housing costs |
|---|---|---|
| Bottom | 30,000 | 30,000 |
| Second | 70,000 | 70,000 |
| Third | 90,000 | 90,000 |
| Fourth | 50,000 | 50,000 |
| Top | 20,000 | 20,000 |
| Total | 260,000 | 260,000 |

*Notes:*

1. Estimates are rounded to the nearest ten thousand. Estimates may not sum owing to rounding.

2. Figures are an average of the recipients of Severe Disablement Allowance in the 1995–96 Households Below Average Income datasets based on the Family Resources Survey (FRS) and as such are subject to sampling error.

3. The measure of income used is household equivalised net income before housing costs and after housing costs. Incomes are equivalised to adjust for household size and composition. No adjustment is made to household income to reflect any additional needs that recipients of severe disablement allowance might have. A household can comprise more than one benefit unit, for example a pensioner living with their grown up children.

*Source:*

The dates are taken from the Family Resources Survey (FRS) and all estimates are subject to sampling error. The total of recipients of Severe Disablement Allowance living in private households is estimated to be 260,000 while the total 1996–97 caseload was 355,000. Part of this difference will be due to the fact that the FRS does not survey those who do not live in private households, for example those in residential homes. However, there may also be under-reporting of benefit receipt within the FRS.

### Pensions

**Mr. Flynn:** To ask the Secretary of State for Social Security, pursuant to his answer to the right hon. Member for Birkenhead (Mr. Field) of 11 February 1999, *Official Report*, column *376*, on pensions, what are the reasons for the lower cost of the state second pension compared with SERPS in 2010 and 2020. [73397]

**Mr. Timms:** Expenditure on State Second Pension will be lower than on SERPS over the first 20 years or so because the provisions for carers and the long-term disabled take longer to build up than the previous Government's policy of extending Home Responsibilities Protection to SERPS (which is included in the SERPS baseline). The main reason for this is that few carers of pre-school age children will reach State pension age before 2020.

**Mr. Flynn:** To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Northavon (Mr. Webb) of 11 February 1999, *Official Report*, column *379*, how much of the £2.5 billion package of measures to tackle pensioner poverty over the next three years is accounted for by the cost of *(a)* the minimum income guarantee, *(b)* winter fuel payments, *(c)* free eye tests and *(d)* concessionary travel, in each of those years. [73396]

**Mr. Timms:** I refer my hon. Friend to the written answer I gave the hon. Member for Northavon (Mr. Webb) on 22 February 1999, *Official Report*, column *173*.

### Child Support

**Mr. Field:** To ask the Secretary of State for Social Security (1) what proportion of non-resident parents pay maintenance to their children; [73901]

(2) what proportion of non-resident parents who pay maintenance to their children are paying it through the Child Support Agency. [73900]

**Angela Eagle:** The information is not available in the form requested. Such information as is available is set out.

As at 30 November 1998, 70 per cent. of non-resident parents who had been assessed by the Child Support Agency to pay maintenance, use the Agency's collection service. Of these, 69 per cent. are fully or partially compliant.

### Widow's Benefit

**Mr. Field:** To ask the Secretary of State for Social Security if he will estimate the numbers of people who will no longer be able to claim widow's pension and will instead be entitled to the transitional time-limited allowance within each quintile of the income distribution. [73805]

**Angela Eagle:** The position in each quintile of the income distribution of future claimants of Bereavement Allowance cannot be known.

The information is not available in the format requested. Such information as is available is in the table.

*Position of recipients of current widow's benefit in income distribution by quintile*

*Percentage*

| *Income quintile* | *Before housing costs* | *After housing costs* |
|---|---|---|
| First | 22 | 18 |
| Second | 23 | 19 |
| Third | 20 | 24 |
| Forth | 21 | 18 |
| Top | 15 | 22 |

*Source:*
Figures in the table are from the 1996–97 Households Below Average Income dataset based on the Family Resources Survey.

### Mrs. Karen Adams

**Mr. Wigley:** To ask the Secretary of State for Social Security if he will investigate the case of Mrs. Karen Adams of Llithfaen, Pwlheli, (Ref. D42/190/1998/00070) to establish the reasons for her appeal against the reduction of the attendance component of her disability living allowance not being determined; and if he will undertake an inquiry into the workings of the appeal system. [72821]

**Angela Eagle:** Appeals in respect of claims for Disability Living Allowance are matters for the Independent Tribunal Service (ITS). A copy of the letter the right hon. Member sent on 19 February 1999 to the Secretary of Medical Appeal Tribunals in Cardiff has been passed to ITS Headquarters so that a reply can be sent to the right hon. Member directly.

We are currently overhauling the whole decision making and appeals system. We are firmly committed to tackling the unacceptable delays in the appeals service—currently averaging seven months, with some appellants waiting over a year for the decision on their case. Regulations will be debated shortly under affirmative procedures. Under the provisions of the Social Security Act 1998, which paves the way for modernising the delivery of Social Security, one of the major areas of change will be to reduce substantially the current waiting times for appeals. The intention of these changes is to provide a more effective and faster service and to reduce the kind of lengthy waiting period that Mrs. Adams suffered.

## FOREIGN AND COMMONWEALTH AFFAIRS

### Visas (Supply Teachers)

**Mr. Don Foster:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the current instructions issued by his Department to entry clearance officers on the admission of supply teachers on working holidaymaker visas, giving the date they were introduced and the criteria and reasons for their introduction. [71442]

**Mr. Fatchett** *[holding answer 16 February 1999]:* Instructions on the requirements to be met to qualify for entry clearance as a working holidaymaker (WHM) are contained in Chapter 20 of Diplomatic Service Procedure Entry Clearance Volume 1 which is available in the Library of the House. A specific concession has been

incorporated in the instructions to enable supply teachers to take advantage of the WHM scheme, under certain conditions. Provided applicants meet these requirements they may take employment as a supply teacher.

The timing and policy reasons for the introduction of these requirements, as well as the terms of the concession for supply teachers, are a matter for my right hon. Friend the Home Secretary.

### Parliamentary Questions

**Mr. Alan Simpson:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many parliamentary questions for written answer have been tabled to his Department in each session since May 1997; and how many have not been answered on grounds of disproportionate cost. [71932]

**Mr. Tony Lloyd:** In the 1997–98 session, this Department gave written answers to 3,137 questions, of which 131 could not be answered fully on grounds of disproportionate cost.

So far in this session, 700 questions have been given written answers, with eight not answered on the grounds of disproportionate cost.

### Burma

**Mr. Hancock:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the situation of the Karen people in Burma; and if he will make a statement. [72951]

**Mr. Fatchett:** The Burmese military regime's record of human rights abuses against ethnic minorities, including the Karen, is appalling. These include forced labour, forced repatriation, killings and torture. Many Karen have fled to neighbouring Thailand: there are over 80,000 in refugee camps in the border area. The UK urges the Burmese regime to stop all human rights abuses and to enter into dialogue with the democratic opposition, including ethnic minorities.

**Mr. Hancock:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the Karen people in Burma. [72950]

**Mr. Fatchett:** The Government have received many representations from non-governmental organisations lobbying on the plight of Burmese ethnic minorities including the Karen; and from Members of Parliament and members of the public expressing concern at human rights abuses in Burma, including those against the Karen.

**Mr. Hancock:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Burma concerning its treatment of the Karen people. [72949]

**Mr. Fatchett:** The Burmese military regime are well aware of our deep concerns about the plight of Burmese ethnic minorities, including the Karen. We take every opportunity, both in international forums such as the United Nations Commission on Human Rights and through our Embassy in Rangoon, to raise our concerns.

**Mr. Bob Russell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Myanmar about human rights, specifically in respect of the Karen people; what further action he intends taking; if he will arrange for EU foreign ministers to consider this matter; and if he will make a statement. [73488]

**Mr. Fatchett:** We take every opportunity to raise with the Burmese regime our concerns about their appalling human rights record, particularly against ethnic minorities. We support action within international forums; we support the efforts of the UN to bring about an improvement in Burma; we co-sponsored the UN General Assembly resolution on Burma last December; we, with our EU Partners, are working towards a tough resolution at the forthcoming UN Commission on Human Rights; and we expect Burma to be on the agenda of the forthcoming ILO session. EU Member States have taken strong action to bring pressure to bear on the Burmese regime in the form of a Common Position first adopted in 1996 and strengthened by EU Foreign Ministers last October. We also take bilateral action: our Ambassador in Rangoon makes representations to the Burmese regime about our concerns.

### EEA Family Permit Applications

**Ms Oona King:** To ask the Secretary of State for Foreign and Commonwealth Affairs what the average processing time of applications by non-EEA national family members applying for EEA family permits has been since 1 February 1998. [72880]

**Mr. Fatchett:** The information requested is not recorded centrally and could be obtained only at disproportionate cost. However, guidance to overseas Posts stipulates that applications for Family Permits are to be given priority. Whenever possible, a decision should be taken at the time that the application is lodged (or interview conducted).

**Ms Oona King:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many applications for EEA family permits were refused on the grounds that the entry clearance officer judged the marriage to be one of convenience over the period 1 February 1998 to date. [72876]

**Mr. Fatchett:** This information is not recorded centrally and could be obtained only at disproportionate cost.

**Ms Oona King:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) how many non-EEA family member nationals applied for EEA family permits during the period 1 February 1998 to date; [72856]

(2) how many EEA family permits have been refused to non-EEA family members of EEA nationals exercising treaty rights since 1 February 1998; [72879]

(3) how many EEA family permits have been granted to non-EEA family nationals since 1 February 1998. [72878]

**Mr. Fatchett:** During the period 1 February 1998 until 31 December 1998, 11,275 non-EEA family member nations applied for EEA family permits, 10,522 were

issued and 109 were refused. The remainder (644) are accounted for by applications which were still being processed or had been withdrawn.

### Commonwealth Institute

**Mr. Pike:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in respect of determining the future status of the Commonwealth Institute; and if he will make a statement. [73153]

**Mr. Tony Lloyd:** The discussions between Foreign and Commonwealth Office officials and the senior management of the Commonwealth Institute are making good progress, but have not yet reached a stage where a formal decision can be made in respect of the institute's future status.

### Sudan

**Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department is having with the Government of the Sudan; and if he will make a statement. [73609]

**Mr. Fatchett:** We continue to have regular contact with the Sudanese authorities both in London and Khartoum. Through these contacts we continue to work towards the normalisation of Anglo-Sudanese relations.

### Abdullah Ocalan

**Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs if it is the Government's policy to call for international observers to monitor the forthcoming trial of Abdullah Ocalan in Turkey; and if he will make a statement. [73611]

**Ms Quin:** We have urged the Turkish authorities to make provision for attendance at the trial of Mr. Ocalan by international representatives, in line with their normal practice. The Turkish government have made it clear that no provision exists in Turkey for formal "observer status" within their courts.

### Iran

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Iranian Government about human rights abuses in Iran. [73300]

**Mr. Fatchett:** We and our EU partners frequently raise our concerns over human rights with the Iranian authorities. The EU sponsored United Nations Commission on Human Rights (UNCHR) Resolution on human rights in Iran was adopted on 18 November 1998. We will also be supporting the EU sponsored UNCHR Resolution due for discussion in Geneva in March. We and our EU partners raised human rights issues during the EU/Iran talks in Tehran in July 1998 and in Vienna in December 1998. We frequently raise this issue also in working level contacts.

In conjunction with our German and Austrian Partners we made a demarche to the Iranian Ministry of Foreign Affairs on 4 October 1998 about the cases of Mr. Dhabihi-Muqaddam and Mr. Najafabadi, two Baha'is who had been sentenced to death. The EU also issued a declaration in December about the killings of dissidents in November/December last year. We welcome the Iranian government's determination to pursue the culprits, and the subsequent arrest of Ministry of Intelligence and Security officials.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will provide assistance to the National Council of Resistance of Iran; [73659]

(2) what assessment he has made of the objectives and activities of the National Council of Resistance of Iran. [73294]

**Mr. Fatchett:** The Government do not recognise the National Council for the Resistance of Iran, which is a coalition dominated by the Mujaheddin-e-Khalq Organisation (MKO). Despite its claims to be a democratic party, it has a long history of violence. The MKO has been responsible for many acts of terrorism and is closely associated with Saddam Hussein's regime in Iraq. The Government have taken action to stop people associated with acts of terrorism by the MKO coming to the UK, notably their President elect, Maryam Rajavi. The MKO continues to be listed by the US State Department as a terrorist organisation.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what contact *(a)* he and *(b)* his officials have had with the National Council of Resistance of Iran. [73295]

**Mr. Fatchett:** Neither this nor the previous Government recognise the National Council for the Resistance of Iran (NCRI). Therefore, FCO Ministers and officials avoid contact with member of the NCRI.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* trade concessions, *(b)* credits and *(c)* loans which the British Government have agreed with Iran since May 1997. [73299]

**Mr. Fatchett:** There have been no trade concessions of loans to Iran by HMG in this period. In July 1998 my right hon. Friend the President of the Board of Trade announced the resumption of export credit guarantee cover for capital goods and service contracts concluded on cash payment terms, and for short term reinsurance for private sector insurers of consumer goods exports. As yet, no cover has been used under these facilities.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the numbers of people in Iran put to death since President Khatami came to power. [73298]

**Mr. Fatchett:** It is difficult to put an exact figure on the number of executions in Iran since President Khatami's election in May 1997. The latest report of the United Nations Commission on Human Rights Special Representative, Maurice Copithorne, estimates that between January and December 1998 155 executions took place. In his report for 1997 it was estimated that 220 executions took place. President Khatami was elected on 23 May 1997.

### Kenya

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what discussions he has had with the United Nations on the continuing location of the UNEP in Nairobi; [73681]

(2) what reports he has received concerning the destruction of the Karura Forest in Kenya. [73766]

**Mr. Fatchett:** My right hon. Friend the Minister for the Environment is responsible for UNEP issues. He has participated in discussions with UNEP's Executive Director, Klaus Toepfer, on reform of UNEP, including the continuing location of UNEP in Nairobi. In his speech at the UNEP Governing Council on 4 February, he underlined the United Kingdom's continued high level of support for UNEP, including the strengthening of the UN presence in Nairobi.

We have received regular reports from our High Commission in Nairobi about the destruction of the Karura Forest in Kenya. As the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), said in his written reply of 24 February 1999, *Official Report*, column *322*, we supported, as part of the Democratic Development Group of diplomatic missions in Nairobi, a collective statement expressing our deep concern over the violence last month at the Karura Forest.

Our High Commissioner regularly raises the need for greater transparency and respect for the law in the allocation of public lands in Kenya, including the Karura Forest, with President Moi and senior Government Ministers.

### Brit Awards

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those ministers in his Department who were present at the recent Brit awards in an official capacity; and who or what organisation was acting as their sponsor or host. [73493]

**Mr. Tony Lloyd:** No Ministers in the Foreign and Commonwealth Office attended the Brit awards.

### Air Miles

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many Air Miles have been earned by him and each of his ministers; and how he proposes to use them. [73337]

**Mr. Tony Lloyd:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend, the Prime Minister on 12 January 1999, *Official Report*, column *141*.

Detailed information on any air miles earned by Ministers as a result of official travel is not recorded centrally.

### Sierra Leone

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on atrocities committed by ECOMOG forces in Sierra Leone. [73641]

**Mr. Tony Lloyd:** I refer the right hon. Member to my answer of 23 February 1999, *Official Report*, column *319*.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to President Mugabe about the content of his recent statements to opposition groups. [73296]

**Mr. Tony Lloyd:** I saw President Mugabe on 25 February and told him of our concerns about his recent remarks about the judiciary, the media and non-governmental organisations. I encouraged him to reassure the Zimbabwean people and the international community of this commitment to international human rights standards and the rule of law.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what official visits he, his ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73464]

**Mr. Tony Lloyd:** I visited Zimbabwe in January 1998 and met the Acting President, the Foreign Minister and the Minister of Transport and Energy. I also met parliamentarians, non-governmental organisations, academics, unions, the media and business people. Topics discussed included regional issues, political and economic developments in Zimbabwe, land redistribution and human rights.

Most recently, I met President Mugabe when I visited Zimbabwe on 25 February, as part of a regional tour to discuss the conflict in the Democratic Republic of Congo. I also raised our concerns over recent human rights abuses.

There have been a number of visits by officials, for a variety of reasons. We do not keep a central database of all visits by officials to Zimbabwe.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Zimbabwe concerning its plans to nationalise land. [73388]

**Mr. Tony Lloyd** *[holding answer 26 February 1999]*: This Government recognise the need for land reform in Zimbabwe. We have told the Zimbabwe Government that we would be prepared to support a programme that is transparent and fair, follows the due process of law, is well-managed and affordable within an overall sound economic framework, has the support and participation of stakeholders and beneficiaries, and is aimed at poverty reduction.

### Media Staff (Embassies)

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what changes his Department has made in the deployment of staff handling media matters in *(a)* the United Kingdom and *(b)* embassies and high commissions abroad since 1 May 1997; and if he will make a statement. [73603]

**Mr. Fatchett:** Since 1 May 1997 the FCO News Department had recruited an additional 7 staff, of whom 4 are designated press officers and one spends half his time as a press officer. There have been no significant

changes in the deployments of staff dealing with media matters overseas: a detailed analysis could be provided only at disproportionate cost.

### Kosovo

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what reasons were given by President Milosevic for not travelling to the Rambouillet talks. [73384]

**Mr. Tony Lloyd** *[holding answer 26 February 1999]:* The Contact Group Ministerial meeting held in London on 29 January agreed to summon representatives of the Federal Yugoslav and Serbian Governments and representatives of the Kosovo Albanians to negotiations for a political settlement on the basis of documents tabled by the Contact Group. The invitation was not issued to President Milosevic in person and it did not stipulate that he should attend.

### Chile (Air Services)

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Chilean Government concerning *(a)* British Airways flights to Santiago and *(b)* Lan Chile flights to Spain. [73386]

**Mr. Tony Lloyd** *[holding answer 26 February 1999]:* *(a)* The most recent formal discussions took place during air services negotiations between the United Kingdom and Chile were held in June 1994. Air services negotiations due to be held in 1998 were postponed. We hope these will be re-instated soon. *(b)* None.

### Falklands

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussion he has held with the Governor of the Falklands concerning flights to the Falklands from *(a)* Chile, *(b)* Uruguay and *(c)* Brazil. [73385]

**Mr. Tony Lloyd** *[holding answer 26 February 1999]:* We have told the Governor of the Falkland Islands that we share the Falkland Islands Government's hope that Lan Chile will continue to fly to the Falklands after the expiry of their present contract on 31 March 1999. We have assured him of our readiness to assist the Falkland Islands Government to explore other options for air links in the region.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what reasons the Chilean Government have given for recognising Argentina's claim over the Falklands. [73387]

**Mr. Tony Lloyd** *[holding answer 26 February 1999]:* We are aware of Chilean statements of support for the Argentine position on the Falklands in recent years. It is for the Government of Chile to explain the reasons for their statements. We have made clear to the Chilean Government that we have no doubt about British sovereignty over the Falklands and have called on them to recognise the right of the Falkland Islanders to determine their own future.

### Yemen

**Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of human rights abuses in Yemen; and what representations he has made to the Government of Yemen. [73205]

**Mr. Fatchett:** There have been some tangible improvements in human rights in Yemen. There is a democratically elected parliament and universal franchise among men and women. The last elections in 1997 were judged to be largely free and fair. A broadly free press ensures that issues are properly aired. Our Embassy has provided modest financial support for human rights organisations operating in Yemen. Our priority is to help improve Yemen's judicial process. We have provided assistance in training judges and related officials on national and international human rights law and its application in the court-room.

The recent trial of eight UK citizens in Aden for alleged terrorist related crimes has, however, highlighted a number of weaknesses. My right hon. Friend the Foreign Secretary has raised our concerns with Prime Minister Iriyani three times this year.

### Antarctic Secretariat

**Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects agreement to be reached on the establishment and siting of the Antarctic Secretariat; and if he will make a statement. [73162]

**Mr. Tony Lloyd:** The Antarctic Treaty Secretariat may be discussed at the next meeting of the Antarctic Treaty Consultative Parties to be held in Peru in May 1999. The need for an Antarctic Treaty Secretariat has long been acknowledged by Consultative Parties, including the UK. But consensus on its location has not yet been reached.

The UK looks forward to a resolution on the matter of the Secretariat's location and will continue constructive dialogue with other Treaty Parties.

### Turkey

**Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the treatment of Kurdish people in Turkey; and what representations have been made to the Turkish Government. [73163]

**Mr. Wigley:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Turkish Government concerning the violation of the human rights of Kurdish citizens. [72823]

**Ms Quin:** We regularly raise human rights issues in our bilateral discussions with the Turkish government. We have repeatedly stressed to the Turkish authorities that a lasting solution to the conflict in south east Turkey can come about only if the Turkish government address the social and economic problems of the south east and the aspirations of the Kurdish population there.

### British Council (Damascus)

**Mr. Dalyell:** To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of

19 January 1999, *Official Report*, column *436*, on the British Council property in Damascus, when he expects the costs of the damage to have been evaluated. [72891]

**Mr. Fatchett:** The British Council estimate the cost of damage to their property in Damascus to be between £90,000 and £95,000.

### Ministerial Engagements

**Mr. Galloway:** To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 15 February 1999, *Official Report*, columns *583–84*, on the engagements of the Minister of State, the right hon. Member for Leeds, Central (Mr. Fatchett), where the dinner with Next Century Foundation was held. [73149]

**Mr. Fatchett:** The dinner was held at the Kuwaiti Ambassador's residence in London.

### Indonesian Elections

**Mr. David Heath:** To ask the Secretary of State for Foreign and Commonwealth Affairs what measures of support for the Indonesian elections were agreed at the General Affairs Council on 21 and 22 February. [73756]

**Mr. Fatchett:** A UK initiative for increased European Union funding for the Indonesian elections was approved. The European Commission is producing proposals for an assistance package worth 7 million euros.

**Mr. David Heath:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he held with EU ministers at the General Affairs Council on 21 and 22 February on the subject of East Timor. [73757]

**Mr. Fatchett:** Ministers discussed the latest developments in the talks on East Timor being held under United Nations auspices in New York.

### Bay of Gibraltar

**Dr. Marek:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy not to refer to the Bay of Gibraltar as the Bay of Algeciras. [73408]

**Ms Quin:** Yes.

### Vietnam

**Mr. Laurence Robertson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Vietnam regarding the treatment of Christians in that country; and if he will make a statement. [73637]

**Mr. Fatchett:** We are deeply concerned about reports of religious persecution in Vietnam. We have repeatedly, with our EU partners made representations to the Vietnamese government about human rights. In June last year the British Ambassador in Hanoi handed over a list of prisoners of conscience, urging their release. These included many imprisoned for exercising their religion freedoms. I raised the issue with the Vietnamese Ambassador in January. We shall continue to press the Vietnamese to improve respect for human rights.

At the forthcoming UN Commission on Human Rights, the UK will give its full support to a resolution highlighting our concern about religious intolerance wherever it occurs.

# Written Answers to Questions

*Tuesday 2 March 1999*

## CABINET OFFICE

### Deregulation and Contracting Out Act 1994

**Mr. Derek Twigg:** To ask the Minister for the Cabinet Office what plans he has for reform of Part 1 of the Deregulation and Contracting Out Act 1994. [74713]

**Dr. Jack Cunningham:** The Government have reviewed the operation of the deregulation order-making power in Part 1 of the Act. We believe the safeguards in the process are proven, but that the legislative limitations on the application of this power restrict our ability to deal effectively with measures which are no longer needed, or which impose a greater burden than necessary.

When Parliamentary time allows, the Government intend to extend the scope of the deregulation order-making process, whilst maintaining the statutory protection against its misuse. I am launching today an extensive public consultation on proposals for reform of this power. I have sent copies of the consultation document to all MPs and have placed copies in the Libraries of the House.

### New Deal (Trainees)

**Mr. Green:** To ask the Minister for the Cabinet Office how many New Deal for Young People Trainees were employed in *(a)* Her Majesty's Treasury, *(b)* the Home Office, *(c)* the Department of the Environment, Transport and the Regions, *(d)* the Ministry of Agriculture, Fisheries and Food, *(e)* the Cabinet Office, *(f)* the Foreign and Commonwealth Office, *(g)* the Department of Health, *(h)* the Department for Foreign and International Development, *(i)* the Lord Chancellor's Department, *(j)* the Department of Social Security, *(k)* the Department of Trade and Industry, *(l)* the Scottish Office, *(m)* the Welsh Office and *(n)* the Northern Ireland Office, on 31 January. [74216]

**Mr. Kilfoyle:** I refer the hon. Member to the written answer given by my hon. Friend the Under-Secretary of State for Education and Employment, the hon. Member for Leeds, East (Mr. Mudie), to my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) on 19 November 1998, *Official Report*, column 755. Updated figures will be available towards the end of April and will, for the first time, distinguish between the numbers of those employed under the programme for 18–24 year olds and the programme for 25 year olds and above.

### Departmental Expenditure

**Mr. Don Foster:** To ask the Minister for the Cabinet Office, pursuant to his answer of 21 January 1999, *Official Report*, columns 576–77, if he will list the expenditure not included in his answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if he will list the bodies which incurred the expenditure. [71021]

**Mr. Kilfoyle** *[holding answer 15 February 1999]:* My answer of 21 January 1999, *Official Report*, columns 576–77, was inclusive of expenditure on *(a)* task forces and review bodies and *(b)* by focus groups which included expenditure on market research and publicity. It is not possible to provide a further breakdown of expenditure without incurring disproportionate costs. The total *own* expenditure on publications by my Department itself since May 1997 is £3,724,259. This is broken down as follows:

| | £ |
|---|---|
| Core Cabinet Office | 2,656,929 |
| Civil Service College | 711,140 |
| Central Computer and Telecommunications Agency | 86,675 |
| Government Car and Despatch Agency | 8,090 |
| Property Advisers to the Civil Estate | 41,000 |
| The Buying Agency | 92,740 |
| Central Office of Information | 127,685 |
| Grand Total | 3,724,259 |

## EDUCATION AND EMPLOYMENT

### New Deal (Young People)

**Mr. Green:** To ask the Secretary of State for Education and Employment what percentage of those who have entered the New Deal for Young People have spent more than four months on the Gateway. [74203]

**Mr. Andrew Smith:** Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

*Letter from Leigh Lewis to Mr. Damian Green, dated 2 March 1999:*

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply to your question about the percentage of young people who have spent more than four months on the New Deal Gateway. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

By the end of December 1998, 214,300 young people had entered the New Deal including those leaving before attending a Gateway interview. Of the total 20% were recorded as having spent more than 4 months in the Gateway. This includes people who returned to the Gateway after breaks including short periods of work or illness.

I hope this is helpful.

**Mr. Green:** To ask the Secretary of State for Education and Employment how many New Deal for Young People trainees were employed at his Department on 31 January; and what percentage this is of total employment in his Department. [74204]

**Mr. Mudie:** As at 31 January 1999, the Department for Education and Employment had 5 New Deal for Young People employees in post, representing 0.12 per cent. of the Department. Though the current position is that we now have 11 people employed on New Deal.

### New Deal (West Sussex)

**Mr. Loughton:** To ask the Secretary of State for Education and Employment how many jobless people under the age of 25 years have so far been enrolled in the New Deal scheme in (i) the East Worthing and Shoreham constituency, (ii) the Worthing travel-to-work area and (iii) West Sussex; and how many of them are in (i) subsidised jobs and (ii) unsubsidised jobs. [74205]

**Mr. Andrew Smith:** Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

*Letter from Leigh Lewis to Mr. Tim Loughton, dated 2 March 1999:*

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply to your question about the numbers of young people participating in New Deal for 18–24 year olds in the East Worthing and Shoreham constituency; the Worthing travel to work area and West Sussex and the number who have secured subsidised and unsubsidised jobs. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

I regret that separate figures are not available for constituencies or travel-to-work areas. Government Statistical Service figures are produced for Employment Service Unit of Delivery areas. Both Worthing and Shoreham fall within the West Sussex and Costal Plain Unit of Delivery.

The latest Government Statistical Service figures to the end of December 1998, and including Employment Service management information to the end of January 1999, show that 366 young people have started on New Deal for 18–24 year olds in the West Sussex Coastal Plain Unit of Delivery. Of these, 68 have secured unsubsidised employment and 51 have started subsidised employment through the New Deal Employment option. In addition there will be other young people who have left the New Deal and stopped receiving Jobseeker's Allowance, without notifying the Employment Service of their reasons for leaving, who will have secured unsubsidised jobs.

I hope this is helpful.

### Employment Discrimination

**Mr. Stephen Twigg:** To ask the Secretary of State for Education and Employment what action the Government propose to take following the completion of its review of ILO conventions 111 on discrimination in employment and 138 on minimum age. [74712]

**Mr. Andrew Smith:** I am pleased to announce that we will ratify ILO Convention 111 on discrimination in employment. I hope to make an announcement on ILO Convention 138, on minimum age in the near future.

### Teachers

**Mr. Jim Cunningham:** To ask the Secretary of State for Education and Employment what assessment he has made of the effectiveness of non-monetary special incentives to attract teachers back into the profession. [73201]

**Ms Estelle Morris** *[holding answer 1 March 1999]:* We are aware of the large pool of qualified teachers who are currently not active in the profession, and we are keen to maximise the number who are attracted back into teaching. Around 12,000 people do re-enter teaching in England and Wales every year. Over time, the proposals for better rewards, support and training in our Green Paper, "Teachers—Meeting the challenge of change", will be key in boosting our ability to draw back former teachers.

In the shorter term, the Teacher Training Agency funds a number of courses specifically designed to update the skills of returners and ease their way back into teaching. Last year, 618 returners made use of TTA-funded courses, and we have just increased the amount of funding available for these courses. The new network of local recruitment advisers I announced last October are working to promote these courses and find other creative ways of targeting returners. We also changed the pensions abatement provision last year to introduce greater flexibility for retired teachers considering a return to work. It is too early to assess the impact of these initiatives, but we will be evaluating their effect later this year.

**Mr. Maclean:** To ask the Secretary of State for Education and Employment, pursuant to his answer of 3 February 1999, *Official Report*, column *664*, how many and what percentage of teachers in secondary schools in England do not have a first degree. [73639]

**Ms Estelle Morris:** Full and part-time teachers in maintained secondary schools in England at March 1997[1] without a first degree[2] are as follows:

*Number of teachers*

Full-time: 45,800

Part-time: 10,400.

*Percentage of all teachers*

Full-time: 26

Part-time: 39.

[1] Data for 1997 are provisional.

[2] Some teachers who did not have a first degree at the time they received qualified teacher status, or in the case of teachers no trained in England or Wales when they entered the teaching profession, will have obtained a degree later, but are counted as without a first degree in the answer.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Education and Employment what official visits he, his Ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73461]

**Mr. Mudie:** No Ministers from this Department have visited Zimbabwe since May 1997. There has been one visit by an official to meet the National Commission on Education to discuss UK education policies.

### Air Miles

**Mr. Maclean:** To ask the Secretary of State for Education and Employment how many air miles have been earned by him and each of his ministers; and how he proposes to use them. [73341]

**Mr. Mudie:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend, the Prime Minister on 12 January 1999, *Official Report*, column *141*.

Detailed information on any air miles earned by Ministers as a result of official travel is not recorded centrally.

## Brit Awards

**Mr. Maclean:** To ask the Secretary of State for Education and Employment if he will list those Ministers in his Department who were present at the recent Brit Awards in an official capacity, indicating the organisation acting as their sponsor or host. [73491]

**Mr. Mudie:** No Ministers from this Department were present at the recent Brit awards.

## Class Sizes

**Mr. Willis:** To ask the Secretary of State for Education and Employment, pursuant to his answer of 10 February 1999, *Official Report*, columns *271–73*, if he will list by local education authority for the present and previous rounds of bidding for capital grants for class size reductions *(a)* the total value of bids and *(b)* the total value of capital expenditure grants made; and what is the total budget allocated by the Government for (i) capital and (ii) revenue expenditure on class size reductions. [72559]

**Ms Estelle Morris:** The total budget allocated for (i) capital and (ii) revenue expenditure on class size reductions is as follows:

*£ million*

| *Financial year* | *Capital budget* | *Revenue budget* |
|---|---|---|
| 1998–99 | 45 | 22 |
| 1999–2000 | 80 | 80 |
| 2000–01 | 60 | 160 |
| 2001–02 | 20 | 160 |

Details of the present round of bidding were given in my answer of 10 February 1999, *Official Report*, columns *271–73*. No grants have yet been made. The values of the applications for capital funding for 1998–99 are set out in the following table. Capital grants to reduce class sizes in 1998–99 were announced on 3 July 1998 and are included in tables that have been placed in the Library.

*Applications for capital funding to reduce infant class sizes: 1998–99*

| *Local education authority* | *Grant applied for* |
|---|---|
| Barking & Dagenham | 153,350 |
| Barnet | 322,200 |
| Barnsley | — |
| Bath & North East Somerset | 718,932 |
| Bedfordshire | 833,683 |
| Bexley | 974,000 |
| Birmingham | — |
| Blackburn | 483,472 |
| Blackpool | 449,500 |
| Bolton | 522,125 |
| Bournemouth | 1,100,000 |
| Bracknell | 502,430 |
| Bradford | 561,150 |
| Brent | — |
| Brighton & Hove | 488,000 |
| Bristol | 360,207 |
| Bromley | 1,340,790 |
| Buckinghamshire | 389,875 |
| Bury | 1,231,351 |
| Calderdale | 533,606 |
| Cambridgeshire | 656,860 |
| Camden | — |
| Cheshire | 1,289,775 |
| City of London | — |
| Cornwall | 728,440 |
| Coventry | 40,000 |
| Croydon | 369,140 |
| Cumbria | 113,188 |
| Darlington | 214,580 |
| Derby | 1,121,373 |
| Derbyshire | 2,441,563 |
| Devon | 1,035,439 |
| Doncaster | 221,400 |
| Dorset | 353,562 |
| Dudley | 1,054,000 |
| Durham | 219,638 |
| Ealing | 140,000 |
| East Riding of Yorkshire | 179,868 |
| East Sussex | 825,000 |
| Enfield | 640,000 |
| Essex | 856,211 |
| Gateshead | 234,567 |
| Gloucestershire | 275,412 |
| Greenwich | 100,000 |
| Hackney | — |
| Halton | 413,000 |
| Hammersmith & Fulham | — |
| Hampshire | 1,174,605 |
| Haringey | — |
| Harrow | — |
| Hartlepool | 68,600 |
| Havering | 76,840 |
| Herefordshire | 65,438 |
| Hertfordshire | 1,220,505 |
| Hillingdon | 1,065,223 |
| Hounslow | 256,000 |
| Isle of Wight | 474,000 |
| Isles of Scilly | — |
| Islington | — |
| Kensington & Chelsea | — |
| Kent | 3,087,794 |
| Kingston upon Hull | — |
| Kingston upon Thames | 11,352,000 |
| Kirklees | 1,252,193 |
| Knowsley | 178,000 |
| Lambeth | 888,415 |
| Lancashire | 1,808,982 |
| Leeds | 857,100 |
| Leicester City | 215,398 |
| Leicestershire | 920,441 |
| Lewisham | — |
| Lincolnshire | 495,372 |
| Liverpool | 497,675 |
| Luton | 127,500 |
| Manchester | 1,118,494 |
| Medway | 842,910 |
| Merton | — |
| Middlesbrough | 246,738 |
| Milton Keynes | 302,936 |
| Newbury | — |
| Newcastle upon Tyne | 431,419 |
| Newham | 518,500 |
| Norfolk | 613,000 |
| North East Lincolnshire | 535,813 |
| North Lincolnshire | 537,196 |
| North Somerset | 516,542 |
| North Tyneside | 590,277 |
| North Yorkshire | 539,000 |
| Northamptonshire | 326,291 |
| Northumberland | 364,200 |
| Nottingham City | 748,760 |
| Nottinghamshire | 922,055 |
| Oldham | 1,530,538 |
| Oxfordshire | 1,338,741 |
| Peterborough | — |
| Plymouth | — |

*Applications for capital funding to reduce infant class sizes: 1998–99*

| *Local education authority* | *Grant applied for* |
|---|---|
| Poole | 1,122,558 |
| Portsmouth | 671,900 |
| Reading | 105,075 |
| Redbridge | 645,000 |
| Redcar & Cleveland | 252,757 |
| Richmond Upon Thames | 880,000 |
| Rochdale | 427,275 |
| Rotherham | 818,500 |
| Rutland | — |
| Salford | 206,311 |
| Sandwell | 2,675,720 |
| Sefton | 747,447 |
| Sheffield | — |
| Shropshire | 768,200 |
| Slough | 250,000 |
| Solihull | 1,803,794 |
| Somerset | 396,276 |
| South Gloucestershire | 1,297,834 |
| South Tyneside | — |
| Southampton | — |
| Southend on Sea | 204,700 |
| Southwark | 68,825 |
| St. Helens | 1,003,875 |
| Staffordshire | 510,000 |
| Stockport | 627,310 |
| Stockton on Tees | 403,565 |
| Stoke on Trent | 353,813 |
| Suffolk | — |
| Sunderland | 138,970 |
| Surrey | 686,825 |
| Sutton | 573,641 |
| Swindon | 707,745 |
| Tameside | — |
| Telford and Wrekin | 404,446 |
| Thurrock | 80,000 |
| Torbay | 281,714 |
| Tower Hamlets | — |
| Trafford | 548,560 |
| Wakefield | 907,295 |
| Walsall | 532,321 |
| Waltham Forest | — |
| Wandworth | 187,600 |
| Warrington | 364,322 |
| Warwickshire | 423,300 |
| West Sussex | 1,197,500 |
| Westminster | — |
| Wigan | 1,026,191 |
| Wiltshire | 695,565 |
| Windsor & Maidenhead | 121,611 |
| Wirral | 288,231 |
| Wokingham | 1,217,269 |
| Wolverhampton | 384,302 |
| Worcestershire | 1,034,500 |
| York, City of | 304,272 |
| Grant Maintained Schools | 1,279,661 |
| National Totals | 92,219,751 |

## ENVIRONMENT, TRANSPORT AND THE REGIONS

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71274]

**Ms Glenda Jackson:** We are acting to ensure that the Department's policies meet the needs of disabled people and that we comply with our legal requirements. The Department already takes positive steps to make it easier for disabled people to make use of its services. We shall continue to do so, not only by complying fully with new duties in the Disability Discrimination Act but by aiming to exceed them where appropriate.

The Department issued internal guidance recently on mainstreaming which ensures that all new and existing policies and programmes are assessed for any adverse impact not only on disabled people, but on any minority or disadvantaged group. That includes the need to ensure that our policies and their outcomes comply with the law. Where necessary we shall act to remove or reduce the impact on these groups. This complements the guidance "Policy Appraisal for Equal Treatment" which the Cabinet Office issued to all Government Departments in November 1998, and which was signed jointly by the Minister for Women, the Secretary of State for Education and Employment and the Home Secretary.

The Departmental Board monitors the Department's performance and will publish information on the progress being made in this area, as will other Government Departments.

### Departmental Reviews

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions what reviews, task forces and advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71506]

**Mr. Prescott:** I have today placed in the Library of the House a list of the reviews, task forces and advisory groups that have been established by my Department since 1 May 1997 and the reports which they have published. Information on costs incurred to date cannot be provided except at disproportionate cost.

Non-Departmental Public Bodies have not been included, since information on these is provided in the publication "*Public Bodies 1998*" which is available in the Libraries of the House.

### London Underground

**Dr. Tonge:** To ask the Secretary of State for the Environment, Transport and the Regions how many journeys *(a)* he and *(b)* Ministers in his Department made on the London Underground in the last six months. [71913]

**Ms Glenda Jackson:** Although records are not kept of the methods of transport used on official visits, Ministers have used London Underground on a number of occasions over the last six months, as well as buses, taxis and walking.

In addition to using London Underground for their official duties, Ministers in my Department use it regularly in their private lives.

### Cycle Lanes (London)

**Mr. Cox:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with London borough councils on the development of cycle lanes within their boroughs; and if he will make a statement. [72774]

**Ms Glenda Jackson:** In the Transport Policies and Programme settlement for 1999–2000, announced on 17 December last year, authorities were advised on the priorities for developing the London Cycle Network. In the coming year they should continue to take a more strategic approach, with the overall aim of encouraging more people to cycle in London.

All the London Boroughs have been involved with the development of the LCN, with the Royal London Borough of Kingston upon Thames acting as the overall co-ordinating authority. Through TPP funding good progress has been made on the LCN, with over 1000km of cycle routes already available for use.

The intention is to produce an initial network by April 2000—to be launched alongside the London part of the Thames Cycle Route—that will be of a standard to facilitate cycling in London and provide a satisfactory base for taking forward and completing the LCN in future years.

Advice on the prioritisation of cycling provisions was also included in the guidance recently issued to Local Authorities in London, on the preparation of their Interim Transport Plans, for the 2000–01 bidding round.

I have consistently raised the issue of cycle provisions during visits to various London Boroughs over the last 18 months, and my officials will continue to attend regular meetings of the London Cycle Network steering group, and of the Borough Cycling Officers' Group. Progress reports, including information monitoring the usage on newly completed cycle routes, will be discussed with the boroughs.

**Mr. MacShane:** To ask the Secretary of State for the Environment, Transport and the Regions if he will instruct local authorities in London to create trial cycle lanes along main thoroughfares. [73473]

**Ms Glenda Jackson:** My right hon. Friend does not have the power to issue such an instruction. The London Boroughs are responsible for deciding whether cycle lanes or other measures should be provided on their local roads.

My Department publishes Traffic Advisory Leaflets on the results of research projects carried out into traffic management issues—including facilities to encourage cycling. In addition, there already exists a design manual, produced by the LCN lead authority, to encourage good practice in the establishment of cycle lanes and other cycling measures.

### Passenger Transport Executives

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions what plans the Government have to create additional passenger transport executives. [73172]

**Dr. Reid:** The power to establish PTEs was removed under s57 of The Transport Act 1985. The need for more PTA/Es was considered in the lead-up to the White Paper. PTA/Es were established because of the heavy reliance on public transport in the metropolitan conurbations outside London. They have co-operated closely with the metropolitan district councils (the highway authorities) to produce joint local transport strategies under the package approach.

Shires and Unitary Authorities have the same public transport powers as PTA/Es (except for the special duty which PTEs have for local rail services which reflects the high number of local rail services in the metropolitan areas). Shires and Unitaries are, therefore, ideally placed to produce integrated local transport plans for their areas.

The creation of additional Passenger Transport Executives would require primary legislation. The Government have no plans for any such legislation.

### Nuclear Material (Transport)

**Mr. Llew Smith:** To ask the Secretary of State for the Environment, Transport and the Regions what representations his Department has received in the past six months from *(a)* Communities Against Nuclear Transport and *(b)* other community groups concerning the safety of the rail transport of spent nuclear fuel and nuclear wastes. [72964]

**Ms Glenda Jackson:** This Department has received *(a)* one letter from Communities Against Nuclear Transport (Brent Terrace Residents Association) and *(b)* eight letters from other community groups on these subjects.

### Commission for Integrated Transport

**Dr. Cable:** To ask the Secretary of State for the Environment, Transport and the Regions how many times the selection panel for the Commission for Integrated Transport has met. [73505]

**Ms Glenda Jackson:** The selection panels for the Commission for Integrated Transport have met three times in total so far.

**Dr. Cable:** To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library the criteria for appointments to the Commission for Integrated Transport. [73621]

**Ms Glenda Jackson:** I have today arranged for a copy of the criteria for appointments to the Commission to be placed in the House Library.

**Dr. Cable:** To ask the Secretary of State for the Environment, Transport and the Regions how many names were considered by the selection panel for the Commission for Integrated Transport. [73509]

**Ms Glenda Jackson:** The Department received 262 applications for the posts of Chair and Vice Chair to the Commission for Integrated Transport and 290 expressions of interest in membership. The selection panels considered all these names during the sift process.

### Ivory Ban (CITES)

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the British Government's policy in respect of the CITES negotiations on the ivory ban. [73305]

**Mr. Meacher:** The 1997 CITES Conference decided by a two thirds majority to transfer the elephants of Botswana, Namibia and Zimbabwe from Appendix I to Appendix II of the Convention. The Conference also agreed a one-off experimental export of stockpiled ivory to Japan to raise revenue for conservation and community development projects in the African countries concerned, provided that the CITES Standing Committee, which the UK now chairs, was content that strict conditions had been met.

At its 41st meeting last month, the Standing Committee examined a report prepared by the CITES Secretariat on verification missions made to each of the four countries concerned. The report concluded that the conditions had been met by all the countries except Botswana. After careful consideration of the report, the Standing Committee endorsed the CITES Secretariat's conclusions and agreed that Namibia and Zimbabwe should be authorised to sell and ship 13.8 and 20 tonnes of ivory respectively to Japan on or after 18 March 1999. The proceeds from the sales must be directed towards conservation and community development projects. Botswana cannot participate until full compliance has been verified by the CITES Secretariat.

The resumption of commercial trade is limited to this one-off trial shipment. There is no possibility of further shipments being made without the express permission of a future Conference of CITES Parties. The shipments themselves will be closely monitored by the CITES Secretariat who will ensure compliance with marking and registering requirements.

As part of the agreement, the CITES Secretariat had already established a reporting and monitoring procedure to assess illegal hunting and trade in elephants and elephant products. At the February meeting, the Standing Committee endorsed new measures, which the Government fully supported, to build on this by providing two new elephant monitoring systems. The United Kingdom has already offered to provide the first year's funding for the Elephant Trade Information System (ETIS) which will monitor legal and illegal trading in ivory. At the meeting, the European Union, United States and Japan pledged substantial funding towards the second part of the system, MIKE, (Monitoring of Illegal Killing of Elephants), which will involve tracking, analysis and assessment of illegal killing and trends in poaching on a representative sample of sites across Africa and south Asia.

In addition, the Standing Committee agreed a mechanism to reinstate the elephant populations currently listed on Appendix II, to Appendix I of CITES if there is evidence of increased poaching or failure by any of the Parties concerned to comply with the conditions set by the 1997 Conference.

The Government believe that the proper implementation of the new pan-African and Asian elephant trade and poaching monitoring systems, together with the early warning system agreed at the meeting, should protect the elephant against the risk of any escalation in poaching caused by the very limited ivory trade agreed by CITES Parties. As Chair of the CITES Standing Committee, we will, along with the CITES Secretariat and others, continue to monitor the situation in Africa closely.

The decisions taken at the last CITES Conference also addressed the problem of rising ivory stockpiles elsewhere in Africa. The risk posed by these stocks, which are difficult and expensive to protect, is frequently overlooked. For the first time, CITES has put in place a system for registering and auditing stocks and encouraging donors to buy them up for non-commercial purposes with the proceeds being re-invested in conservation trust funds established for that purpose. In practice, this is likely to mean destruction of much of these ivory stockpiles.

I recently announced that the Government are willing to offer up to £60,000 to fund new elephant conservation work in return for disposal of part of these ivory stockpiles. We hope that other donors—including conservation organisations—will also come forward to take stockpiled ivory out of the system and at the same time raise revenue for elephant conservation.

## Single Currency

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the subject areas within his Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73662]

**Mr. Prescott:** Any plans by the Government to issue information during a referendum campaign on whether or not the UK should join the single currency would be made in the light of the Government's response to the recommendations when my right hon. Friend the Home Secretary publishes a White Paper and draft bill before the Summer Recess.

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to issue information from his Department to help the public make an informed decision when they vote on the single currency. [73592]

**Mr. Prescott:** The Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter Eight of the Treasury's Outline National Changeover Plan provides further information. Copies of the plan are available in the House Library.

## British Waterways Board

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for the future of the British Waterways Board. [73683]

**Mr. Meacher:** My right hon. Friend the Deputy Prime Minister announced on 18 February the Government's decision on the future status and direction for British Waterways. The full package of measures is set out in the booklet "Unlocking the Potential ... A New Future for British Waterways", copies of which have been placed in the Library of the House. The key elements of the package are:

British Waterways will remain in the public sector as a public corporation, charged with the stewardship of an important national asset;

Improved funding. An extra £8 million per annum, to enable British Waterways to eliminate the serious maintenance backlog over a timescale of seven years and subject to the achievement of challenging performance targets;

Phasing out debt and increased flexibility in cash flow management. British Waterways will be relieved of the burden of refinancing old loans as they mature and will benefit from new financial flexibility at the end of each financial year.

Three proposed partnerships with the private sector (property, water transfer and maintenance), which are currently being worked up with the Treasury Private Finance Taskforce;

Partnerships with the public sector. British Waterways will build on and broaden its partnerships with local authorities and other public sector organisations, including the new Regional Development Agencies;

A membership scheme: to get British Waterways closer to all people who use its waterways. There are a number of options for a membership scheme and these will be the subject of a consultation exercise by British Waterways. The consultation will include the suggestion that a seat on the British Waterways Board might eventually be offered to the membership;

A Framework Document setting new objectives for British Waterways, clarifying its relationship with the Department, and confirming British Waterways' contribution to sustainable development and to Government policies on transport (including freight), regeneration, heritage, conservation and leisure; and

Improved openness and accountability. British Waterways will build on last year's publication of a forward plan at a public meeting by publishing more detailed information about its activities and plans.

I have also placed in the Library copies of the Framework Document and a paper setting out the facts and analysis relevant to the Government's announcement.

The package demonstrates the Government's commitment to a successful future for British Waterways. The additional investment, together with the public and private partnerships, offer exciting opportunities for British Waterways to unlock the potential, modernise its network and provide a system of historic waterways worthy of the new millennium.

### Public Rights of Way

**Mr. Gordon Prentice:** To ask the Secretary of State for the Environment, Transport and the Regions what estimates he has made of the number of public rights of way that are *(a)* blocked and *(b)* otherwise difficult to negotiate because of crops or encroaching vegetation. [73569]

**Mr. Meacher:** A national rights of way condition survey carried out in 1994 by the Countryside Commission found that on average 26 per cent. of rights of way were blocked or difficult to use, 2 per cent. were blocked and 4 per cent. were difficult to use because of crops or other cultivated surface, and 3 per cent. were blocked and 4 per cent. difficult to use because of overgrown or overhanging natural vegetation.

### Flight Crew Licensing

**Mr. Bob Russell:** To ask the Secretary of State for the Environment, Transport and the Regions what action he will take to ensure that all EU countries implement the Joint Aviation Authorities' Requirements on Flight Crew Licensing by 1 July 1999, with particular reference to pilots in the age group 60 to 65 years. [73487]

**Ms Glenda Jackson:** This Government take very seriously the implementation of the Joint Aviation Requirements on Flight Crew Licensing (JAR-FCL,) in order to harmonise the standards for licensing pilots in the 29 member states of the Joint Aviation Authorities (JAA). The requirements will enable pilots to operate aircraft up to the age of 65 years either as Pilot-in-Command or Co-Pilot, provided that only one pilot in the crew is 60 or over.

It will be for individual states to decide how to implement JAR-FCL with respect to their airspace, but we have urged JAA states to apply it consistently.

We understand that the European Commission aims to bring forward, this year, proposals to incorporate the JAR-FCL provisions into EU legislation.

### Regional Development Agencies

**Dr. George Turner:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure equity in distribution of Government funding to the English regional development agencies. [73612]

**Mr. Meale:** Over 90 per cent. of the funding for Regional Development Agencies in 1999–2000 will be in respect of the regeneration programmes which they will inherit from the Government Offices for the Regions, English Partnerships and the Rural Development Commission. The distribution of those resources is determined largely by statistical indicators of need.

For later years, resources will be allocated to RDAs in response to the corporate plans which they submit to the Secretary of State. Allocations will take account of the needs of the regions, the soundness of the RDAs' plans for tackling those needs and their performance in implementing their programmes.

### Red Squirrels

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions what measures the UK Red Squirrel Group has taken to protect red squirrels in Cumbria. [73690]

**Mr. Meacher:** Red Squirrel conservation in Cumbria is undertaken by the Red Squirrel Conservation Partnership, NPI Red Alert Northwest. The UK Red Squirrel Group actively supports the work of NPI Red Alert Northwest in Cumbria through the provision of technical advice to local staff, support in the production of the Regional Action Plan, assisting in organising the NPI Red Alert Northwest forum, and the provision of a practitioners newsletter. The Secretariat of the UK Red Squirrel Group has been based with Cumbria Wildlife Trust.

### Footpaths and Bridleways

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions how many miles of *(a)* footpaths and *(b)* bridleways in England and Wales are not fully open or easily negotiable according to Countryside Commission criteria. [73967]

**Mr. Meacher:** In a national rights of way condition survey carried out in England in 1994 by the Countryside Commission, walkers found that 25 per cent. of footpaths

and 18 per cent. of bridleways were poor or unusable at some point on their length. Horse riders and cyclists found that 25 per cent. of bridleways were difficult to use. 25 per cent. of footpaths equates to about 20,500 miles, and 25 per cent. of bridleways represents about 4,600 miles.

Wales has a total of 24,850 miles of rights of way. Between 1992 and 1998, 7,215 miles were surveyed and it was found that 23 per cent. of footpaths were blocked or difficult to use. This equates to 5,716 miles of the total. No comparable figures are available for bridleways due to the statistically small proportion surveyed.

### Fuel Poverty

**Mr. Stunell:** To ask the Secretary of State for the Environment, Transport and the Regions how non-fuel-poor households are defined in figure D of his Department's Background Paper on Fuel Poverty and Current Government Programmes; and if he will make a statement. [73774]

**Mr. Meale:** The paper uses the standard definition applied by academics and organisations active in the sector, of non-fuel poor households being those needing to spend 10 per cent. or less of household income to achieve a satisfactory indoor heating regime (21°C in the living room and 18°C in the other occupied rooms).

### Flight Restrictions (Heathrow)

**Dr. Cable:** To ask the Secretary of State for the Environment, Transport and the Regions how many representations he has received in the last year on night flight restrictions at Heathrow; and if he will make a statement. [74029]

**Ms Glenda Jackson:** My Department has received a large number of representations expressing a range of different views on the subject of aircraft noise in general over the last year. It would involve disproportionate cost to calculate how many referred specifically to night flight restrictions at Heathrow Airport. On February 12, we concluded the second stage of a two stage consultation on Night Restrictions at Heathrow, Gatwick and Stansted. Responses to the first stage are available for inspection by appointment at the DETR Information Centre, 76 Marsham Street, London SW1, telephone 0171 676 2002. The responses to the second stage are currently being logged and analysed. The Government will reach a decision after careful consideration of the responses.

### Genetically Modified Organisms

**Mr. Drew:** To ask the Secretary of State for the Environment, Transport and the Regions how many complaints have been received concerning possible breaches of licence in respect of the growing of GMOs. [73219]

**Mr. Meacher:** Further to my answers to the hon. Member for Lewes (Mr. Baker) on 17 December 1998, *Official Report*, column *630*, and 4 February 1999, *Official Report*, column *720*, no complaints have been received about possible breaches of consent to grow GMOs, but some have been detected by Health and Safety Executive Inspectors.

**Mr. Drew:** To ask the Secretary of State for the Environment, Transport and the Regions what controls other than the prosecution of offenders are available to the licensing authorities in respect of GMO research. [73220]

**Mr. Meacher:** The controls available are contained in Part VI of the Environmental Protection Act 1990 and associated regulations. In summary no person may release any GMO without the express permission of the Secretary of State. The consent holder must comply with the conditions and limitations set by the consent, which may be revoked or varied at any time. There are also powers to serve a prohibition notice to terminate or prevent any activity.

### Environment Agency

**Mr. Drew:** To ask the Secretary of State for the Environment, Transport and the Regions how many people employed by the Environment Agency have *(a)* worked in and *(b)* had direct experience of the nuclear industry. [73213]

**Mr. Meale:** Of the Agency's key staff and those involved with Radioactive Substances regulation, *(a)* forty six; and *(b)* fourteen.

### Disabled Access

**Mr. Loughton:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions have been held between his Department and officials from bus and coach operating companies regarding *(a)* disabled access to buses and *(b)* facilities available at bus stops; and what guidelines have subsequently been issued. [74059]

**Ms Glenda Jackson:** We have had extensive discussions with bus and coach operators on our proposals for accessibility regulations under the provisions of the Disability Discrimination Act 1995 to ensure that in future new vehicles will be fully accessible to disabled people, including wheelchair users. We will be publishing draft regulations for public consultation around Easter. We shall be seeking the further views of the bus and coach industry on these draft regulations.

In collaboration with the Passenger Transport Executives, guidelines were published by the Department several years ago on the design of accessible public transport infrastructure, including bus stops. We have recently commissioned consultants to review that material and to draw up comprehensive guidance for transport operators and local authorities to help them to introduce good practice in making infrastructure accessible both to optimise the transport provisions of the Disability Discrimination Act and to prepare for the full introduction of Part III of the Act which covers access to goods, services and facilities.

**Mr. Loughton:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions have been held between his Department and officials from Railtrack and the rail operating companies regarding disabled access to trains and railway station facilities; and what guidelines have subsequently been issued. [74051]

**Ms Glenda Jackson:** We had extensive and regular discussions with both Railtrack and the rail operating companies in developing the Rail Vehicle Accessibility Regulations 1998 which were introduced on 1 November 1998. Those regulations, which apply to new rolling stock coming into service from 1 January this year, will ensure new trains and trams are accessible to disabled people, including those who need to travel in a wheelchair. We remain in regular contact with the rail operating companies, working with them to ensure their new design of vehicles meet the regulations.

We also work closely with Railtrack on a wide range of issues affecting the needs of disabled rail travellers. Access to stations and other transport infrastructure will be covered by Part III of the Disability Discrimination Act 1995 which covers access to goods, facilities and services. My Department (in collaboration with representative bodies of local authorities and the professional institutions) is producing advice for service providers in the transport sector on best practice in meeting the needs of disabled people. That guidance will be available later this year.

### Disabled Parking

**Mr. Loughton:** To ask the Secretary of State for the Environment, Transport and the Regions what guidance is issued by his Department to local authorities regarding the issuance of orange disabled parking permits. [74049]

**Ms Glenda Jackson:** Guidance was issued in the Local Authority Circular 3/91, 'The Orange Badge Scheme of Parking Concessions for Disabled and Blind People'.

**Mr. Loughton:** To ask the Secretary of State for the Environment, Transport and the Regions how many disabled orange parking permits are currently in circulation in *(a)* the UK, *(b)* the Adur district, *(c)* Worthing Borough and *(d)* West Sussex. [74050]

**Ms Glenda Jackson:** As at 31 March 1998, the total number of oranges badges on issue in the UK was 2,047,041. The figure for West Sussex was 33,426. We do not compile separate figures for the Adur district or Worthing Borough.

### Home Insulation

**Mr. Loughton:** To ask the Secretary of State for the Environment, Transport and the Regions what schemes he has made available to encourage greater use of insulation materials in existing homes. [74068]

**Mr. Meale:** The Department's Home Energy Efficiency Scheme (HEES) encourages the installation of insulation materials in the homes of those on benefits and the elderly. HEES now accounts for nearly half of the cavity wall insulation market in the UK. The Energy Saving Trust has five schemes, funded by my Department, which promote the installation of insulation in existing homes. Three of these promote cavity wall insulation, fund schemes run by local authorities under the HECAction programme and promote energy services, which often include the provision of insulation. The remaining two, the Energy Efficiency Advice Centres and Energy Efficiency marketing project, provide advice and information to householders on energy efficiency, including the installation of insulation.

### Taxi Vouchers

**Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with local authorities regarding the provision of taxi vouchers for the elderly and disabled; what financial assistance the Government gives to local authorities to enable them to provide such a service; what plans he has to review the system; and if he will make a statement. [73820]

**Ms Glenda Jackson:** Local authorities outside London are enabled by the Transport Act 1985 to provide concessionary travel schemes for resident pensioners and disabled people, which may include travel by taxi. The details of these schemes are a matter for individual local authorities and no central record is kept of the provision made. Financial assistance is provided through the overall support given to local authority expenditure in general. I have no plans to change these arrangements.

### Inspection Charges (Accident Hazards)

**Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions for what reason the proposed inspection charges under the Town and Country Planning (Control of Major Accident Hazards) Regulations 1999 are higher in England and Wales than in Scotland. [73810]

**Mr. Meale:** The proposed charges of the Environment Agency, which is to carry out environmental inspection under the proposed Control of Major Accident Hazards Regulations (COMAH) in England and Wales are higher than those of the Scottish Environment Protection Agency, which carries out the same functions in Scotland. This is because the relevant input costs, such are accommodation, differ. The charges have been calculated in accordance with HM Treasury's Fees and Charges Guide.

**Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions (1) what representations he has received alleging inadequacies in consultations with small businesses in the fuel supply and distribution industry over the possible impact of the proposed charging regimes for the Town and Country Planning (Control of Major Accident Hazards) Regulations 1999; and if he will make a statement; [73819]

(2) what representations he has received alleging inadequacies in *(a)* identifying and *(b)* estimating compliance costs for the fuel supply and distribution industry in the preparation of the proposed charging regime for the Town and Country Planning (Control of Major Accident Hazards) Regulations 1999. [73818]

**Mr. Meale:** One letter has been received making such representations. Copies of this same letter have also been forwarded by six Members of Parliament. The Health and Safety Commission initiated an eight-week consultation on 24 November 1998 on proposals to charge for activities conducted under the proposed Control of Major Accident Hazards Regulations (COMAH). The consultation document included details of the charging proposals, chargeable activities, the methodology used for calculating charges, the likely impact of charging on industry and illustrative examples of charges for a range of COMAH establishments.

**Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions (1) what analysis of compliance costs was undertaken in respect of *(a)* the fuel supply and distribution industry and *(b)* the liquified petroleum gas industry in the preparation of the proposed charging regime for the Town and Country Planning (Control of Major Accident Hazards) Regulations 1999; [73817]

(2) what *(a)* representations he has received on and *(b)* assessment he has made of competitive disadvantages for sections of the fuel supply and distribution industry arising from the proposed charging provisions under the Town and Country Planning (Control of Major Accident Hazards) Regulations 1999; and if he will make a statement. [73809]

**Mr. Meale:** Two letters have been received making such representations. Copies of one of these have also been forwarded by six Members of Parliament. The current projection is that the overall charges to industry, for the performance of the functions placed on the Competent Authority under the proposed Control of Major Accident Hazards Regulations (COMAH), will amount to approximately £6 million in 1999–2000, and £6.6 million in 2000–01 and 2001–02. It is not possible at this stage to separate out the costs of charging likely to be borne by the fuel supply and distribution and liquefied petroleum gas industries from those of other industries. The COMAH charging consultative document provided illustrative examples of the likely charges for different, typical types of establishment to enable operators to estimate their costs.

**Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received criticising *(a)* the suitability of the proposed flat rate inspection charge and *(b)* the adequacy of efforts to ensure that these charges relate directly to actual work undertaken under the Town and Country Planning (Control of Major Accident Hazards) Regulations 1999. [73811]

**Mr. Meale:** Four letters have been received making such representations, of which two raised only first issue. Copies of one of these letters, which raised both issues, have also been forwarded by six Members of Parliament.

### Parish Councils

**Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the threshold above which parish councils are subject to the Audit Accounting Regulations; and if he will make a statement. [73638]

**Ms Armstrong:** I refer the hon. Gentleman to the answer I gave him on 20 January 1999, *Official Report*, column *466*.

### Countryside Agency

**Mr. Yeo:** To ask the Secretary of State for the Environment, Transport and the Regions when *(a)* the Chairman and *(b)* members of the Countryside Agency will be appointed. [74337]

**Mr. Meacher:** Shortly.

### Airport Companies

**Mr. Stringer:** To ask the Secretary of State for the Environment, Transport and the Regions which local authority airport companies he regards as qualified to be freed from borrowing control. [74618]

**Dr. Reid:** Following the issue of a consultation document and an invitation to qualified airport companies to apply to be freed from borrowing control, Manchester Airport plc, Newcastle International Airport Ltd., Leeds Bradford International Airport Ltd. and Norwich Airport Ltd. have applied. My right hon. Friend has considered their applications. He is satisfied that all four companies are financially sound and that they should be removed from borrowing control. He will therefore shortly lay before Parliament an Order making the necessary amendment to the Public Airport Companies (Capital Finance) Order 1996. Subject to Parliamentary approval the amending Order will take effect on 1 April.

### Sustainable Distribution

**Mr. Caton:** To ask the Secretary of State for the Environment, Transport and the Regions when he proposes to publish his strategy for sustainable distribution. [74620]

**Dr. Reid:** I have today published our strategy for sustainable distribution, establishing a partnership between Government and industry to develop a world class distribution system for the next millennium, meeting industry's and consumers' needs while improving our environment and quality of life. Copies have been placed in the Library of the House and are available in the Vote Office.

## WALES

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Secretary of State for Wales what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71267]

**Mr. Jon Owen Jones:** We are acting to ensure that the Department's policies meet the needs of disabled people and that we comply with our legal requirements. The Department already takes positive steps to make it easier for disabled people to make use of its services. We shall continue to do so, not only by complying fully with the new duties in the Disability Discrimination Act but by aiming to exceed these requirements where we can.

In December 1998, the Department briefed all its senior management on "mainstreaming" which ensures that all new and existing policies and programmes are assessed for any adverse impact not only on disabled people, but on any minority or disadvantaged group. That includes the need to ensure that our policies and their outcomes comply with the law. Where necessary, we shall act to remove or reduce the adverse impact on these groups. The guidance, "Policy Appraisal for Equal Treatment", which the Cabinet Office has issued to all Government Departments, was circulated at the same time.

In addition, the Government of Wales Act 1998 gives the National Assembly of Wales a duty to have regard to equality of opportunity for all people in the conduct of its business and in the exercise of its functions. The Assembly will have to report annually on what arrangements it has made to promote equality of opportunity in exercising its functions and how successful they have been. We have received advice from the National Assembly Advisory Group and the Standing Orders Commission on how these duties should be given effect and the Department is in contact with relevant statutory and voluntary bodies in Wales regarding the development of these arrangements.

### Housing Renovation

**Mr. Wigley:** To ask the Secretary of State for Wales what estimate he has made of the outstanding housing renovation grants in Wales on the basis of existing commitments made by local authorities at 31 March 1998, or the latest date at which the information is available. [71353]

**Mr. Jon Owen Jones:** The value of outstanding renovation grants at the end of September 1998 is estimated to be £98 millions: this relates to grants under both the 1989 Local Government and Housing Act and the 1996 Housing Grants, Construction and Regeneration Act.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Caergwrle Bypass

**Mr. Barry Jones:** To ask the Secretary of State for Wales if he will make a statement on the prospects for a Caergwrle bypass. [74187]

**Mr. Hain:** The scheme is the joint responsibility of Flintshire and Wrexham councils and I had a meeting to discuss the way forward with my hon. Friend and a delegation last week.

Following the transfer of functions, any bid for Transport Grant support will be a matter for the National Assembly.

## CULTURE, MEDIA AND SPORT

### National Lottery

**Mrs. Virginia Bottomley:** To ask the Secretary of State for Culture, Media and Sport what percentage of heritage projects for which National Lottery funding was applied for were rejected in *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99 to date. [72176]

**Mr. Chris Smith:** The table shows applications rejected by the Heritage Lottery Fund (including those deemed ineligible) as a percentage of applications on which a decision was made (i.e. applications which were accepted or rejected) during the period. The figures do not take into account applications on which no decision has yet been taken.

The figures relate to the year in which the decision was made, which in some cases is different from the year in which the relevant applications were received.

| Year | *% of heritage applications rejected* |
|---|---|
| 1996–97 | 32 |
| 1997–98 | 35 |
| 1998–99 (to 16 February 1999) | 54 |

### Libraries

**Mr. Dobbin:** To ask the Secretary of State for Culture, Media and Sport what assessment his Department has made of the service provided by public libraries. [72104]

**Mr. Alan Howarth** *[holding answer 1 March 1999]:* I refer my hon. Friend to the reply I gave on 1 March 1999, *Official Report*, column *532*, to my hon. Friends the Members for Ilford, North (Ms Perham) and for Normanton (Mr. O'Brien).

## HOME DEPARTMENT

### Crime Statistics

**Mr. Linton:** To ask the Secretary of State for the Home Department how many crimes were *(a)* reported and *(b)* solved in England and Wales involving false documentation (i) in relation to motor vehicles and (ii) not related to motor vehicles for the years (1) 1995, (2) 1996, (3) 1997 and (4) 1998. [73084]

**Mr. Boateng:** Recorded crimes which involve false documentation are included in fraud and forgery offences, but are not separately identifiable. Figures for all recorded fraud and forgery offences for 1995, 1996 and 1997 are as follows (1998 figures are not yet available):

*Fraud and forgery, England and Wales*

| Year | *Number of offences* | *Offences detected* |
|---|---|---|
| 1995 | 133,016 | 65,935 |
| 1996 | 136,225 | 67,080 |
| 1997 | 134,398 | 64,555 |

Crimes involving false documentation in relation to motor vehicles are not included in the totals, as they were not notifiable to the Home Office before April 1998. However, the numbers of these crimes are being collected from 1 April 1998, and will be included in the statistical bulletin on notifiable offences which will be issued in October 1999.

### EU Nationals

**Ms Oona King:** To ask the Secretary of State for the Home Department how many decisions to deport EU nationals were made on the grounds of *(a)* public policy, *(b)* public security and *(c)* public health during the period 1 February 1998 to date. [72868]

**Mr. Mike O'Brien:** Between 1 February and 30 November 1998, some 135 European Union nationals were issued with a notice of intention to deport or recommended for deportation by a court. The precise reasons for initiating deportation action in these cases can only be obtained through the examination of individual case records and is therefore only available at disproportionate cost.

### Prostitute Contact Cards

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will make a statement on the steps his Department is taking to outlaw prostitute contact cards in London telephone boxes. [73640]

**Mr. Boateng:** The Home Office will shortly be issuing a consultation paper on new measures to tackle the problem of prostitutes cards in telephone boxes which will look at options for changing the law to enable those who put cards in telephone boxes to be dealt with more effectively.

### Ethnic Minority Police

**Mr. Maclean:** To ask the Secretary of State for the Home Department how he intends police forces to meet the target for ethnic minority police in areas with a very small percentage of ethnic minorities. [73679]

**Mr. Boateng:** Individual targets will be set for each force for the recruitment, retention and progression of ethnic minority officers. These targets will inevitably have regard to the minority ethnic population of the community served by the individual police force.

**Mr. Maclean:** To ask the Secretary of State for the Home Department how many ethnic minority police officers Cumbria Constabulary will need to recruit to meet a 7 per cent. ethnic minority target. [73680]

**Mr. Boateng:** No targets have yet been set. For the police service broadly to reflect the minority ethnic population of England and Wales, there would need to be an overall ethnic minority representation of at least 6 per cent. Each force will be asked to set targets for recruitment, retention and progression for ethnic minority officers. Force targets will have regard to ethnic composition of the community served.

The minority ethnic population in Cumbria is approximately 0.4 per cent. of the total population of the area. Inevitably, this will mean that targets for this area will be below the national average.

**Mr. Maclean:** To ask the Secretary of State for the Home Department how dispersed asylum seekers are to be taken into account in determining whether the target for ethnic minority police has been met. [73677]

**Mr. Boateng:** The police service needs to reflect the communities it serves, which means that, taking England and Wales as a whole, the aim should be for minority ethnic representation of at least six per cent. Not all minority ethnic residents in an area will be eligible to join the police, but it is unlikely that the number of asylum seekers measured against the total population will have a significant impact on targets.

### "Bride of Chucky Doll"

**Mr. Maclean:** To ask the Secretary of State for the Home Department what representations he has received on the film "Bride of Chucky Doll". [73318]

**Mr. Boateng:** I have received one letter from a Member of this House on behalf of a constituent and will be responding shortly.

### Automated Fingerprint Recognition System

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will make a statement on progress with the Automated Fingerprint Recognition System. [73501]

**Mr. Boateng:** I am advised by the Police Information Technology Organisation that the National Automated Fingerprint Identification System (NAFIS) Programme, following some restructuring of the implementation plan, is on track to complete roll-out to all 43 police forces in England and Wales by April 2001. The transition phase has already commenced, with 11 forces operating Bureau Foundation Services and new bureau installations being welcomed into NAFIS at an average rate of one per month.

### Asylum Seekers (Sexuality)

**Mr. Maclean:** To ask the Secretary of State for the Home Department how many asylum seekers, and from which countries, are seeking asylum on account of their sexuality. [73552]

**Mr. Mike O'Brien:** I regret that information on the number of persons claiming asylum on grounds of persecution due to their sexuality is not available.

### Racial Incidents (Policing)

**Mr. Maclean:** To ask the Secretary of State for the Home Department for what reasons his Department's studies of *(a)* young offenders from different ethnic groups and *(b)* the policing of racial incidents was commissioned; what are the terms of reference of the study; how is it being conducted; what reports he has received on the findings of the study to date; and when in Spring 1999 the final report will be published. [73351]

**Mr. Boateng:** Both studies were originally approved in February 1995, when the right hon. Gentleman was Minister of State. The details are as follows:

*Young Offenders from Different Ethnic Groups*

A number of research studies have provided evidence of ethnic differences at each stage of the criminal justice process. This study has interviewed matched samples of young offenders of different ethnic origins to shed light on the various reasons for this. The findings are being written up and the report is likely to be published within the next four months.

*Police recording of racial incidents*

This study forms part of a wider study of police ethnic monitoring. The first part was published in December 1997 as "Ethnic Monitoring in Police Forces: a Beginning" (FitzGerald and Sibbitt, HORS 173). The second part is now in draft and examines:

(a) which incidents the police record as "racial incidents";

(b) which incidents are not recorded, despite meeting the definition of a "racial incident";

(c) the reasons for any mis-recording or under-recording; and

(d) the scope for improvement.

Publication is also expected within four months or so.

Neither of the reports has yet been put to me.

### PC Dunne

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will hold an independent judicial inquiry into the decision not to bring to trial the men arrested for the murder of PC Dunne in Clapham. [73684]

**Mr. Boateng:** I have no plans to establish an independent judicial inquiry into the decision not to bring to trial the three men arrested in connection with the murders of PC Patrick Dunne and Mr. William Danso in Clapham on 20 October 1993. Following the arrest and charging of the three men, the Crown Prosecution Service (CPS) sought the opinion of Treasury Counsel, who advised that there was insufficient evidence to proceed with the charges of murder and conspiracy to murder. During the course of the investigation where further evidence was discovered, this opinion was re-examined by Counsel, but it was concluded that there was still insufficient evidence for a realistic prospect of convictions, a conclusion accepted by the CPS and the Metropolitan Police Service.

I understand from the Metropolitan police that whilst this investigation remains an active inquiry, no new evidence has since come to light which would cause either the CPS or Counsel to reconsider their opinion. The three men originally charged were subsequently sentenced to lengthy periods of imprisonment for various serious offences of violence, blackmail and possession of firearms with intent to endanger life.

### Community Service

**Mr. Lansley:** To ask the Secretary of State for the Home Department if he will assess the advantages and disadvantages of requiring those serving community service sentences to wear high-visibility marked protective clothing to make their participation apparent to the public. [73614]

**Mr. George Howarth:** We shall bear this suggestion in mind. Protective clothing is already provided where necessary for health and safety reasons.

### Police Radio

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will make a statement on the progress of the Police Service Radio Communications Project. [73687]

**Mr. Boateng:** I am advised by the Police Information Technology Organisation that negotiations for the award of contract for the Public Service Radio Communications Project (PSRCP) are now entering their final stage, with the aim of completing them in the summer.

Lancashire Constabulary is the pilot force for the project. The pilot should be installed this year, with evaluation in early 2000.

### Stalking

**Mr. Maclean:** To ask the Secretary of State for the Home Department how many prosecutions there have been for stalking since the passage of the relevant Act; how many were successful; and what sentence was passed in each case. [73504]

**Mr. Boateng:** The relevant sections 1, 2 and 4 of the Protection from Harassment Act 1997 came into force on 16 June 1997. Data are given in the table for 1997 and provisionally, for the period January to June 1998.

*Number of defendants prosecuted at magistrates' courts and sentenced at all courts for offences under the Protection from Harassment Act 1997[1] by result, England and Wales, 1997 and January to June 1998[2]*

| | *Section 2 Offence of harassment* | | *Section 4 Putting people in fear of violence* | |
|---|---|---|---|---|
| | *1997* | *[2]1998 January to June* | *1997* | *[2]1998 January to June* |
| Total proceeded against | 507 | 1,180 | 243 | 712 |
| Total sentenced[3] | 248 | 1,013 | 76 | 239 |
| Absolute or conditional discharge | 99 | 351 | 17 | 59 |
| Fine | 56 | 236 | 16 | 46 |
| Community sentence[4] | 48 | 268 | 24 | 71 |
| Fully suspended sentence | 3 | 5 | 1 | 2 |
| Immediate custody[5] | 33 | 113 | 16 | 52 |
| Other | 9 | 40 | 2 | 9 |

[1] Came into force on 16 June 1997
[2] Provisional
[3] Includes defendants proceeded against and found guilty at magistrates' courts who were committed to the Crown Court for sentence
[4] Includes probation order, supervision order, attendance centre order, community service order, combination order and curfew order
[5] Includes detention in a Young Offender Institution and unsuspended sentence of imprisonment

### Pending Deportees

**Mr. Gerrard:** To ask the Secretary of State for the Home Department how many people are currently held in prison or detention centres awaiting deportation, having already completed a sentence for a criminal offence with a recommendation for deportation on completion of the sentence; and for what periods they have been held in prison or detention centres since the completion of their sentence. [73558]

**Mr. Mike O'Brien:** The information requested can be obtained only through the examination of individual case records and is therefore available only at disproportionate cost.

### Bookmakers' Committee

**Mr. Beith:** To ask the Secretary of State for the Home Department what factors underlie the proposed

re-constitution of the Bookmakers' Committee; what representations he has received; and if he will make a statement. [73785]

**Mr. George Howarth:** We issued proposals in a consultation letter on 3 December. They sought a balance between the large bookmaking chains and organisations representing smaller bookmakers, taking into account size of membership, number of off-course shops, leviable turnover and levy paid.

We have received representations from Tyndallwoods solicitors (on behalf of the British Betting Office Association, the National Association of Bookmakers and the Scottish Independent Bookmakers' Association), the Betting Office Licensees Association, William Hill, Coral, Ladbroke and Stanley Leisure. We are currently considering them and will announce the outcome as soon as possible.

### Chief Superintendent Rank

**Mrs. Brinton:** To ask the Secretary of State for the Home Department if he will reintroduce the rank of chief superintendent for police forces in England and Wales; and if he will make a statement. [74677]

**Mr. Straw:** Following consultation with police service interests and the agreement of the Police Advisory Board, I have given approval for the rank of Chief Superintendent to be reintroduced as soon as possible. The rank of Deputy Chief Constable will be reintroduced at the same time. I will take the earliest legislative opportunity to make the necessary changes.

### Immigration (Country Assessments)

**Kali Mountford:** To ask the Secretary of State for the Home Department when he expects to make available the first revisions of the Immigration and Nationality Directorate's country assessments. [74678]

**Mr. Mike O'Brien:** Revised country assessments were made available to caseworkers during December 1998 and January 1999. They will be made publicly available on the Home Office Internet site within the next few weeks and copies have been placed in the Library.

The assessments are all sourced to information obtained from independent external sources and from the Foreign and Commonwealth Office. The assessments have been reformatted to take account of many comments received from various representative bodies and asylum interest groups (the Consultative Group). A list of assessments was set out in my reply to my hon. Friend, the Member for Enfield, Southgate (Mr. Twigg), on 13 May 1998, *Official Report*, columns *127–28*.

### Asylum Seekers

**Mr. Allan:** To ask the Secretary of State for the Home Department what estimate of the number of people who will claim asylum in the United Kingdom he has used to calculate the sums required for the new support arrangements in the years *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02. [74211]

**Mr. Mike O'Brien:** I will write to the hon. Member.

**Mr. Allan:** To ask the Secretary of State for the Home Department what estimate he has made of the administrative costs of the support arrangements for asylum seekers proposed in the Immigration and Asylum Bill per adult asylum seeker per week. [74210]

**Mr. Mike O'Brien:** I have made no separate estimate of the administrative costs of the support arrangements. The support arrangements will be procured by competitive tender. It will be up to potential providers to keep their administrative costs to a minimum.

### Senator Pinochet

**Mr. Drew:** To ask the Secretary of State for the Home Department how many countries have made representations urging Senator Pinochet's return to Chile. [73215]

**Mr. Straw:** One. The Chilean Government made representations urging Senator Pinochet's return to Chile. I have also, today, answered a separate parliamentary question in respect of a letter from the Vatican.

**Mr. Drew:** To ask the Secretary of State for the Home Department when, and in what form, representations have been received on behalf of Senator Pinochet from the Vatican. [73214]

**Mr. Straw:** A letter from a senior level in the Vatican was passed, in November 1998, from the Foreign and Commonwealth Office to the Prime Minister and the Home Office.

### Persistent Offenders

**Mr. Maclean:** To ask the Secretary of State for the Home Department what percentage of those persistent offender cases surveyed in the Phoenix-based research used to calculate the benchmark figure of 142 days for arrest to sentence for persistent young offenders and in subsequent research were completed *(a)* within 71 days, *(b)* within 142 days but more than 71 days and *(c)* in over 142 days. [74215]

**Mr. Boateng:** I shall write to the right hon. Member.

**Mr. Maclean:** To ask the Secretary of State for the Home Department, pursuant to his answer of 15 February 1999, *Official Report*, column *518*, if he will estimate the effect of adopting an upper limit for the Phoenix-based survey on time between arrest and sentence for persistent young offenders to take into account the effect of the minority of cases which may be protracted for reasons outside the control of case management. [74219]

**Mr. Boateng:** On the basis of information currently held, it is not possible to calculate the number of cases where progress is protracted for reasons outside the control of case management. It is not possible to estimate the effect of adopting an upper limit for the Phoenix-based survey which would only exclude such cases. Any upper limit imposed would be likely to exclude cases affected by unnecessary delay, and would not be consistent with the Government's intention to reduce delay in all cases involving persistent young offenders.

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will provide a breakdown of the figures used to calculate the benchmark figure of 142 days for the pledge to halve the time between arrest and sentence for persistent young offenders. [74212]

**Mr. Boateng:** The calculation for the figure of 142 days from arrest to sentence was based on a representative sample of almost 1,500 occasions on which slightly over 900 persistent young offenders were sentenced for almost 4,500 offences during 1996, across England and Wales.

The dates on which the sampled persistent young offenders were sentenced were obtained from the Police National Computer, Phoenix. As Phoenix does not generally hold arrest dates, this information was obtained directly from police forces. The date of arrest for each sentencing occasion was defined as the earliest date of arrest (or date of laying of information) and was collected in respect of each offence for which a sentence was passed. Once this information had been added, the time from arrest to sentence was calculated on the basis of the difference (in calendar days) between the date of sentence and the date of arrest (or laying of information). The national baseline is the mean arrest to sentence time for the sampled sentencing occasions.

### AIDS (Asylum Seekers)

**Mr. Maclean:** To ask the Secretary of State for the Home Department what response he plans to make to the concerns expressed by the Terrence Higgins Trust and LEAN in their responses to the White Paper, "Fairer, Faster and Firmer" (Cm 4018) relating to the problem of AIDS and HIV-related illnesses among asylum seekers; and what measures are being taken to address the issue of health among asylum seekers. [74213]

**Mr. Mike O'Brien:** Responses from the Terrence Higgins Trust and the London East AIDS Network to the White Paper "Fairer, Faster and Firmer—A Modern Approach to Immigration and Asylum" were acknowledged in November. Their concerns are being taken into account in developing the new asylum support arrangements under which all asylum seekers will continue to be entitled to essential medical treatment available from the National Health Service.

### Horseracing

**Mr. Soames:** To ask the Secretary of State for the Home Department if he will list the members of the Steering Group conducting a review of the Tote; and when it will report. [74140]

**Mr. George Howarth:** The Steering Group is chaired by Mr. Peter Jones, the Tote's Chairman. Its other members are Mr. H Bush from Her Majesty's Treasury, and Miss C. Sinclair, Mr. R. Fulton, Mr. J. Dilling, Mr. S. Hickson and Mr. C. Hawkswood from the Home Office. I understand that the Steering Group is nearing the end of its work and hopes to report to Ministers shortly.

**Mr. Soames:** To ask the Secretary of State for the Home Department if he will make a statement on the future financing of the horseracing industry in Great Britain. [74141]

**Mr. George Howarth:** We are having constructive discussions with the British Horseracing Board about the issues raised in their financial plan, but do not propose to make any general statement about horseracing's finances. Horseracing and bookmaker interests are due shortly to start important negotiations over the betting levy, under the oversight of the Horserace Betting Levy Board.

### Fire Stations (PFI)

**Mr. Dawson:** To ask the Secretary of State for the Home Department what assessment he has made of PFI bids for new fire stations in Lancaster; and if he will make a statement. [74138]

**Mr. George Howarth:** We have received no Private Finance Initiative bids for new fire stations in Lancaster. We provided £70,000 in 1997–98 towards the development costs of Lancashire's pathfinder Private Finance Initiative project to build replacement fire stations in Accrington and Morecambe. We are continuing to advise the fire authority on the preparation of its outline business case for that project.

## TREASURY

### Disabled People

**Mr. Berry:** To ask the Chancellor of the Exchequer what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71293]

**Ms Hewitt:** The Treasury's spending on disabled people can not be accurately identified.

### Ministerial Visits

**Mr. Gray:** To ask the Chancellor of the Exchequer if he will list the parliamentary constituencies which the Chief Secretary to the Treasury has visited in an official capacity in the past 12 months. [71332]

**Mr. Milburn** *[holding answer 15 February 1999]:* In the course of my official duties in the last 12 months I and previous Chief Secretaries have visited the cities and towns listed in the table. In addition I have visited a number of central and inner London areas in the normal course of my duties.

| *Date* | *Areas* |
|---|---|
| 6 February 1998*(a)* | Dundee |
| 25 September 1998*(b)* | Belfast |
| 22 January 1999*(c)* | Tatton Wythenshawe and Sale (Manchester area) |
| 27 January 1999*(c)* | Leeds |

*Note:*
Chief Secretary at the time:
*(a)* Alistair Darling
*(b)* Stephen Byers
*(c)* Alan Milburn

**Mr. Gray:** To ask the Chancellor of the Exchequer if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71333]

**Mr. Gordon Brown** *[holding answer 15 February 1999]:* In the course of my official duties in the last 12 months I have visited the cities and towns listed in the table. In addition, I have visited a number of central and inner London areas in the normal course of my duties.

| *Date* | *Area* |
|---|---|
| 27 February 1998 | Glasgow |
| 20–22 March 1998 | York |
| 24 April 1998 | Glasgow |
| 12 May 1998 | Belfast |
| 15 June 1998 | Cardiff |
| 23 June 1998 | Slough |
| 2 November 1998 | Birmingham |
| 20 November 1998 | Edinburgh |
| 22 January 1999 | Edinburgh |
| 25 January 1999 | Bridgend |
| 5 February 1999 | Coventry |

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Chancellor of the Exchequer what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71264]

**Ms Hewitt:** The Department's current policies, procedures and practices are under review with a view to ensuring that they will be fully compliant with the goods and services provisions of the Disability Discrimination Act by October 1999. The Treasury provides few direct services to the public—our main service is the provision of information either through our Website, publications or the Public Enquiry Unit.

To consider our compliance with the provisions on physical access, we instructed the building managing agents to undertake a full disability audit. The details of their report are currently being considered.

On access to communications, we have been in contact with Central Office of Information's Informability Unit to consider compliance with the Act in respect of our printed and electronic (website) publications. We propose to use the Unit to provide information in alternative formats (eg such as braille conversion, audio tapes etc.) where required. Advice will also be taken from Central Office of Information's Informability Unit on the possibility of making our telephone-based public inquiry service accessible to people who are deaf of have impaired hearing and to people with speech impairments.

### Mozambique

**Mr. Ben Chapman:** To ask the Chancellor of the Exchequer what estimate he has made of the *(a)* amount and *(b)* proportion of overall Government expenditure that Mozambique will pay in servicing its debt in the year following its Heavily Indebted Poor Countries Initiative completion point. [71393]

**Ms Hewitt:** The IMF estimates that scheduled debt service for Mozambique in the year following its expected completion point under the HIPC initiative will be $98 million. The IMF has not published an estimate of this figure as a proportion of this figure as a proportion of overall government expenditure.

### Withholding Tax

**Mr. Malcolm Bruce:** To ask the Chancellor of the Exchequer if it is his policy to exercise the British veto in relation to EU proposals to introduce a minimum withholding tax on income from non-resident savings and investments; and if he will make a statement. [71675]

**Dawn Primarolo** *[holding answer 22 February 1999]:* We have made it clear that we will not agree to any proposal which would cause serious damage to EU financial markets. We do not agree with the current draft Directive on the taxation of savings in its current form.

### International Monetary Fund

**Mr. McNamara:** To ask the Chancellor of the Exchequer if the Interim Committee of the International Monetary Fund has considered the report from the External Evaluation of the IMF's Enhanced Structural Adjustment Facility; and which of the report's findings Her Majesty's Government supports. [72194]

**Ms Hewitt:** The UK strongly welcomed the report from the External Evaluation on the IMF's Enhanced Structural Adjustment Facility (ESAF) when it was presented to the IMF Executive Board last year. In particular, we welcomed the report's findings on the need to implement a new approach to address the social impact of ESAF programmes, on the need for better and more effective collaboration between the IMF and World Bank, and on the importance of ownership to the success of programmes. We encouraged the publication of the external report to promote further public discussion of its findings.

We have been working at the IMF to ensure that the findings of the external report are used to strengthen ESAF programmes. We welcomed the IMF's paper on "Distilling the Lessons from the ESAF reviews", supported its decision to implement a new approach to ESAF on a pilot basis, and have encouraged the Fund to go further and incorporate the lessons of the review in all ESAF programmes. We will continue to work to ensure that the lessons of the review are fully addressed.

### Taxation (Charities)

**Mr. Flight:** To ask the Chancellor of the Exchequer (1) when the Government expects to publish its report on the taxation of charities; and if he will make a statement; [72657]

(2) what representations he has received from the charity sector on the Government's review of the taxation of charities. [72656]

**Ms Hewitt:** The Government received over 3,000 replies in the first phase of the Review, and are considering carefully all options. I do not want to pre-empt the content of the consultation document, which will be published by the time of the Budget.

### Euro

**Mr. Cohen:** To ask the Chancellor of the Exchequer what estimate he has made of the total money supply of the currencies of the countries joining in the euro at the time of the euro's inception. [73240]

**Ms Hewitt:** Provisional data from the European Central Bank show that the money supply (M3) in the euro area at the end of 1998 stood at Euro 4,436.1 billion.

**Mr. Cohen:** To ask the Chancellor of the Exchequer what is his estimate of the total money supply of the United States dollar at the time of the euro's inception. [73242]

**Ms Hewitt:** Data for the US money stock is published in Federal Reserve Board Press release H6. This can be found on the Federal Reserve Board Website at http://www.federalreserve.gov.

**Mr. Cohen:** To ask the Chancellor of the Exchequer what was the average inflation level of the countries joining the euro at the time of the euro's inception. [73241]

**Ms Hewitt:** The average level of inflation in the euro zone, as measured by the Harmonised Index of Consumer Prices (HICP), was 0.8 per cent. in December 1998.

**Mr. Cohen:** To ask the Chancellor of the Exchequer what estimate he has made of the total money supply of sterling at the time of the euro's inception. [73243]

**Ms Hewitt:** Money supply data for the UK is available in table 3.2 of the Bank of England's monthly publication, "Monetary and Financial Statistics".

### Hydrocarbon Duty

**Mr. Heathcoat-Amory:** To ask the Chancellor of the Exchequer if he will estimate the loss of hydrocarbon duty in the current financial year from *(a)* cross-border smuggling and *(b)* cross-border purchasing. [72956]

**Ms Hewitt:** HM Customs and Excise have no estimate for the revenue lost to the Exchequer through this activity.

### Occupational Pensions

**Mr. Field:** To ask the Chancellor of the Exchequer how many occupational schemes have been found to be deliberately in breach of the earnings limits on tax-free contributions during each of the last five years. [73014]

**Ms Hewitt** *[holding answer 25 February 1999]:* We do not record this information.

### Air Miles

**Mr. Maclean:** To ask the Chancellor of the Exchequer how many Air Miles have been earned by him and each of his Ministers; and how he proposes to use them. [73338]

**Ms Hewitt:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend the Prime Minister in his answer to the hon. Member for South-East Cambridgeshire (Mr. Paice) on 12 January 1999, *Official Report*, column *141*.

Detailed information on any air miles earned by Ministers as a result of official travel is not recorded centrally.

### Euro Preparations Committee

**Mr. Malcolm Bruce:** To ask the Chancellor of the Exchequer on how many occasions the cross-party Euro Preparations Committee has met to date; who is its chairman; and if he will make a statement. [72814]

**Ms Hewitt** *[holding answer 25 February 1999]:* My hon. Friend the Member for Huddersfield (Mr. Sheerman) has agreed to Chair the cross-party Euro Preparations Committee. The first meeting will be held soon.

### Pensions

**Mr. Sayeed:** To ask the Chancellor of the Exchequer (1) what assessment he has made of the impact of lifelong individual savings accounts on occupational pension scheme membership; [73549]

(2) what plans he has to simplify the regulatory regime for personal pensions. [73550]

**Ms Hewitt:** The Treasury's proposed pooled pension investment (ppi) is a contractual wrapper for pensions savings, not a pension scheme in its own right. It could suitably hold units invested in personal pensions, stakeholder pensions, occupational pensions and AVCs, and will allow movement between these types of scheme without the large financial penalties currently incurred. Ppis will add a new transparency and flexibility to the pension market.

### Debt (Poor Countries)

**Mr. Cox:** To ask the Chancellor of the Exchequer what is the estimated debt of the world's 10 poorest countries incurred with the United Kingdom; and if he will make a statement. [73619]

**Ms Hewitt:** Debts owed to the UK by the countries shown in the World Bank's 1998 World Development Indicators as having the 10 lowest GNP per capita figures are as follows:

| *Country* | *Total debt owed to UK (£ million)* |
|---|---|
| Burundi | 0 |
| Chad | 0 |
| D.R. Congo | 80 |
| Ethiopia | 12 |
| Malawi | 1 |
| Mozambique | 90 |
| Niger | 11 |
| Rwanda | 0 |
| Sierra Leone | 4 |
| Tanzania | 116 |
| Total | 314 |

*Source:*
ECGD, 2/99

### Business Leaders

**Mr. Maclean:** To ask the Chancellor of the Exchequer if he will list the business leaders involved in the 12 business euroteams; and what links they have with Ambassadors for British Business. [73601]

**Ms Hewitt:** The regional euro forums were set up to help support business—in particular Small and Medium Sized

Enterprises—prepare for the euro. The forums are led by senior business people with representation from key strategic partners who have an interest in supporting business, for example CBI, Business Links, TUC Chambers of Commerce. The Chairmen of the 12 Regional Euro Forums are as follows:

| *Name* | *Position* | *Region* |
|---|---|---|
| John Burke | Chief Executive, Bristol and West PLC | South West |
| Philip Hardaker | Senior Partner, KPMG | South East |
| Neville Orr | Chairman, Herdmans Holding Limited | Northern Ireland |
| Neville Reyner | | Eastern |
| Dr. John Rigg | Economic Advisor, Scottish Office | Scotland |
| Tony Rose | Deputy Chairman, Rover | West Midlands |
| James Ross | Chairman, Littlewoods PLC | North West |
| Peter Stoddart | Company Secretary, Nissan | North East |
| Hilary Thompson | Natwest Bank | London |
| Ken Truman | Area Director, Lloyds Bank | Wales |
| John Watson | Director, Yorkshire Building Society | Yorks & the Humber |
| Martin Henry | Chairman, Lastolite Limited | East Midlands |

The forums have no links with Ambassadors for British Business.

## Road Haulage Industry

**Jackie Ballard:** To ask the Chancellor of the Exchequer what assessment he has made of the amount of revenue lost through British road hauliers taxing their vehicles in other EU countries and purchasing fuel there for United Kingdom journeys. [73767]

**Ms Hewitt:** There are no official estimates for the revenue losses to the Exchequer through these activities.

**Mr. Laurence Robertson:** To ask the Chancellor of the Exchequer (1) what discussions he has had with road haulage companies about the impact on their businesses on the fuel duty escalator; what further discussions he plans to have with them before the Budget; and if he will make a statement; [73812]

(2) what discussions he has had with road haulage companies about the impact which the level of road fund tax has on their businesses; what plans he has to meet them before the Budget; and if he will make a statement. [73813]

**Ms Hewitt:** Treasury Ministers have not met with any road haulage companies, although officials have met with the Freight Transport Association and with the Road Haulage Association as recently as 23 February. Officials have made me fully aware of the concerns of the road haulage industry in the run up to the Budget.

## Euro Coins

**Sir Richard Body:** To ask the Chancellor of the Exchequer if he will make a statement on his policy towards the European Commission's proposals on the production of euro coins; what rules will apply in the United Kingdom; what is meant by the proviso that such production should not change the image of the euro; what legal recourse there will be when a breach of this proviso occurs; what is the definition of European territory covered by this proposal; and if he will make a statement. [73768]

**Ms Hewitt:** The European Commission communication sets out arrangements for the enforcement of copyright protection on the common face design of euro coins and the applicable reproduction regime. Among other things, the reproduction regime specifies that reproductions of the common face design should not

"damage or detract the image of the euro".

The Commission has assigned the copyright on the design of the common face of euro coins to each participating Member State. Enforcement of the copyright will be ensured by participating Member States according to their national legislation and in compliance with an agreed reproduction regime. The Commission will enforce the copyright in non-participating Member States according to the relevant national legislation. In the event of a breach of the reproduction rules, subsequent action may take the form of civil or criminal proceedings.

There is no definition of European territory in the Commission rules, but the scope of application of them is coincident with the scope of application of the monetary policy provisions of the EC Treaty.

## Euro Conversion

**Mr. Heathcoat-Amory:** To ask the Chancellor of the Exchequer what is his estimate for additional public expenditure arising out of the euro changeover plan for *(a)* 1998–99, *(b)* 1999–2000 and *(c)* subsequent years. [73802]

**Ms Hewitt** *[holding answer 1 March 1999]:* The cost of euro preparations would depend on the detailed approach that the UK took to the changeover. The outline National Changeover Plan is a first step in planning how the UK would make the changeover to the single currency. A further plan will be published in around a year's time.

Any spending in 1998–99 and 1999–2000 will be accommodated within the spending plans already set out for those years.

**Mr. Heathcoat-Amory:** To ask the Chancellor of the Exchequer what estimate he has made of the costs of converting to the euro for *(a)* the public sector, *(b)* retailers, *(c)* manufacturers, *(d)* the financial sector and *(e)* the economy as a whole. [73803]

**Ms Hewitt** *[holding answer 1 March 1999]:* The cost to each sector of the economy of conversion to the euro would depend on the detailed approach taken to the changeover. For example, costs would depend on

the extent to which organisations are able to build in euro compatibility where IT systems are being upgraded or purchased for other reasons.

The outline National Changeover Plan is a first step in planning how the UK would make the changeover to the single currency. A further plan will be published in around a year's time.

**Mr. Heathcoat-Amory:** To ask the Chancellor of the Exchequer if he will estimate the cost to *(a)* the Inland Revenue, *(b)* HM Customs and Excise, *(c)* the other non-ministerial Departments within his responsibility and *(d)* his Department of converting to the euro. [74143]

**Ms Hewitt:** The cost to those departments of conversion to the euro would depend on the detailed approach that the UK took to the changeover. The outline National Changeover Plan is a first step in planning how the UK would make the changeover to the single currency. A further plan will be published in around a year's time.

The cost to those departments would also depend on the extent to which they are able to build in euro compatibility where IT systems are being upgraded or purchased for other reasons.

### Average Earnings Index

**Mr. Derek Twigg:** To ask the Chancellor of the Exchequer when he expects to announce the outcome of the review of the revisions to the average earnings index. [74433]

**Ms Hewitt:** The report of the external review of the revisions to the average earnings index, announced by the Chancellor of the Exchequer on 23 October 1998, is being published today. The review has been conducted under the direction of Sir Andrew Turnbull and Mervyn King. Copies of the report are available in the Vote Office.

The Office for National Statistics (ONS) has today separately published the report of the work on the average earnings index by Professor Ray Chambers of Southampton University, which was commissioned by Dr. Tim Holt, the Director of the ONS. Copies of this report have been deposited in the Library of the House.

At the same time, following the implementation of the immediate technical recommendations made in the Turnbull-King report, the average earnings index which was suspended on 2 November 1998 has been reinstated by the ONS. Details of the reinstated index are set out in Chapter 9 of the Turnbull-King report and also in a separate ONS First Release.

The Government have accepted the recommendations of the Turnbull-King report and are firmly committed to their implementation. Dr. Holt has already agreed to my request to draw up a programme of action designed to implement the remaining recommendations, including further work to ensure a process of continuous improvement to the index. I have asked Dr. Holt to report to me regularly on the progress that is being made in implementing the recommendations.

### Diesel (Comparative VAT Rates)

**Mr. Mitchell:** To ask the Chancellor of the Exchequer if he will list the levels of duty and VAT on diesel in *(a)* the United Kingdom, *(b)* France, *(c)* Germany and *(d)* Belgium. [74304]

**Ms Hewitt:** I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Wrexham (Dr. Marek) on 23 February 1999, *Official Report*, columns *241–42*.

### Fish Quota

**Ms Lawrence:** To ask the Chancellor of the Exchequer what is the capital gains treatment of fish quota; and if he will make a statement. [74616]

**Dawn Primarolo:** The fishing industry will benefit from our decision to give capital gains roll-over relief for fish quota. It will enable fishermen to reinvest in the fishing industry without loss of capital and plan more effectively for the future. Regulations will shortly be laid adding fish quota to the list of chargeable assets qualifying for roll-over relief. The Inland Revenue are also today issuing a statement by way of a Press Release which clarifies the circumstances in which roll-over relief will be available for fish quota and other qualifying assets used in the fishing industry.

## PRIME MINISTER

### Genetically Modified Foods

**Mr. Redwood:** To ask the Prime Minister on how many occasions since 1 May 1997 he has received representations from companies with an interest in genetically modified foods and crops. [74223]

**The Prime Minister:** I refer the right hon. Member to the answer I gave to the hon. Member for South Suffolk (Mr. Yeo) on 23 February 1999, *Official Report*, column *232*.

## NORTHERN IRELAND

### Smoking-related Illnesses

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how much money was spent in each of the past five years to treat NHS patients in Northern Ireland for illnesses relating to cigarette smoking. [71538]

**Mr. McFall:** The information is not available in the form requested.

Information relating to the amount spent in each of the past five years to treat NHS patients in Northern Ireland for illnesses relating to cigarette smoking is not available centrally and could be obtained only at disproportionate cost.

### Integrated Health and Social Services

**Mr. Donaldson:** To ask the Secretary of State for Northern Ireland what assessment she has made of the conclusion of the first report from the Health Committee of Session 1998–99 on the relationship between health and social services (HC74) in respect of the model of integrated

health and social services operated by the Down Lisburn Trust; and what plans she has to encourage other trusts in Northern Ireland to adopt that model. [71324]

**Mr. McFall** *[holding answer 16 February 1999]:* In Northern Ireland health and social services have been provided within an integrated structure since 1972. Eleven of the existing 19 HSS Trusts provide health and social services on an integrated basis, some on a model similar to the Down Lisburn Trust. As part of the modernisation of the service, the Government are examining responses to their recent consultation paper on the structure of health and social services entitled "Fit for the Future". Decisions on future arrangements will be taken by the Northern Ireland Assembly.

### Community Psychiatric Nurses

**Sir Alastair Goodlad:** To ask the Secretary of State for Northern Ireland how many community psychiatric nurses there were in Northern Ireland in each of the last three years. [73230]

**Mr. McFall:** The numbers of Community Psychiatric Nurses employed in the Northern Ireland Health and personal Social Services, at 30 September in each of the last three years are as follows:

1996: 183

1997: 180

1998: 194

### Schizophrenia

**Sir Alastair Goodlad:** To ask the Secretary of State for Northern Ireland how many people discharged from hospital in Northern Ireland following a main diagnosis of schizophrenia psychoses and subsequently taken to hospital by the police under the Mental Health Acts were refused admission in the last year for which figures are available. [73237]

**Mr. McFall:** This information is not available centrally.

### Non-fossil Fuel

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what plans she has to encourage non-fossil fuel energy production in Northern Ireland. [72915]

**Mr. Ingram:** Northern Ireland is participating in the current national policy review of new and renewable technologies, which includes an examination of what would be necessary and practicable to achieve 10 per cent. of the UK's electricity needs from renewables by the year 2010 and what contribution renewables could make to reducing greenhouse gas emissions. The Department of Trade and Industry plans to issue a consultation paper on the review shortly. Northern Ireland Orders have already been made for 32mw of contracted renewable capacity and consideration will be given to a further Non-Fossil Fuel Obligation competition in Northern Ireland on completion of the review. In addition, the EU supported Energy Demonstration Scheme and INTERREG Programme, continue to offer financial assistance to the developers of new and renewable energy projects.

### Unemployment

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how many *(a)* 16 to 17 year olds and *(b)* 18 to 24 year olds in Northern Ireland are unemployed according to the International Labour Organisation definition. [72914]

**Mr. Ingram:** The latest figures available relate to Autumn 1998 (September-November) when, according to the International Labour Organisation definition, the number of 16 to 17 year olds unemployed was 2,400 and the number of 18 to 24 year olds unemployed was 16,000.

### Tourism

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what was the annual revenue from tourism in Northern Ireland in each of the past five years. [72923]

**Mr. Ingram:** Overall revenue from visitor tourism has grown over the past 5 years. Whilst the record visitor performance recorded in 1995 has not yet been realised, the industry continues to perform above pre-ceasefire levels.

*Annual Revenue from tourism in Northern Ireland in each of last 5 years*

*£ million*

| | *1994* | *1995* | *1996* | *1997* | *[1]1998* |
|---|---|---|---|---|---|
| Visitor | 183 | 214 | 206 | 208 | [1]212 |
| Domestic | 59 | 57 | 60 | 60 | n/a |
| Total | 242 | 571 | 266 | 268 | n/a |

[1] Forecast

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what estimate she has made of the projected annual revenue from tourism in Northern Ireland in each of the next three years. [72922]

**Mr. Ingram:** The Northern Ireland Tourist board has set challenging targets for tourism revenue for 2001, as highlighted in its Corporate Plan 1998–2001. Their realisation will be predicated on a peaceful environment. These targets aim for increases in discretionary visitors with a higher spend per capita to be realised through more targeted marketing and effective industry partnerships.

*Targets—tourism revenue*

*£ million*

| | *1999* | *2000* | *2001* |
|---|---|---|---|
| Visitor | 239 | 269 | 315 |
| Domestic | 63 | 65 | 67 |
| Total | 302 | 334 | 382 |

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what plans she has for grant aid to promote the tourism industry in Northern Ireland. [72944]

**Mr. Ingram:** In 1999–2000 the Government have made available £3.8 million for the promotion and marketing of Northern Ireland and a further £4.7 million to assist the development of tourism infrastructure. In May 1988, the Chancellor launched a £4 million Tourism Capital Challenge Fund competition specifically aimed at improving competitiveness in the tourism industry.

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what plans she has to assist local authorities in Northern Ireland to establish and maintain tourism offices. [72921]

**Mr. Ingram:** The Northern Ireland Tourist Board co-ordinates a network of local authority Tourist Information Centres (TICs) throughout Northern Ireland. It is also currently working with the local authorities to establish a second tier of local information office. Many of the TICs received capital grant, and any additional centres may also be eligible for assistance.

### Electronic Commerce

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what plans she has to encourage the use of electronic commerce to promote the international expansion of Northern Ireland businesses. [72911]

**Mr. Ingram:** In addition to existing arrangements to promote the benefits of electronic commerce by raising business awareness and by providing advice to companies, work is underway to develop a coherent strategy to establish Northern Ireland as a centre for electronic commerce.

### Internet and E-mail

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what plans she has to encourage her Department to utilise the Internet and e-mail to reduce waste and the use of paper. [72910]

**Mr. Paul Murphy:** Northern Ireland Departments are fully committed to achieving the Prime Minister's target that by 2002, 25 per cent. of government services should be available electronically. This will involve the use of the widest range of modern technologies including e-mail and the internet to improve the quality and efficiency of government services to its customers. The Northern Ireland Departments will be reporting progress against plans in this area, in line with the reporting structures implemented by the Cabinet Office.

In addition to this, the Northern Ireland Departments are again fully committed to achieving the target of 90 per cent. of purchases being handled electronically by the Year 2000, which will make the interface with suppliers more efficient and reduce paperwork. The Northern Ireland Government Purchasing Agency is a the forefront of implementing systems to achieve this target having recently won an Invest to Save Award to develop its electronic ordering services.

### Waste Incinerators

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how many waste incinerators are planned to be constructed in Northern Ireland in the next five years; and where they will be located. [72916]

**Mr. Paul Murphy:** Responsibility for the subject in question has been delegated to the Planning Service under its Chief Executive, Mr. T. W. Stewart. I have asked him to arrange for a reply to be given.

*Letter from T. W. Stewart to Mr. Malcolm Moss, dated 1 March 1999:*

The Secretary of State has asked me to reply to your recent Question about the number of waste incinerators to be constructed in Northern Ireland during the next 5 years.

I can confirm that the Department is currently processing 2 planning applications for waste incinerators in Northern Ireland. One of the applications is from NIGEN Plc at McCaughey Road, Belfast, within the Belfast Harbour Estate. The other is from Belfast Waste Services within the Duncrue Industrial Estate, Belfast. The Planning Service is not aware of any other proposals for waste incineration during the next 5 years.

I do hope you find this information helpful.

### Waste Disposal

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what percentage of *(a)* domestic and *(b)* commercial waste was dealt with in Northern Ireland by (1) recycling and (2) landfill in 1998 and each of the preceding five years. [72917]

**Mr. Paul Murphy:** Responsibility for the subject in question has been delegated to the Environment and Heritage Service under its Chief Executive, Mr. Robert C. Martin. I have asked him to arrange for a reply to be given.

*Letter from Robert C. Martin to Mr. Malcolm Moss, dated 1 March 1999:*

As Chief Executive of Environment and Heritage Service I am responsible for the operational aspects of waste management. Therefore I am replying to your question about the percentage of domestic and commercial waste in Northern Ireland which was dealt with by recycling and landfill each year between 1993 and 1998.

Unfortunately, it is not possible to provide the details requested because records are not currently held centrally about the amount of waste generated or what happens to it. The Pollution Control and Local Government (NI) Order 1978, requires individual District Councils to maintain such details only in connection with the preparation and revision of their own statutory Waste Disposal Plans.

However, the position will change as the 1978 Order is superseded by the Waste and Contaminated Land (NI) Order 1997. This Order is being brought into operation through a series of Commencement Orders, three of which have been made since August 1998. Two requirements of the Order are that the Department prepares a waste strategy for Northern Ireland as soon as possible, and that District Councils prepare and agree with the Department, waste management plans which take account of the strategy.

To this end the Department produced a draft Waste Management Strategy which was issued for public consultation between June and December 1998. We expect that, subject to consideration by the Assembly, the statutory Strategy will be finalised later this year. It will include targets for waste minimisation, recovery and recycling.

However, for these targets to be effective and realistic, it will be necessary to establish a baseline on how much waste is currently produced, its composition and what happens to it. Therefore, the Department has recently awarded a contract for the completion of a detailed study of Waste Arisings in Northern Ireland. This will provide comprehensive data on the various waste streams by sector, composition and volume. In conjunction with this, the Department will shortly let a further contract for a Waste Characterisation study which will involve the actual sampling of waste collected. The results of these two studies will inform District Councils' development of their Plans and will be available for public information.

I trust this reply is helpful.

### Punishment Beatings

**Mr. William Ross:** To ask the Secretary of State for Northern Ireland (1) if she will list for the week ended Saturday 20 February the number of violent incidents involving paramilitary groups which took place in Northern Ireland indicating how many involved (i) Loyalist and (ii) Republican groups; [73010]

(2) if she will list for the week ended Saturday 20 February the number of *(a)* punishment beatings and *(b)* punishment shootings which took place in Northern Ireland indicating how many in each category were committed by (i) Loyalist and (ii) Republican groups. [73011]

**Mr. Ingram:** The number of security incidents during the period 14 February-20 February are as shown:

| *Incident* | *Number* |
|---|---|
| Shootings | Nil |
| Bombings | Nil |

The number of casualties as a result of paramilitary-style attacks during the period are as follows:

| | *Loyalist* | *Republican* |
|---|---|---|
| Assaults | 1 | 1 |
| Shootings | Nil | Nil |
| Total | 1 | 1 |

*Note:*

Figures may be subject to a minor amendment in the light of further information becoming available

## DEFENCE

### Executive Agencies

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the *(a)* Defence Transport and Movements Executive and *(b)* Defence Postal and Courier Service Agency published their reports for the 1997–98; and what was the cost of production of the reports. [72953]

**Mr. Spellar:** This is a matter for the Chief Executives of the Agencies concerned. I have asked them to write to the hon. Member.

*Letter from R. E. Ratazzi to Mr. Mike Hancock, dated 2 March 1999:*

I am replying to your Question to the Secretary of State for Defence about my Agency's Report for 1997–98 and the cost of its production, as this falls within my area of responsibility as Chief Executive of the Defence Transport and Movements Executive (DTMX).

DTMX's Annual Report and Accounts for 1997–98 was laid before the House on 28 January 1999. The document was allocated number 181 by the Journals Office. The document was a textually accurate final proof of the Annual Report and Accounts. The final document has yet to be printed and we are awaiting a response from The Stationery Office Ltd. regarding the cost.

*Letter from B. J. Cash to Mr. Mike Hancock, dated 2 March 1999:*

I am replying to your Question to the Secretary of State for Defence about what date the Defence Postal and Courier Services Agency published their Report for 1997–98 and the cost of production, as this matter falls within my area of responsibility as Chief Executive of the Defence Postal and Courier Services Agency.

The Defence Postal and Courier Services Agency published its Annual Report for 1997–98 on the 14th July 1998.

The cost for external printing of the Report was £8,146.45. All production work was carried out by Agency internal resources.

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Defence Intelligence and Security Centre; and what the figure was at the time of its establishment. [72793]

**Mr. Spellar:** This is a matter for the Chief Executive of the Defence Intelligence and Security Centre. I have asked the Chief Executive to write to the hon. Member.

*Letter from C. G. Holtom to Mr. Mike Hancock, dated 2 March 1999:*

I am replying to your Question to the Secretary of State for Defence about staff numbers at the Defence Intelligence and Security Centre as this matter falls within my area of responsibility as the Chief Executive of the Agency.

There are current 408 staff working at the Defence Intelligence and Security Centre. At the time of establishment (1 October 1996) there was only a small implementation team based at Chicksands. The first record of numbers for the Agency relates to 1 April 1997 when the total numbers employed were 386.

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Defence Evaluation and Research Agency; and what the figure was at its inception. [72796]

**Mr. Spellar:** This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from John Chisholm to Mr. Mike Hancock, dated 2 March 1999:*

I am replying to your parliamentary question about numbers of people employed by the Defence Evaluation and Research Agency (DERA) at its inception and currently.

On 1 April 1995, the inception of DERA, the number of staff employed was in the order of 12100. The comparable figure, for 1 February 1999, in some 11600. These figures are for civilian staff only. You should also note that on 1 April 1997 the support services of DERA were privatised with the transfer of around 1250 people to the private sector.

I hope the above answers your question.

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Disposal Sales Agency; and what was the figure at its inception. [72988]

**Mr. Spellar:** This is a matter for the Chief Executive of the Disposal Sales Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from Malcolm Westgate to Mr. Mike Hancock, dated 2 March 1999:*

I am replying to your question to the Secretary of State for Defence about the number of people currently employed by the Disposal Sales Agency (DSA) as this matter falls within my area of responsibility as Chief Executive of the DSA.

The DSA currently employs 82 people. At its launch on 1 October 1994 the Agency employed 101 members of staff.

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the Defence Bills Agency published its report for the year 1997–98; and what was the cost of production of the report. [72980]

**Mr. Spellar** *[holding answer 1 March 1999]:* This is a matter for the Chief Executive of the Defence Bills Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from I. S. Elrick to Mr. Mike Hancock, dated 2 March 1999:*

I am replying to your question to the Secretary of State for Defence about the Defence Bills Agency's Annual Report for year 1997–98, as this matter falls within my area of responsibility as Chief Executive of the Defence Bills Agency.

The Defence Bills Agency's Annual Report and Accounts for 1997–98 was published on 7 July 1998 and the cost of production was £20,212.00.

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Logistics Information Systems Agency; and what the figure was at its inception. [72765]

**Mr. Spellar:** This is a matter for the Chief Executive of the Logistics Information Systems Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from P. A. Flanagan to Mr. Mike Hancock, dated 2 March 1999:*

I am replying to your question to the Secretary of State for Defence about how many people are currently employed by the Logistic Information Systems Agency; and what the figure was at its inception.

The Logistic Information Systems Agency was formed on 1 April 1995. At that time, the strength of the Agency was 397. The strength of the Agency on 23 February 1999 was 235.

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the Duke of York's Royal Military School published its report for 1998–99; and what was the cost of production of the report. [72854]

**Mr. Spellar:** This is a matter for the Chief Executive of the Duke of York's Royal Military School. I have asked the Chief Executive to write to the hon. Member.

*Letter from G. H. Wilson to Mr. Mike Hancock, dated 2 March 1999:*

I am replying to your Question to the Secretary of State for Defence about this Agency's report for 1998–99, as this matter falls within my area of responsibility as Chief Executive of the Duke of York's Royal Military School.

The report for 1998–99 has not yet been prepared and the cost of production is not therefore available. The report for 1997–1998 however was published on 16 July 1998 and cost £1,177.25.

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the Joint Air Reconnaissance Intelligence Centre published its report for 1997–98; and what was the cost of production of the report. [72987]

**Mr. Spellar:** This is a matter for the Chief Executive of the Joint Air Reconnaissance Intelligence Centre. I have asked the Chief Executive to write to the hon. Member.

*Letter from S. J. Lloyd to Mr. Mike Hancock, dated 2 March 1999:*

I am replying to your Question to the Secretary of State for Defence about the publication and cost of the Agency's annual report as this falls within my area of responsibility as Chief Executive of the Joint Air Reconnaissance Intelligence Centre Defence Agency.

The Annual Report for 1997/98 is currently with the printers with an expected publication date of the end of March 1999. The anticipated cost of production is £15000.

I hope that you will find that this answer gives you the information that you are seeking.

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Defence Transport and Movements Executive; and what was the figure at its inception. [72948]

**Mr. Spellar:** This is a matter for the Chief Executive of the Defence Transport Movements Executive. I have asked the Chief Executive to write to the hon. Member.

*Letter from R. E. Ratazzi to Mr. Mike Hancock, dated 2 March 1999:*

I am replying to your Question to the Secretary of State for Defence about current staffing levels in my Agency and at its inception, as this falls within my area of responsibility as Chief Executive of the Defence Transport and Movements Executive (DTMX).

When it first formed as a Defence Agency in April 1995, DTMX employed 78 Servicemen/women and 147 Civil Servants; a total of 225 persons. The strength for the financial year ending 31 March 99 is 78 Servicemen/women and 103 Civil Servants; a total of 181 persons.

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Defence Clothing and Textiles Agency; and what was the figure at the time of its establishment. [72840]

**Mr. Spellar** *[holding answer 1 March 1999]:* This is a matter for the Chief Executive of the Defence Clothing and Textiles Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from M. J. Roycroft to Mr. Mike Hancock, dated 2 March 1999:*

I am replying to your Question to the Secretary of State about the number of people employed by the Defence Clothing and Textiles Agency as this matter falls within my area of responsibility as Chief Executive of the Defence Clothing and Textiles Agency.

Currently there are 547 people (501 Civilians and 23 Military) employed by the Defence Clothing and Textiles Agency; at the time of its establishment the figure was 522 (503 Civilians and 19 Military). Since formation the Agency has had a significant increase in the range of commodities within its responsibility, including Defence Accommodation Stores and Engineer Stores.

### Strategic Defence Review (New Brigades)

**Mr. Borrow:** To ask the Secretary of State for Defence where units of the two new brigades announced in the Strategic Defence Review, and other units returned from Germany, are to be based. [74619]

**Mr. Doug Henderson:** The two brigades to be formed under the Strategic Defence Review are:

12 Mechanised Brigade, to be created by converting 5 Airborne Brigade at Aldershot; and the development of 24 Airmobile Brigade, based at Colchester, into a new high capability air manoeuvre formation—16 Air Assault Brigade.

The Headquarters of 12 Mechanised Brigade will be at Aldershot, and that of 16 Air Assault Brigade in Colchester. I have today placed in the House of Commons Library details of provisional plans under which units of the new mechanised brigade would be based in Aldershot in Hampshire, Tidworth and Larkhill Garrisons in Wiltshire, Bovington in Dorset, Abingdon in Oxfordshire and Windsor in Berkshire, and units of 16 Air Assault Brigade would be located in Colchester in Essex, Woodbridge and Wattisham in Suffolk, Dishforth in Yorkshire, and Canterbury in Kent. These proposals will now be the subject of discussions with local authorities and assessments of environmental impact and value for money.

If confirmed, the changes would be phased over a number of years, as progress with the necessary barracks refurbishment projects proceeds; but we plan that the move of two parachute battalions from Aldershot to Colchester, where they will be closer to their parent formation, 16 Air Assault Brigade, will take place next year, as will the corresponding move of two infantry battalions to Aldershot from Colchester to form part of the new 12 Mechanised Infantry Brigade.

### MOD Police (Jurisdiction)

**Mr. Mitchell:** To ask the Secretary of State for Defence if he will make a statement on the jurisdiction of the Ministry of Defence Police Agency officers over civilians not employed by his Department. [73088]

**Mr. Spellar:** In a variety of circumstances, constabulary powers may be conferred on MOD police officers in relation to civilians not employed by the MOD.

Under the Ministry of Defence Police Act 1987, MOD police officers have the powers and privileges of constables:

(a) on defence land and property;

(b) on land and property used by ordnance companies and dockyard contractors for naval, military or air force purposes;

(c) on land in the vicinity of defence land and land used by ordnance companies and dockyard contractors provided a police constable of the local force has asked for assistance in the execution of his duties on that land;

(d) on land in respect of which the Secretary of State has agreed to provide the services of the Ministry of Defence Police under an agreement notice published in the London, Edinburgh or Belfast Gazette; and

(e) in any place—

(i) in relation to Crown property;

(ii) in relation to persons subject to the control of the Defence Council or employed under or for the purposes of the MOD or the Defence Council; and

(iii) in relation to matters connected with anything done under a contract entered into by the Secretary of State for Defence for the purposes of the MOD or the Defence Council.

### General Service Medal

**Mr. Bennett:** To ask the Secretary of State for Defence if he will list *(a)* campaigns since 1969 for which General Service medals have been issued and *(b)* campaigns since 1969 where requests for the issue of General Service medals were refused (i) by the Medals Committee and (ii) by his Department; and if he will give the number of casualties in each of the campaigns listed in answer to (b). [73543]

**Mr. Spellar:** Since the beginning of 1969 the General Service Medal 1962 has been issued with the following clasps:

Northern Ireland

Dhofar

Lebanon

Mine Clearance—Gulf of Suez

Gulf

Kuwait

Northern Iraq and Southern Turkey

Air Operations Iraq.

I am not aware of any campaign since 1969 which has not been recognised by either one of these clasps or one of the other campaign medals available to British Service personnel such as the South Atlantic Medal, the Gulf Medal and medals issued by the United Nations, Western European Union and NATO.

**Mr. Bennett:** To ask the Secretary of State for Defence how many representations he has received since June 1997 about awarding a General Service Medal to those who served in the Suez Canal Zone from 8 October 1951 to 19 October 1954. [73542]

**Mr. Spellar:** Since June 1997, the Ministry of Defence has received four Parliamentary Questions on the subject of a medal for service in the Suez Canal Zone between 1951 and 1954, including this one and another tabled by my hon. Friend for answer today. We have also responded to 30 Parliamentary Inquiries from MPs and 256 letters from at least 239 members of the public have been actioned. This latter correspondence includes letters addressed to The Queen, the Prime Minister, the Secretary of State for Defence and other Defence Ministers as well as direct approaches to officials in those branches dealing with campaign medals. In addition, I was handed a petition containing some 20,000 names in support of a medal for service in the Suez Canal Zone during the early 1950s at a meeting in March 1998, where the case for a medal was discussed in detail.

**Mr. Bennett:** To ask the Secretary of State for Defence how many people have applied for General Service Medal Africa (1902–56) in the last five years; and if service in the Suez Canal Zone counts for entitlement to that medal. [73541]

**Mr. Spellar:** In the last five years 268 requests for the Africa General Service Medal 1902–56 have been received by my Department. Of these applications, 95 were successful and medals with the appropriate clasp(s) issued.

Service in the Suez Canal Zone during the qualifying period of the Africa General Service Medal 1902–56 does not count for entitlement to that medal. The medal is not issued alone, but with the appropriate clasp, which recognises specific periods of service in areas laid down in the appropriate Command Paper. No clasp to the Africa General Service Medal 1902–56 was instituted for service north of the Sahara.

### Meteor Missile

**Mr. Menzies Campbell:** To ask the Secretary of State for Defence if he will make it his policy to conclude a draft agreement with other European countries to develop the Meteor missile. [72754]

**Mr. Spellar** *[holding answer 25 February 1999]:* Technical and commercial assessment of the bids to meet the MOD's requirement for a Beyond Visual Range Air-to-Air Missile, BVRAAM, continues. The Matra BAe Dynamics Meteor missile bid is in competition with Raytheon Systems Ltd. FMRAAM and ERAAM proposals to meet the BVRAAM requirement. A decision on the competition is expected later this year.

Discussions are continuing with potential partner nations, Germany, Italy, Spain and Sweden, on a Memorandum of Understanding for collaboration on the METEOR proposal provided by Matra BAe Dynamics. Progress is being made and it is hoped that the MOU negotiations will be concluded by the summer. If the METEOR bid is successful, it is expected that the agreed MOU would be signed shortly after a decision on the competition is announced.

### Defence Vetting Agency

**Mr. Key:** To ask the Secretary of State for Defence what criteria he used to choose between the relocation of the Defence Vetting Agency to Hartham or York; and if an investment appraisal was undertaken to assess savings from co-location of the Second Division and the Defence Vetting Agency. [72967]

**Mr. Doug Henderson** *[holding answer 25 February 1999]:* An investment appraisal into a number of collocation options demonstrated that collocation of the Defence Vetting Agency (DVA) from its existing four locations on to a single site would represent value for money. Subsequent studies showed that there was little, in financial terms, to choose between Hartham and York, as a location for the DVA.

Meanwhile, it became apparent that the Defence Communications Services Agency (DCSA) needed additional office accommodation near its headquarters at Corsham, and the Hartham site would meet this requirement. I therefore decided to accept collocation of the DVA at York as being in the best interests of my Department overall, as well as meeting the needs of the DVA.

The above was set out in a consultative document, which was put to the Trade Unions on 9 November 1998 and a copy will be placed in the Library of the House.

No investment appraisal was made of the impact of collocating the DVA alongside HQ 2 Division or indeed any other particular Defence organisation.

### Departmental Staff

**Mr. Chaytor:** To ask the Secretary of State for Defence what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70468]

**Mr. Spellar** *[holding answer 15 February 1999]:* When considering sites for relocation of MOD and agency establishments, the Department's primary concerns are operational requirements and efficiency. Other considerations include local employment levels, geographic location and environmental impact.

Currently, the MOD has sites UK-wide. As a result of the Strategic Defence Review, decisions are being made to relocate or collocate a wide range of MOD functions in order to make the Department more efficient. This process is ongoing.

### Gaul (Sinking)

**Mr. Hancock:** To ask the Secretary of State for Defence what evidence is held by his Department on the sinking of the trawler 'Gaul' which is not already in the public domain; and if he will make a statement. [72941]

**Mr. Spellar:** There has been an extensive search of our records and I am satisfied that my Department does not hold any evidence on the sinking of the trawler 'Gaul'.

### Birth Certificates

**Mr. Cann:** To ask the Secretary of State for Defence if he will list those purposes for which his Department and its executive agencies require a birth certificate to be furnished by *(a)* employees, *(b)* contractors, *(c)* those applying for (i) employment and (ii) contracts and *(d)* other persons. [73471]

**Mr. Spellar:** The Ministry of Defence may request birth certificates from prospective employees, both service and civilian, and individuals undertaking work for the Department, to establish proof of identity. However, other official documents, such as a full 10 year passport, may be furnished as proof of identity and are normally acceptable.

### Defence Animal Centre

**Mr. Hancock:** To ask the Secretary of State for Defence when he will set targets for the Defence Animal Centre for 1999–2000. [72815]

**Mr. Spellar** *[holding answer 25 February 1999]:* With effect from 1 April 1999 the DAC will no longer be an Agency in its own right and will become part of the Army Training and Recruitment Agency (ATRA). The targets set for the DAC will therefore be incorporated within the ATRA targets.

### Bullying

**Mr. Hancock:** To ask the Secretary of State for Defence (1) how many *(a)* RAF and *(b)* Royal Navy personnel have been dismissed for bullying, or related offences, in each of the last five years; [73788]

(2) how many Royal Marine personnel have been dismissed for bullying, or related offences, in each of the last five years. [74263]

**Mr. Doug Henderson:** I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

### Royal Ordnance

**Mr. Maples:** To ask the Secretary of State for Defence what is his assessment of the risk to UK armed forces' safety and capability of having no UK-based manufacturer

of ammunition and rocket propellant after closure of the Royal Ordnance Factory at Bishopton. [73391]

**Mr. Spellar** *[holding answer 26 February 1999]:* All explosive products require Ordnance Board qualification before they can be considered safe and suitable for use by the Armed Forces. We do not foresee any difficulty in obtaining Ordnance Board qualification for products using propellant sourced from friendly and reliable countries in Europe and further afield. Military capability is a question not of where the product comes from, but of the adequacy of supply arrangements. The Government ensure that satisfactory security supply arrangements are in place for the procurement of all key equipments and their components.

**Mr. Edwards:** To ask the Secretary of State for Defence if he will make a statement about progress towards a best supplier agreement between his Department and Royal Ordnance. [73648]

**Mr. Spellar** *[holding answer 26 February 1999]:* Under the Smart Procurement Initiative developed as part of the Strategic Defence Review, MOD is reviewing its relationships with all its suppliers to ensure that the relationship is of mutual benefit to each party. Where appropriate, this includes examining the potential for establishing preferred supplier arrangements. For British Aerospace, and Royal Ordnance in particular, we are looking into the ways by which Royal Ordnance could become the preferred MOD supplier for a number of types of ammunition, where the company has shown through competition, that it can offer a cost effective product.

**Mr. Edwards:** To ask the Secretary of State for Defence if he will make a statement about the future of the Royal Ordnance Plant, Glascoed. [73546]

**Mr. Spellar:** The Royal Ordnance factory at Glascoed is a major recipient of work stemming from the award to Royal Ordnance in December 1998 of the £100 million large calibre training ammunition multi year buy. While the future of Glascoed is a matter for the company, the terms governing the sale of the Royal Ordnance Factories to British Aerospace require the Ministry of Defence to be informed of any intention by the company to relinquish any major asset.

## Somchem/Denel

**Mr. Maples:** To ask the Secretary of State for Defence what assistance was given by the Defence Evaluation and Research Agency to Somchem/Denel in preparing its tender for the modular charge system contract recently awarded to them. [73390]

**Mr. Spellar** *[holding answer 26 February 1999]:* No assistance was given by the Defence Evaluation and Research Agency, DERA, to Somchem/Denel in preparing its tender for the Modular Charge System sub-contract. DERA's only role in this procurement was to work, under tasking form the MOD, to provide independent technical advice on the submissions from each company participating in the competition, which were provided through the prime contractor, and to organise the associated firing trials.

**Mr. Maples:** To ask the Secretary of State for Defence in calculating the savings to be achieved from awarding the modular charge system contract to Somchem/Denel what account he took of *(a)* possible qualification costs to be incurred in the future by other suppliers of propellants, *(b)* the cost of the loss of the Bishopton factory as a competitor for the supply of propellants, *(c)* the cost of extra stocks of propellant needed to offset the risks to supply associated with a foreign competitor and *(d)* the cost of any failure to supply by Denel. [73392]

**Mr. Spellar** *[holding answer 26 February 1999]:* The Somchem charge was a clear winner of the Modular Charge System sub-contract competition. The implications of this outcome were considered very carefully, including the cost of qualifying alternative sources of propellant, as necessary, should Royal Ordnance close the site at Bishopton. We are confident in the security of supply from Somchem, and do not consider that additional propellant stocks are required. The contracting arrangements will, as is normal for MOD contracts, protect our financial position in the event of any default by the contractor. There are sufficient alternative suppliers of propellant in friendly and reliable countries overseas to facilitate competition and we do not consider, therefore, that prices will necessarily rise in future if Bishopton closes.

## Services Discipline

**Mr. Stinchcombe:** To ask the Secretary of State for Defence what consultations he plans in relation to the review of services discipline and law announced in the Strategic Defence Review White Paper. [73775]

**Mr. Spellar:** In the Strategic Defence Review White Paper, we announced that we believed that there would be advantages to be gained from having a single tri-Service Act governing discipline in the Armed Forces.

Clearly, all three Services will be heavily involved in the project and there will be extensive consultation with them as work proceeds. Furthermore, as Service law frequently mirrors the civilian criminal law, it will be necessary to involve other Government departments with an interest in our proposals.

However, this project will be a substantial undertaking and it will be some time before the nature of the changes, and hence the scope for wider consultation, are determined.

## Missiles

**Mr. Page:** To ask the Secretary of State for Defence how many *(a)* air launched and *(b)* cruise missiles have been procured from the USA in the past decade; and what missile purchases other than Rapier the USA has made from the UK in that period. [73559]

**Mr. Spellar** *[holding answer 26 February 1999]:* WE have procured 210 Advanced Medium Range Air to Air Missiles and 300 Sidewinder missiles from the USA over the past decade. In addition, we are currently procuring 65 TOMAHAWK cruise missiles from the US, the first of which we delivered this month. Information on purchases by the USA from the UK of missiles other than Rapier is still being collected. I shall write to the hon. Member when this information is available and a copy of my letter will be placed in the Library of the House.

### Landmine Clearance

**Mr. Loughton:** To ask the Secretary of State for Defence how many serving members of Her Majesty's armed forces are qualified in landmine clearance; and what was the corresponding figure in 1994. [74206]

**Mr. Spellar:** There are presently 8,666 personnel trained as combat engineers in the army, 1,100 officers and 7,566 soldiers, of whom 413 are trained in explosive ordnance disposal, which encompasses landmine clearance. The information on these numbers for 1994 is not readily available and could be provided only at disproportionate cost. However, it is unlikely to differ significantly from the current figures.

### Disposal Sales Agency

**Mr. Hancock:** To ask the Secretary of State for Defence when he expects to set targets for the Disposal Sales Agency for the year 1999–2000. [72764]

**Mr. Spellar:** I aim to announce the key targets for the Disposal Sales Agency early in financial year 1999–2000.

### Joint Air Reconnaissance Intelligence Centre

**Mr. Hancock:** To ask the Secretary of State for Defence which targets the Joint Air Reconnaissance Intelligence Centre did not meet in 1997–98; and what monitoring he has undertaken of those targets in 1998–99. [72766]

**Mr. Spellar:** The Joint Air Reconnaissance Intelligence Centre, JARIC, met all of its Key Targets in 1997–98.

The performance of JARIC is monitored by the Agency Owner's Advisory Board, which is chaired by JARIC's "Owner", the Director General Intelligence and Geographic Resources, DGIGR, and is made up of the Agency's major customers and its Non-Executive Director. The Chief Executive of JARIC formally reports his progress against Key Targets to the Owner's Board twice a year and also through the Owner's Quarterly Performance Reviews. The first Owner's Board to review the 1998–99 Key Targets met on 7 October 1998 and the second met on 24 February 1999. In his capacity as the Owner, DGIGR is acting on behalf of the Secretary of State.

### Porton Down Research Volunteers

**Mr. David Atkinson:** To ask the Secretary of State for Defence how many former national servicemen who volunteered to be the subject of research at Porton Down have to date been awarded a war disablement pension; and if he will make a statement. [72906]

**Mr. Bayley:** I have been asked to reply.

The information requested is not available, and could be obtained only at disproportionate cost.

### Drugs-related Offences (Service Personnel)

**Mr. Hancock:** To ask the Secretary of State for Defence how many RAF personnel have been dismissed for drugs-related offences in each of the last five years. [72938]

**Mr. Spellar:** It is not yet possible to provide confirmed figures for 1997 and 1998. However, figures for 1993–96 are as follows:

*RAF personnel dismissed for drugs related offences following a sentence of dismissal from Service at Court Martial*

| *Year* | *Number* |
|---|---|
| 1993 | 20 |
| 1994 | 8 |
| 1995 | 1 |
| 1996 | 1 |

*Note:*
Latest figures available

In addition to the above figures, the numbers of RAF personnel administratively discharged for drug related incidents, including following conviction by a civilian court, are:

| *Year* | *Number* |
|---|---|
| 1993 | 10 |
| 1994 | 22 |
| 1995 | 14 |
| 1996 | 15 |

**Mr. Hancock:** To ask the Secretary of State for Defence how many *(a)* Army and *(b)* Royal Navy personnel have been dismissed for drugs related offences in each of the last five years. [73792]

**Mr. Spellar:** It is not yet possible to provide confirmed figures for 1997 and 1998. However, figures for those dismissed for drug related offences following a sentence of dismissal from Service at Court Martial, Summary Trial or Summary Proceedings, or a sentence of imprisonment from a civilian court for 1994–96 are as follows:

| *Year* | *RN/RM* | *Army* | *Total* |
|---|---|---|---|
| 1994 | 45 | 68 | 113 |
| 1995 | 31 | 38 | 69 |
| 1996 | [1]12 | 29 | 41 |
| 1997 | [2]— | [2]— | [2]— |
| 1998 | [2]— | [2]— | [2]— |

[1] The RM figures for this year may be subject to slight revision
[2] Not yet available
*Note:*
Latest figures available

In addition to these figures, the numbers of those administratively discharged for drug related incidents are:

| *Year* | *RN/RM* | *Army* | *Total* |
|---|---|---|---|
| 1994 | 0 | 136 | 136 |
| 1995 | 0 | 146 | 146 |
| 1996 | 1 | 121 | 122 |
| 1997 | 1 | 103 | 104 |
| 1998 | 1 | 119 | 120 |

In addition, further personnel have been administratively discharged under the compulsory drug testing (CDT) programmes operated by the RN/RM and the Army. These figures are:

| Year | RN/RM | Army | Total |
|---|---|---|---|
| 1995 | — | 106 | 106 |
| 1996 | — | 178 | 178 |
| 1997 | 12 | 426 | 438 |
| 1998 | 13 | 336 | 349 |

Note:
1. RN introduced CDT in April 1997
2. Army introduced CDT in December 1994

### Weapons of Mass Destruction

**Mr. Hancock:** To ask the Secretary of State for Defence what representations he has made concerning the supply of weapons of mass destruction technology to *(a)* Egypt, *(b)* India, *(c)* Iran, *(d)* Iraq, *(e)* Libya, *(f)* Pakistan, *(g)* Sudan, *(h)* Syria and *(i)* North Korea by (1) Russia and (2) China. [72642]

**Mr. George Robertson:** The UK maintains a continuing dialogue with Russia and China concerning the risks posed by proliferation of technology associated with weapons of mass destruction. Contacts are maintained, at all levels, both bilaterally and multilaterally through relevant international forums.

### Training Exercise (Brunei)

**Mr. Hancock:** To ask the Secretary of State for Defence what assessment he has made of the jungle training exercise in Brunei carried out between 1 April 1997 and 31 March 1998. [72790]

**Mr. Spellar:** These exercises provide necessary training for jungle warfare instructors and for some units who are required to be able to operate safely in a jungle environment as part of their operational role. I understand that these exercises, which are individually assessed by the Army authorities, are regarded as having satisfied the purposes for which they were mounted.

### Nuclear Fuel

**Mr. Llew Smith:** To ask the Secretary of State for Defence what consultations he has had with *(a)* ministerial colleagues and *(b)* British Nuclear Fuels concerning the provision of military protection for consignments of plutonium Mox fuel transported by ship to Japan from Sellafield. [70660]

**Mr. Spellar:** Responsibility for the security of the MOX shipments rests with the Secretary of State for Trade and Industry, who carried out consultations in the normal way. In accordance with international obligations, the MOX fuel will be carried in armed transport ships under the protection of specially trained officers of the United Kingdom Atomic Energy Authority Constabulary, UKAEAC. British Nuclear Fuels works with all relevant Government authorities on security issues. In this instance, the Naval Recruiting and Training Agency provided training for UKAEAC under a commercial agreement.

### Departmental Targets

**Mr. Hancock:** To ask the Secretary of State for Defence when he will set targets for the *(a)* Defence Intelligence and Security Centre, *(b)* Defence Medical Training Organisation and *(c)* Defence Transport and Movements Executive for 1999–2000. [72778]

**Mr. Spellar:** We aim to announce to Parliament the performance targets from 1999–2000 for each of these three Agencies by the end of April 1999.

### Recruitment (Fijian Nationals)

**Mr. Hancock:** To ask the Secretary of State for Defence how many Fijian nationals have been recruited into the United Kingdom armed forces in the last five years. [73013]

**Mr. Spellar:** In the five years to 1 January 1999, Fijian nationals have been recruited into the Army. All 17 were recruited in the 1998–99 financial year. No Fijian nationals have been recruited into the Royal Air Force during this same period. Information on the number of Fijian nationals recruited into the Naval Service is not held centrally and could be provided only at disproportionate cost.

### Chiefs of Staff

**Mr. Matthew Taylor:** To ask the Secretary of State for Defence on what dates the chiefs of staff have met since 21 July 1998. [74256]

**Mr. George Robertson:** The Chiefs of Staff have met on the following occasions since 21 July 1998:

10 September 1998, 22 September 1998, 6 October 1998, 13 October 1998, 27 October 1998, 11 November 1998, 16 November 1998, 1 December 1998, 17 December 1998, 18 December 1998, 19 December 1998, 21 December 1998, 11 January 1999, 12 January 1999, 14 January 1999, 3 February 1999 and 23 February 1999.

### Military Exercises

**Mr. Hancock:** To ask the Secretary of State for Defence (1) what assessment he has made of infantry battalion exercises in Kenya carried out between 1 April 1997 and 31 March 1998; [72830]

(2) how many personnel were deployed on the three infantry battalion exercises in Kenya carried out between 1 April 1997 and 31 March 1998; [72829]

(3) what is his assessment of the value of the three infantry battalion exercises in Kenya carried out between 1 April 1997 and 31 March 1998. [72975]

**Mr. Spellar** *[holding answer 1 March 1999]:* 2,185 personnel from three units were deployed on the three infantry battalion exercises in Kenya carried out between 1 April 1997 and 31 March 1998.

These exercises were designed to enable these personnel to gain extensive and realistic training experience by practising their skills and conducting advanced arms training in a demanding environment, over extended lines of communication, and I understand that these objectives were achieved.

### Cold Weather Exercise (Romania)

**Mr. Hancock:** To ask the Secretary of State for Defence (1) how many personnel were deployed on the mountain and cold weather exercise in Romania carried out between 1 April 1997 and 31 March 1998; [72849]

(2) what assessment he has made of the principal benefits of the mountain and cold weather exercise in Romania carried out between 1 April 1997 and 31 March 1998. [72982]

**Mr. Spellar:** A company of 100 personnel from 42 Commando conducted late autumn training in Romania during October 1997. I understand that some 60 Romanian personnel also participated in the exercise. This was the third annual deployment by the Royal Marines to Brasov in the Carpathian mountains. This exercise enabled the Royal Marines to continue to develop their mountain and cold weather operational capability, and also gave them an excellent opportunity to conduct environmental training outside the usual NATO training areas. A further significant benefit was to further the United Kingdom's bilateral defence relationship with Romania, which has developed significantly in recent years, through joint training and patrolling exercises with Romanian mountain troops.

### Imphal Barracks, York

**Miss McIntosh:** To ask the Secretary of State for Defence what representations he has received on the future of Imphal Barracks, York; and if he will make a statement. [73085]

**Mr. Doug Henderson:** Since the announcement of the proposed collocation of the divisional headquarters in Craigiehall, Edinburgh, I have answered six Parliamentary Questions and received three letters from hon. Members on this issue, and two further letters from members of the public.

### Roll-on Roll-off Ships

**Miss Kirkbride:** To ask the Secretary of State for Defence how the procurement of the roll-on roll-off ships indicated in the Strategic Defence Review is progressing under the PFI-PPP; and when he expects the contract to be awarded. [74056]

**Mr. Spellar:** Four consortiums have been short-listed to meet MOD's Military Sealift requirement through the Private Finance Initiative procurement of roll-on roll-off ships. We intend that Invitations to Negotiate will be issued by the end of March. The preferred bidder will be chosen this Autumn and we plan to place the contract in mid 2000 after detailed negotiations.

### Rosyth

**Mrs. Ewing:** To ask the Secretary of State for Defence what discussions he has had with Babcock concerning the proposed removal of the nuclear submarines from the quayside berths at Rosyth to dry land storage; what assessment he has made of *(a)* the safety issues and *(b)* the requirement for additional facilities for the dry storage of reactor components at Rosyth; what estimate he has made of the amount of radiation leakage from the existing nuclear hulks at Rosyth; and if he will make a statement. [72892]

**Mr. Spellar:** I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Defence on 4 March 1998, *Official Report*, column *626*. The MOD is currently in discussion with a number of companies, including Babcock Rosyth Defence Ltd., as part of the investigation into options for the storage of decommissioned submarines. The results of the investigation, which are expected to be available by mid-1999, will address all relevant issues, including safety and any requirement for additional facilities for the dry storage of reactor compartments. The decommissioned submarines at Rosyth are regularly and independently monitored. Evidence to date shows that external radiation levels are well within permissible limits.

## HEALTH

### Nurses' Pay

14. **Mr. Blizzard:** To ask the Secretary of State for Health how many nurses will benefit from an above-inflation pay rise in the current year. [72390]

**Mr. Denham:** A headcount shows that 418,000 nurses, midwives and health visitors in the Hospital and Community Health Service in England will benefit from a pay rise in April 1999 of at least 4.7 per cent., almost twice the inflation rate of 2.4 per cent. Half of nurses, midwives and health visitors will get 8 per cent. or more this year, including their increment.

### Primary Care

15. **Mr. Bercow:** To ask the Secretary of State for Health what representations he has received about the introduction of primary care groups. [72391]

**Mr. Denham:** We have received many representations about the introduction of Primary Care Groups and I am pleased to note that, from April, we shall have 481 Primary Care Groups covering the whole of the population of England working to tackle health inequalities and deliver improvements in the quality and efficiency of patient services.

19. **Sir Sydney Chapman:** To ask the Secretary of State for Health what is his estimate of the annual cost of a primary care group. [72395]

**Mr. Denham:** The annual cost of a Primary Care Group will vary depending upon its population size, level of devolved responsibility and the organisational structure that they adopt.

32. **Mr. Cousins:** To ask the Secretary of State for Health what action he is taking to increase the accountability of primary care services to the communities they serve. [72408]

**Mr. Denham:** We are committed to making the governing arrangements of National Health Service organisations more representative of local communities. As part of this process, Primary Care Groups will have individuals on the Primary Care Group board who can effectively represent the local community and users' and carers. In addition, we issued guidance on the accountability and the involvement of users and the public

as part of Health Service Circular 1998/139 "Developing Primary Care Groups", copies of which are available in the Library.

### Waiting Lists

16. **Mr. Lansley:** To ask the Secretary of State for Health what estimate he has made of the total cost, since 2 May 1997, of reducing waiting lists to 1.06 million; when this target is likely to be met; and if he will make a statement. [72392]

**Mr. Denham:** This year we made an extra £417 million available for the National Health Service to support a range of actions to bring down NHS waiting lists and keep them down. We are making an extra £320 million available next year from the NHS Modernisation Fund, plus an extra £20 million capital specifically to support further sustainable reductions in the number of patients waiting for NHS treatment.

We are committed to reducing NHS waiting lists to 1.06 million within the lifetime of this Parliament, and thereby reducing waiting times. The first step in delivering this target will be a record reduction in waiting lists by April this year to below the 1.16 million we inherited.

21. **Mr. Burns:** To ask the Secretary of State for Health if he will make a statement on hospital and consultant waiting lists since 31 March 1997 for the Mid Essex hospital trust area. [72397]

**Mr. Denham:** I am taking a close interest in the waiting list position at Mid Essex Hospitals NHS Trust. I was pleased to note that waiting lists have begun to come down over recent months and the Trust is committed to achieving further reductions in 1999–2000.

29. **Mr. Loughton:** To ask the Secretary of State for Health what penalties will be levied against West Sussex health authority hospitals which fail to meet their targets for reduction in waiting lists by 31 March. [72405]

**Mr. Denham:** Any penalties levied against West Sussex Health Authority hospital trusts for failing to deliver their waiting list targets by the end of March 1999 would be matter for the health authority to discuss with individual trusts in the light of their overall performance in 1998–99.

31. **Mr. Skinner:** To ask the Secretary of State for Health if he will make a statement on the latest NHS waiting figures. [72407]

**Mr. Denham:** The latest waiting list figures give the position at the end of January 1999 and show 153,250 fewer patients on waiting lists than at the end of April 1998. During December there was a slight increase in the total as the National Health Service quite rightly focused its attention on dealing with the large number of emergency cases but we remain on track to deliver our commitment to reduce the total to below the 1.16 million we inherited by April 1999.

### Psychiatric Units (Segregation)

17. **Dr. Julian Lewis:** To ask the Secretary of State for Health what assessment he has made of the advantages of men and women being segregated while in-patients in psychiatric units. [72393]

**Mr. Hutton:** No formal assessment has been carried out. However, we are well aware of the risks that can arise when men and women are cared for together and want to minimise these risks. That is why the achievement of safe facilities for the mentally ill which protect their privacy and dignity is one of our main objectives.

### "National Framework for Older People"

18. **Mr. Bill O'Brien:** To ask the Secretary of State for Health when he intends to publish "National Framework for Older People"; and if he will make a statement. [72394]

**Mr. Hutton:** The process for the development of the National Service Framework for the Care of Older People is already under way. It is anticipated that emerging findings will be published in the autumn and that the National Service Framework will be published in April 2000.

### Methicillin Resistant Staphylococcus

20. **Mr. Rendel:** To ask the Secretary of State for Health what plans he has to make it compulsory for methicillin resistant staphylococcus aureus to be included on death certificates in cases where it is likely to have been a cause of death. [72396]

**Ms Jowell:** No. Doctors are required to complete the medical certificate of cause of death to the best of their knowledge. It is not always clear if Methicillin Resistant Staphylococcus Aureus has been a cause of death or contributed to it, but if the certifying doctor considers it was, this should be recorded on the certificate.

**Mr. Maclean:** To ask the Secretary of State for Health what steps he is taking to assist hospitals to prevent incidents of MRSA. [73344]

**Ms Jowell:** The Department has a wide range of activity underway to improve the control of hospital infections including methicillin resistant staphylococcus aureus. Details are given in the section "Infection Control" in the Government response to "The House of Lords Select Committee on Science and Technology Report: Resistance to Antibiotics and Other Antimicrobial Agents CM4172", which was published on 17 December 1998, copies of which are available in the Library. A Health Service Circular will soon be issued asking the National Health Service to strengthen measures to prevent and control antibiotic resistant infections.

### Long-term Care

22. **Mr. Kirkwood:** To ask the Secretary of State for Health what steps he proposes to take to improve the provision of long-term care; and if he will make a statement. [72398]

**Mr. Hutton:** The Government have set in hand a number of initiatives to improve the provision of long-term care—including those set out in the White Paper "Modernising Social Services"—and the Carers Strategy published on 8 February. The Royal Commission which we set up to look at long term care for older people published its report on 1 March. The Government are carefully considering its recommendations.

### Women's Unit

23. **Ms Beverley Hughes:** To ask the Secretary of State for Health what progress has been made in developing the work of the women's unit. [72399]

**Ms Jowell:** We recently announced an important new programme of work for the Women's Unit. Priorities include integrating the women's perspective into policies, addressing the needs of teenage girls and examining women's incomes over their lifetime. Combined with a major new Listening to Women consultation exercise launched last week, these initiatives will help to ensure that government works better for women and therefore better for everyone.

### Viagra

24. **Sir Teddy Taylor:** To ask the Secretary of State for Health what estimate he has made of the cost of Viagra prescriptions in the forthcoming financial year. [72400]

**Mr. Denham:** My right hon. Friend the Secretary of State for Health announced on 21 January the start of a public consultation on substantive policy proposals about the treatment of impotence on the National Health Service. The cost of Viagra prescriptions in the forthcoming financial year will be affected by the implementation of any decision we make on our proposals following consultation. Those proposals, if implemented, would, we estimate, reflect the current level of annual expenditure on drug treatments for impotence (including Viagra), an estimated £10–12 million.

### Fluoride

25. **Mr. Crausby:** To ask the Secretary of State for Health what plans he has for public consultation prior to introducing fluoride into the public water supply. [72401]

**Ms Jowell:** We consider that there should be more wide-ranging consultations than are required under current legislation. Details will be included in a policy statement on oral health and fluoridation in the Public Health White Paper which we plan to publish in the spring.

### Malnutrition

26. **Mr. Dalyell:** To ask the Secretary of State for Health what discussions he has had with the World Health Organisation relating to malnutrition. [72402]

**Ms Jowell:** The Department of Health has had no discussions with the World Health Organisation on the subject of malnutrition.

### Carers

28. **Mr. Borrow:** To ask the Secretary of State for Health what action he is taking to support and promote the work of carers. [72404]

**Mr. Hutton:** Our National Carers' Strategy, published on 8 February, describes a substantial new policy package to help carers. We have announced a new special grant, totalling £140 million over the next three years, to enable local authorities to provide a wider range of services to help carers to take a break from their caring responsibilities. We will also be bringing forward legislation, when Parliamentary time allows, to ensure that local authorities are able to address carers' wishes and needs more directly. Our strategy includes special measures to help young carers and increased help and support for the parents of disabled children. Copies of the strategy report are available in the Library.

### NHS Pay Awards

30. **Mrs. Virginia Bottomley:** To ask the Secretary of State for Health what discussions he has had with the chairman of the West Surrey health authority on the local funding of NHS pay awards. [72406]

**Mr. Denham:** None.

The Chief Executive of the National Health Service Executive wrote to all trust and health authority Chief Executives on 1 February 1999 setting out our response to the Pay Review Body reports, the funding of pay awards, plans for modernising the pay system and other steps being taken to improve recruitment and retention in nursing.

Detailed allocations to health authorities will be made shortly.

### East Anglian Ambulance NHS Trust

33. **Mrs. Brinton:** To ask the Secretary of State for Health if he will make a statement concerning the inquiry into the East Anglian Ambulance NHS trust. [72409]

**Mr. Hutton:** The report was published today and copies are available in the Library.

### General Practitioner Shortages

34. **Mr. Mullin:** To ask the Secretary of State for Health what representations he has received about the shortage of GPs in Sunderland; and if he will make a statement. [72410]

**Mr. Denham:** Hon. Members have kept me informed about general practitioner recruitment and retention in Sunderland. The health authority has already undertaken a number of measures to support existing GPs and has successfully introduced a Career Start Scheme. We look forward to receiving the health authority's proposals for a Personal Medical Services Pilot aimed at improving recruitment.

### West Pennine Health Authority

35. **Mr. Woolas:** To ask the Secretary of State for Health what representations he has received on the allocation of resources for 1999–2000 to the West Pennine Health Authority. [72411]

**Mr. Denham:** We are not aware of any recent representations about the resource allocations for 1999–2000 to the West Pennine Health Authority.

### Teenage Pregnancies

36. **Jacqui Smith:** To ask the Secretary of State for Health what actions his Department is taking to help in reducing the number of unwanted teenage pregnancies. [72412]

**Ms Jowell:** On 31 July, my right hon. Friend the Prime Minister asked the Social Exclusion Unit (SEU) to work with other Departments building on the work undertaken

by this Department to develop an integrated strategy to cut rates of teenage parenthood, particularly under-age parenthood, towards the European average and to propose better solutions to combat the risk of social exclusion for vulnerable teenage parents and their children. The SEU has consulted widely to develop its recommendations. It will be reporting shortly.

### A and E Facilities

**Fiona Mactaggart:** To ask the Secretary of State for Health if he will report on progress with modernising NHS accident and emergency facilities. [72381]

**Mr. Hutton:** I refer my hon. Friend to the oral answer my right hon. Friend the Secretary of State gave to the hon. Member for Kettering (Mr. Sawford) today, *Official Report*, column 865.

### Blood Donations

**Maria Eagle:** To ask the Secretary of State for Health what reports he has received on the impact on the level of blood donations of the recent National Blood Service campaign to recruit more donors. [72403]

**Mr. Hutton:** The country's centrally held blood stocks have risen nearly threefold since the National Blood Authority's advertising campaign started on 5 January. Compared with January last year there has been an average increase of 3 per cent. in the number of donations collected daily, a 25 per cent. increase in new donors giving blood and an increase of almost 100 per cent. in new donors on the register.

### Working Hours (NHS)

**Mr. Breed:** To ask the Secretary of State for Health what representations he has received concerning the working hours of *(a)* nurses and *(b)* other NHS staff. [72376]

**Mr. Denham:** Discussions have taken place with representatives of National Health Service staff about the best ways to implement the Working Time Regulations and agreements have been made in the General Whitley Council and with the British Medical Association. The Government believe these Regulations are important because they protect NHS staff from the risks of long hours, and therefore lead to better patient care.

### Organ Removal

**Mr. Harvey:** To ask the Secretary of State for Health (1) what guidelines his Department gives to hospitals and trusts about *(a)* the information to be given to, and *(b)* the permission to be secured from, relatives of patients who die in surgery, before the organs of the deceased are retained; [71089]

(2) if he will investigate the extent of the practice of hospitals and trusts of retaining the organs of patients who die in surgery; [71088]

(3) if he will review the legislation governing the retention of tissue or organs of patients who die in surgery; and if he will make a statement. [71090]

**Mr. Hutton:** Deaths which occur during an operation, or before recovery from anaesthetic, must be reported to the coroner, who may order a post mortem examination to establish the cause of death. Such examinations may require the removal of tissue or organs for further tests. Under the Coroners Rules 1984, it is for the coroner to determine how long the tissues or organs removed should be preserved.

Although the main organs will be returned to the body wherever possible before burial or cremation, in most cases the time necessary to perform the laboratory tests would cause long and unacceptable delay to the funeral. In these cases, and where tissue samples have been taken, the retained specimens will normally be disposed of separately when no longer required.

Departmental guidance has not been issued on these matters, nor are there plans to review the relevant legislation. However the Royal College of Pathologists is currently considering good practice guidelines in this area which will include all post mortem examinations, not just those ordered by the coroner. We will work with the College to ensure the guidelines give advice on how best to address these sensitive issues with bereaved relatives.

### Dental Services

**Mr. Sheerman:** To ask the Secretary of State for Health what is the average annual cost of treatment per patient attending an NHS dentist. [72650]

**Mr. Denham:** The average cost of an adult course of treatment in England and Wales in the quarter ending December 1998 was £33.84.

**Mr. Sheerman:** To ask the Secretary of State for Health what estimate he has made of the number of dental patients in the last year for which figures are available who failed to received necessary treatment due to an inability to pay. [72651]

**Mr. Denham:** Help with paying charges is available through the National Health Service low income scheme for those who cannot afford to pay dental charges. In addition, anyone on income support, income based Job Seeker's Allowance, family credit or disability working allowance receives free dental treatment, as do all children.

### Breast Cancer Screening

**Mr. Stinchcombe:** To ask the Secretary of State for Health which breast cancer screening centres that are conducting pilot studies into the impact of extending the routine call/recall element of the breast screening programme to women aged 65 to 69 years have collated preliminary results; and if he will make a statement. [72660]

**Mr. Hutton:** Preliminary results of the pilot study carried out in Brighton (one of three studies) were published in the British Medical Journal, Volume 317, page 388, dated 8 August 1998. Copies of the journal are available in the Library.

The National Screening Committee (NSC) has considered the case for extending the National Health Service breast screening programme to older women. The view of the NSC was that the first priority must be to ensure that all women are screened at three yearly intervals and to maintain the quality of the existing programme. The NSC acknowledged the promising nature of the interim results of the pilot studies for extending

the programme to older women, but recommended that decisions on national implementation should await the final results from all three pilot schemes in A[illegible] 2000.

### G. Davies

**Mr. Keetch:** To ask the Secretary of State for Health if he will investigate the circumstances of the admission to the Hereford NHS hospital of G. Davies of Hereford, on 17 August 1997; and if he will make a statement. [73380]

**Mr. Hutton:** Ministers cannot comment on the cases of individual patients due to the need to maintain patient confidentiality.

### Improper Prescribing

**Mr. Maclean:** To ask the Secretary of State for Health if he will list the doctors struck off in each of the last five years for improper prescribing of medicines and the medical school at which they qualified. [73310]

**Mr. Denham:** The information requested is not available centrally.

### Arachnoiditis

**Mr. Maclean:** To ask the Secretary of State for Health if he will institute a full public inquiry on the links between Myodil and arachnoiditis. [73948]

**Mr. Hutton:** We have no plans to hold an inquiry into the use of Myodil and its associated risk of arachnoiditis.

**Mr. Maclean:** To ask the Secretary of State for Health if he will introduce a no-fault compensation scheme for those who have suffered from arachnoiditis as a result of medical treatment. [73947]

**Mr. Hutton:** We have no plans to introduce a non-fault compensation scheme for those who have suffered arachnoiditis as a result of medical treatment.

### Asthma

**Mr. Nicholas Winterton:** To ask the Secretary of State for Health if he will estimate the cost to the NHS of the medication for the treatment of asthma in *(a)* 1997 and *(b)* 1998. [73925]

**Mr. Hutton:** In 1997, the net ingredient cost of drugs used in the treatment of asthma and dispensed in the community in England was £466.2 million. Information for 1998 is not yet available. Some of the drugs may be used for other conditions and it is not possible to split the cost between drugs used to treat asthma and those used to treat other conditions. The net ingredient cost is the basic cost of a drug and does not take account of discounts, dispensing costs, fees or prescription charges income.

### Pharmaceutical Companies (Payments to Doctors)

**Mr. Austin:** To ask the Secretary of State for Health what reports he has received regarding recent allegations that doctors have been paid money by a drugs company to encourage them to prescribe certain drugs; what action he has taken; and if he will make a statement. [73531]

**Mr. Denham** *[holding answer 1 March 1999]:* There have been no reports of United Kingdom doctors receiving payments from a pharmaceutical company to prescribe drugs. Regulations which came into force in 1994 prohibit the promise, offer or supply of gifts or other inducements to persons qualified to prescribe or supply medicines. It is also an offence for health professionals to solicit or accept such gifts. Guidelines on the promotion of medicines are contained also in the Association of the British Pharmaceutical Industry Code of Practice for the Pharmaceutical Industry, which is administered by the Prescription Medicines Code of Practice Authority, copies of which are available in the Library.

The Medicines Control Agency wrote to all pharmaceutical companies and professional bodies in 1997 reminding them of their legal obligations and our policy of not tolerating unlawful promotions which seek to exert improper influences on prescribers. The public have a right to expect that health care professionals will make decisions solely on the basis of their patients' interests and not on incentives to prescribe or supply certain medicines.

### Allergies

**Dr. Cable:** To ask the Secretary of State for Health what training provided by his Department is currently available to NHS general practitioners on the possible causes of allergies and their treatment. [74293]

**Ms Jowell:** The medical education curriculum is a matter for the General Medical Council, medical schools, the relevant Medical Royal Colleges and, in the case of general practice, the Joint Committee on Postgraduate Training for General Practice. These bodies have a vested interest in ensuring that doctors are prepared for the conditions and circumstances they will encounter in hospitals and in general practice.

Each trainee general practitioner during their year of general practice training, their two year hospital rotation and during their pre-registration year, will almost certainly see patients with allergy related illnesses. Doctors are also encouraged to continue with their medical education after qualification and they would be expected to spend some time developing their knowledge of illnesses commonly encountered including allergic conditions.

In addition, there is a range of advice and guidance available to general practitioners and other health professionals on allergies. This includes advice on the management of anaphylaxis which the Department sent to all doctors in 1994 in Chief Medical Officer's Update No. 2.

### Haemophilia Society

**Sir Alastair Goodlad:** To ask the Secretary of State for Health what projects he intends to promote with the Haemophilia Society; and if he will make a statement. [74246]

**Mr. Hutton:** We are currently funding the Haemophilia Society's Hepatitis C Youth Information and Support project. We have indicated that we are willing to assist the society in other forward looking initiatives, and officials are working with them on potential projects.

### Psychiatric Consultant Posts

**Helen Jones:** To ask the Secretary of State for Health how many psychiatric consultant posts there are per head of the population in each health authority in the North West Region. [73760]

**Mr. Hutton:** The information requested is in the table.

*Number of consultants in psychiatry specialty by health authorities in North West per region per 100,000 population at 30 September 1997*

| *Health authority* | *Numbers* | *Per 100,000 population* |
|---|---|---|
| North West Region | 170 | 2.5 |
| Bury and Rochdale HA | 0 | 1.3 |
| East Lanchashire HA | 0 | 0.8 |
| Liverpool HA | 10 | 2.4 |
| Manchester HA | 30 | 6.3 |
| Morecambe Bay HA | 0 | 1.6 |
| North Cheshire HA | 10 | 3.5 |
| North West Lancashire HA | 10 | 2.4 |
| Salford and Trafford HA | 20 | 4.0 |
| Sefton HA | 10 | 4.2 |
| South Cheshire HA | 10 | 1.0 |
| South Lancashire HA | 10 | 2.3 |
| St. Helens and Knowsley HA | 10 | 1.8 |
| Stockport HA | 10 | 4.5 |
| West Pennine HA | 10 | 3.0 |
| Wigan and Bolton HA | 10 | 1.0 |
| Wirral HA | 10 | 2.7 |

### Mental Health Care

**Helen Jones:** To ask the Secretary of State for Health what amounts were spent by *(a)* social services and *(b)* the NHS on providing mental health care through voluntary organisations and small independent service providers in the Warrington, North constituency for each of the past five years. [73762]

**Mr. Hutton:** Information is not available by constituency for social services or National Health Service expenditure for mental health provision in the voluntary and private sector. Information on social services expenditure is available only for the Warrington Social Services Department, from its institution in April 1998, and Cheshire Social Services Department for the four years 1995–96 to 1998–99, and this is given. The NHS information given is the expenditure by North Cheshire Health Authority on mental health provision in the voluntary and private sector for the whole of Warrington for the five years 1994–95 to 1998–99.

*Social Services expenditure*

| | £ |
|---|---|
| 1995–96 | 209,726 |
| 1996–97 | 273,502 |
| 1997–98 | 370,040 |
| 1998–99 | 537,314 |

Projected figure

*North Cheshire Health Authority*

| | £ |
|---|---|
| 1994–95 | 9,270 |
| 1995–96 | 30,653 |
| 1996–97 | 47,755 |
| 1997–98 | 1,448,929 |
| 1998–99 | 1,439,759 |

**Helen Jones:** To ask the Secretary of State for Health how much was spent per head of the population on mental health in *(a)* the Warrington, North constituency, *(b)* the North Cheshire Health Authority and *(c)* each other health authority in the North West Region in each of the past five years. [73761]

**Mr. Hutton:** This information requested is available only by health authority and not by constituency. Due to health authority boundary/population changes in the North West region consistent information is available only for the years 1997–98 and 1996–97 and this is given.

£

| *Health authority* | *1996–97* | *1997–98* |
|---|---|---|
| Bury and Rochdale | 35.22 | 38.00 |
| East Lancashire | 50.16 | 51.21 |
| Liverpool | 63.10 | 73.02 |
| Manchester | 87.38 | 85.53 |
| Morecambe Bay | 69.74 | 73.52 |
| North Cheshire | 68.29 | 75.53 |
| North West Lancashire | 56.75 | 58.86 |
| Salford and Trafford | 62.28 | 59.34 |
| Sefton | 39.19 | 40.67 |
| South Cheshire | 56.35 | 56.53 |
| South Lancashire | 26.69 | 30.89 |
| St. Helens and Knowsley | 48.76 | 47.19 |
| Stockport | 38.06 | 40.17 |
| West Pennine | 47.80 | 53.59 |
| Wigan and Bolton | 47.46 | 46.58 |
| Wirral | 42.59 | 34.72 |

**Helen Jones:** To ask the Secretary of State for Health how much was spent on each health authority in the North West Region on *(a)* in-patient psychiatric facilities, *(b)* mental health provision through voluntary organisations and small independent service providers and *(c)* other community mental health services for each of the past 10 years. [73759]

**Mr. Hutton:** The total mental health spend by health authority is attached and this includes expenditure on National Health Service community mental health services. Owing to health authority boundary/population changes in the North West region, consistent information is available only for the years 1997–98 and 1996–97.

Figures are not available for mental health provision through voluntary organisations and small independent service providers.

£000

| Health authority | 1997–98 | 1996–97 |
|---|---|---|
| South Lancashire | 9,750 | 8,325 |
| Liverpool | 34,157 | 29,857 |
| Manchester | 36,853 | 37,596 |
| Morecambe Bay | 22,877 | 21,666 |
| St Helens and Knowsley | 17,066 | 16,287 |
| Salford and Trafford | 26,570 | 27,653 |
| Sefton | 11,814 | 11,499 |
| Stockport | 11,685 | 11,021 |
| West Pennine | 25,513 | 22,507 |
| Bury and Rochdale | 14,934 | 14,105 |
| North Cheshire | 23,563 | 22,507 |
| South Cheshire | 38,106 | 35,732 |
| East Lancashire | 26,235 | 25,363 |
| North West Lancashire | 27,665 | 26,560 |
| Wigan and Bolton | 26,991 | 27,734 |
| Wirral | 11,507 | 11,480 |
| North West Region Total | 365,286 | 350,192 |

*Source:*
Health Authority Annual Accounts 1997–98 and 1996–97

**Mr. Laurence Robertson:** To ask the Secretary of State for Health how much money was spent on mental health services *(a)* nationally and *(b)* in Gloucestershire; and what is the average amount spent by (i) shire counties and (ii) all local authorities in each of the last three years. [73816]

**Mr. Hutton:** In 1997–98, the latest year for which information is available, £2,767 million was spent on the purchase of mental illness healthcare in England including £23.6 million by Gloucestershire Health Authority.

Total expenditure and the average spend on services for people with mental health needs by social services departments for the latest 3 years for which information is available, is set out in the table:

| Local authority | Gross expenditure (£000) | Average spend per local authority (£000) | Average spend per person aged 18 to 64 (£) |
|---|---|---|---|
| *Gloucestershire* | | | |
| 1994–95 | 2,174 | 2,174 | 7 |
| 1995–96 | 3,295 | 3,295 | 10 |
| 1996–97 | 3,733 | 3,733 | 11 |
| *All shire counties* | | | |
| 1994–95 | 163,074 | 4,181 | 9 |
| 1995–96 | 197,411 | 5,062 | 11 |
| 1996–97 | 207,680 | 5,769 | 11 |
| *All local authorities* | | | |
| 1994–95 | 339,126 | 3,111 | 11 |
| 1995–96 | 406,261 | 3,727 | 14 |
| 1996–97 | 467,767 | 3,931 | 16 |

*Source:*
RO3 return

## Residential and Nursing Homes

**Mr. Loughton:** To ask the Secretary of State for Health if he will list those local authorities which no longer directly run *(a)* residential and *(b)* nursing homes. [74060]

**Mr. Hutton:** As at 31 March 1998, there were seven local authorities that did not directly run residential care homes for older people (including those who are mentally infirm). The authorities were Bromley, City of London, Knowsley, Somerset, Stockport, Tameside and Wandsworth. This information is taken from the Department of Health's statistical collection RA1998, Form A, Part 1. Data for 1999 will become available later this year.

Local authorities do not directly run nursing homes.

## Gamma Knife Technology

**Helen Jackson:** To ask the Secretary of State for Health if he will take steps to ensure the continued availability of treatment through Gamma Knife technology in Sheffield. [72387]

**Ms Jowell:** Current expert advice is that the gamma knife has been overtaken by new linear accelerator technology (the linac scalpel), which can provide a greater range of treatments. Consequently, in January the NHS Executive agreed, with Sheffield Health Authority and the Central Sheffield University Hospitals NHS Trust, that a migration plan would be devised. This will enable the phasing in of the linear accelerator technology over a three year period whilst continuing the gamma knife service, achieving both continuity and modernisation as the linear accelerator technology comes on stream. The migration plans have been received and a business case will be considered shortly.

## Meningitis

**Mr. Green:** To ask the Secretary of State for Health what guidance he has given to schools in respect of outbreaks of meningitis. [74234]

**Ms Jowell:** Local outbreaks of meningococcal meningitis and septicaemia are managed by local Consultants in Communicable Disease Control who, in conjunction with any outbreak control team, are responsible for providing advice and information to schools and to parents and for organising any local action in the event of a case of meningococcal disease. Guidance on handling outbreaks in schools was published in the Public Health Laboratory Service's Communicable Disease Report on 10 January 1997, copies of which are available in the Library.

The Department's public education programme provides reliable factual information for parents and young people on spotting meningococcal infection, including how to do the "glass test" to check rashes, through a Departmental leaflet entitled "Knowing about meningitis and septicaemia", available from general practitioners' surgeries. The Department also funds the Health Education Authority to produce public information about meningococcal disease, including a tailor-made leaflet for students called "Look out for your mate" (of which around 1 million copies were distributed through universities and colleges last year), the booklet "A Guide to Childhood Immunisations", which goes to parents of new born children, and a book "Birth to Five" given to new parents. In addition the Department collaborates with the two meningitis charities, the National Meningitis Trust and the Meningitis Research Foundation, to raise public and professional awareness.

## INTERNATIONAL DEVELOPMENT

### Ministerial Visits

**Mr. Gray:** To ask the Secretary of State for International Development, pursuant to her answer of 15 February 1999, *Official Report*, columns *427–28*, on ministerial visits, which hon. Members have been informed of a planned visit to their constituency by her in the last 12 months. [72224]

**Clare Short** *[holding answer 23 February 1999]*: The MPs, parties and constituencies covered in the cities visited by me and the Parliamentary Under-Secretary of State are as follows:

| *Name* | *City visited* |
|---|---|
| Don Foster, Lib Dem | Bath |
| Peter Robinson, DUP, East | Belfast |
| Cecil Walker, UUP, North | |
| Rev Martin Smyth, UUP, South | |
| Gerry Adams, West | |
| Gisela Stuart, Lab, Edgbaston | Birmingham |
| Robin Corbett, Lab, Erdington | |
| Stephen McCabe, Lab, Hall Green | |
| Terry Davis, Lab, Hodge Hill | |
| Richard Burden, Lab, Northfield | |
| Jeffrey Rooker, Lab, Perry Barr | |
| Lynne Jones, Lab, Selly Oak | |
| Roger Godsiff, Lab, Sparkbrook and Small Heath | |
| Estelle Morris, Lab, Yardley | |
| Joan Humble, Lab, North and Fleetwood | Blackpool |
| Paul Marsden, Lab, South | |
| Terence Rooney, Lab, North | Bradford |
| Gerry Sutcliffe, Lab, South | |
| Marsha Singh, Lab, West | |
| Eric Martlew, Lab | Carlisle |
| Jon Owen Jones, Lab/Co-op, Central | Cardiff |
| Julie Morgan, Lab, North | |
| Alun Michael, Lab/Coop, South and Penarth | |
| Rhodri Morgan, Lab, West | |
| Christine Russell, Lab | Chester |
| Giles Radice, Lab, North | Durham |
| Hilary Armstrong, Lab, North West | |
| Gerald Steinberg, Lab/City | |
| Alistair Darling, Lab, Central | Edinburgh |
| Gavin Strang, Lab, East and Musselburgh | |
| Malcolm Chisholm, Lab, North and Leith | |
| Lynda Clark, Lab, Pentlands | |
| Nigel Griffiths, Lab, South | |
| Donald Gorrie, Lib Dem, West | |
| Derek Fatchett, Lab, Central | Leeds |
| George Mudie, Lab, East | |
| Fabian Hamilton, Lab, North East | |
| Harold Best, Lab, North West | |
| John Battle, Lab, West | |
| Graham Stringer, Lab, Blackley | Manchester |
| Tony Lloyd, Lab, Central | |
| Gerald Kaufman, Lab, Gorton | |
| Keith Bradley, Lab, Withington | |
| Brian White, Lab, North East | Milton Keynes |
| Phyllis Starkey, Lab, South West | |
| Sally Keeble, Lab, North | Northampton |
| Tony Clarke, Lab, South | |
| Andrew Smith, Lab, East | Oxford |
| Dr. Evan Harris, Lab, West and Abindon | |
| Calum MacDonald, Lab | Western Isles |
| Hugh Bayley, Lab | York |

As indicated previously, it is not possible for me to say which constituencies I and the Under-Secretary of State visited in the cities concerned.

### Single Currency

**Mr. Maclean:** To ask the Secretary of State for International Development if she will list the subject areas within her Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73673]

**Clare Short:** The Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter eight of the Treasury's Outline National Changeover Plan provides further information. Copies of the Plan are available in the House Library.

**Mr. Maclean:** To ask the Secretary of State for International Development what plans she has to issue information from her Department to help the public make an informed decision when they vote on the single currency. [73583]

**Clare Short:** Any plans by the Government to issue information during a referendum campaign on whether or not the UK should join the single currency would be made in light of the Government's response to the recommendations from the Neill Committee on the conduct of referendums. The Government will announce their conclusions on those recommendations when my right hon. Friend the Home Secretary publishes a White Paper and draft Bill before the summer recess.

### Air Miles

**Mr. Maclean:** To ask the Secretary of State for International Development how many Air Miles have been earned by her and each of her Ministers; and how she proposes to use them. [73328]

**Clare Short:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend the Prime Minister on 12 January 1999, *Official Report*, column *141*.

We do not keep a record of air miles earned by Ministers. We intend to ensure that they are either used for official purposes or donated to charity.

### Aid Programmes (Sustainability)

**Ms Abbott:** To ask the Secretary of State for International Development what steps she has taken to

ensure that the objectives of sustainability and environmental sensitivity are incorporated in UK aid programmes. [74315]

**Clare Short:** Our approach to sustainable development and environmental protection is set out in the White Paper on International Development. In December we published DFID's policy statement on the environment—Eliminating world poverty: why the environment matters—which sets out in more detail our policies and procedures. Copies are in the Libraries of the House. We are about to publish supplementary guidance to our Manual of Environmental Appraisal and to provide training to staff, in order to strengthen good practice. The new guidance will be made publicly available.

### Landmines

**Mr. Loughton:** To ask the Secretary of State for International Development what controls have been exercised by her Department over the use of funds paid from the United Kingdom Government to European Union landmine clearance programmes; and for what those funds have been used. [74162]

**Clare Short:** UK's contributions to the European Commission are subject to reporting and audit requirements. In 1998, EC expenditure (combined DG1A, DG1B, DGVIII, ECHO) on mines action totalled some 50.7 million euros (approximately £36 million) for programmes in 11 countries, and for research and development, and contribution to ICRC's Mines Appeal. The share attributable to the UK was £5.4 million.

During the UK's Presidency of the European Union in the first half of 1998, we worked closely with member states to achieve more targeted discussions on European Union (EU) mine action within the EU Working Group on Disarmament and Security (CODUN); we urged greater transparency and accountability of European Commission (EC) activities and the implementation of the EU Joint Mine Action Programme.

My Department has in addition committed £200,000 towards European Union trials for a multi-sensor detection system. We monitor the project, which is on-going, through reports and technical meetings.

**Mr. Loughton:** To ask the Secretary of State for International Development what proportion of her Department's budget designated for landmine clearance related activity was spent on *(a)* conferences, *(b)* transport costs for officials, *(c)* meetings between officials and *(d)* research and development in the last year for which information is available. [74217]

**Clare Short:** In 1998–99, we have contributed about *(a)* 1 per cent. to support civil society participation at international conferences central to the Ottawa process; *(b)* 0.2 per cent. for official travel to and participation in international conferences, technical discussions and project monitoring; *(c)* meetings between government officials are not funded from the humanitarian mine action budget; *(d)* research and development 9.3 per cent.

**Mr. Loughton:** To ask the Secretary of State for International Development if she will make a statement on the current situation regarding her Department's funding for the MINELIFTA project. [74142]

**Clare Short:** My Department has not made a funding commitment to MINELIFTA. Up until now, it has not met our criteria for field testing. A new programme of resources dedicated to research and development of equipment for application in humanitarian mine clearance will be launched later this year. Full details of this scheme will be publicised shortly.

**Mr. Loughton:** To ask the Secretary of State for International Development if she will list the non-military agencies currently being funded by her Department for landmine clearance operations; and where they are operating. [74385]

**Clare Short:** The agencies currently receiving funding for humanitarian mine clearance are:

The HALO Trust operating in Cambodia, Georgia, Mozambique;

Mines Advisory Group working in Cambodia, Northern Iraq, Laos;

Norwegian People's Aid in Bosnia;

United Nations Office for the Co-ordination of Humanitarian Assistance in Afghanistan, Bosnia is about to start;

United Nations High Commissioner for Refugees in Cambodia.

**Mr. Loughton:** To ask the Secretary of State for International Development when she expects to make available the further £5 million for landmine clearance-related work. [74161]

**Clare Short:** In October 1997 I announced that I would double my Department's bilateral annual expenditure on humanitarian mine action to £10 million by the financial year 2000–2001. Planned expenditure for 1998–99 is well over £6 million—a 27 per cent. increase on the previous financial year. I expect to meet the commitment I made.

**Mr. Loughton:** To ask the Secretary of State for International Development what research and development work has been undertaken since May 1997 funded from her budget for landmine clearance. [74245]

**Clare Short:** From May 1997 to date, about £720,000 has been spent on assessment trials of prototypes and full field trials of equipment for anti-personnel mine detection and clearance, preliminary vegetation clearance and operator safety tests. In addition, my Department has contributed about £140,000 to studies to improve the effectiveness of activities managed by the United Nations.

**Mr. Loughton:** To ask the Secretary of State for International Development what are her Department's targets for bringing about a reduction in the amount of civilian casualties from landmines overseas. [74386]

**Clare Short:** All the Department for International Development-funded projects work to the United Nations standard for humanitarian mine clearance which aims for a minimum 99.6 per cent. clearance on verification. This ensures that cleared land can be used with confidence by the beneficiaries. Mine awareness is normally included within projects to reduce risk to communities in areas where clearance has not been completed. We look for opportunities to use appropriate technology within our projects to increase clearance rates while achieving the high standards required for humanitarian mine clearance activities.

### Tuvalu

**Dr. Marek:** To ask the Secretary of State for International Development what training support her Department has given to Tuvalu in each of the last five years; and what plans she has to increase the amount. [73970]

**Clare Short:** Our bilateral development assistance to the Pacific is provided from a single regional programme (total spending will be around £3.75 million in the current financial year). In the particular case of Tuvalu, the view was taken following Independence in 1978 that we could best assist that country's development through the establishment of a Trust Fund to help meet both recurrent and capital expenditure. The Fund was established in 1987 with contributions of £3.2 million each from Britain, Australia and New Zealand. With prudent management, the Fund has since grown substantially in real terms, while providing a reliable source of funds for the Government of Tuvalu.

Tuvalu is also eligible for awards from a Pacific-wide allocation of the Department for International Development (DFID) and The Foreign and Commonwealth Office (FCO) funding for Chevening Scholarships. Three such awards have been made over the past five years. In addition, Tuvalu benefits from the support we give to regional institutions (such as the University of the South Pacific, the South Pacific Forum and the Pacific Community) and from our contributions to multilateral agencies (including notably the European Development Fund) active in the region.

## FOREIGN AND COMMONWEALTH AFFAIRS

### Ministerial Meetings (USA)

**Mr. Matthew Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many times Ministers in his Department have met their counterparts in the US Government since 1 June 1998; and if he will list the *(a)* dates, *(b)* locations, *(c)* Ministers involved and *(d)* names of the US counterparts at each meeting. [71983]

**Mr. Tony Lloyd** *[holding answer 25 February 1999]:* Foreign Office Ministers have frequent contact with members of the US Administration in the United States, in the UK and elsewhere overseas. Since 1 June 1998, the FCO Ministers listed have visited the United States and have had formal meetings with their approximate US counterparts as follows:

| *Dates* | *Location* | *Minister* | *US counterpart* |
|---|---|---|---|
| 1-3 July 1998 | Washington | Mr. Fatchett | Karl Inderfurth, Assistant Secretary for South asian Affairs<br>Johnny Carson, Principal Deputy Assistant Secretary for African Affairs<br>Dennis Ross, Special Middle East Coordinator |
| 13 July 1998 | Washington | Baroness Symons | Ambassador Wendy Sherman, Under-Secretary for Global Affairs<br>Peter Romero, Assistant Secretary for Inter-American Affairs<br>John Hamilton, Deputy Assistant Secretary for Central America, Caribbean and Cuba |
| 22-25 February 1999 | Washington | Mr. Fatchett | Stanley Roth, Assistant Secretary for East Asian and Pacific Affairs<br>Karl Inderfurth, Assistant Secretary for South Asian Affairs<br>Martin Sheehan, Counter Terrorism Coordinator<br>Tom Pickering, Under Secretary for Political Affairs<br>David Welch, Assistant Secretary for International Organisations<br>Martin Indyk, Assistant Secretary for Near Eastern Affairs<br>Dennis Ross, Special Middle East Coordinator |

The Secretary of State last visited Washington in January 1998. He has had numerous meetings, sometimes several times a month, with Madeleine Albright outside the United States, most recently in Rambouillet. He will next visit Washington in April 1999, for the NATO Summit.Unfortunately, the information the hon. Member requires on meetings which have taken place in the UK and third countries is not held centrally, and to obtain it would incur disproportionate costs.

### Gibraltar

**Mr. Gill:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received regarding the verdict of the European Court of Human Rights on the United Kingdom's failure to make arrangements to enable Gibraltarians to vote at election to the European Parliament; and if he will make a statement. [73623]

**Dr. Marek:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action he proposes to take following the decision of the European Court of Human Rights on visiting rights for citizens of Gibraltar. [73409]

**Ms Quin:** Neither my right hon. Friend the Foreign Secretary nor I have yet received any formal representations regarding the Court's decision, but I am well aware of the strong interest it has generated, including in both Houses and in Gibraltar. We will be taking all available steps to secure an extension of the EP franchise to Gibraltar. We can do this only by amending the 1976 EC Act on Direct Elections. This will require the agreement of all EU member states. HMG will seek such an amendment in the current negotiations in Brussels on establishing Common Principles for EP elections.

### Foreign Media Articles (Ministers)

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will instruct his *(a)* desk officers and *(b)* relevant staff overseas to compile a list of those articles written by the Prime Minister which they have successfully placed in foreign media; and if he will place that list in the Library; [73606]

(2) if he will list those articles *(a)* he and *(b)* his Ministers have written for foreign publications since 1 May 1997; [73605]

(3) if he will make it his policy to record for future reference those articles his Department places in the foreign press provided by the Prime Minister's Office; [73604]

(4) if he will list those *(a)* ministers, *(b)* other parliamentarians and *(c)* non-parliamentarians who have written articles for which his Department has facilitated placement in the foreign press and foreign journals since 1 May 1997. [73602]

**Mr. Fatchett:** We do not maintain the records necessary to compile lists of this sort. To do so would not be a worthwhile use of resources.

### India and Pakistan

**Mr. Baldry:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the actions taken by his Department further to the testing of nuclear devices by *(a)* India and *(b)* Pakistan. [73979]

**Mr. Tony Lloyd:** As G8 and EU Presidency, the UK played a leading role in co-ordinating the international response to the Indian and Pakistani nuclear tests. My right hon. Friend the Foreign Secretary hosted a meeting of colleagues from G8 and other countries, at which a senior officials Task Force was established. The Task Force met twice in 1998 under UK chairmanship. In contacts with India and Pakistan, we continue to urge both countries to adhere to international non-proliferation regimes, to take the steps called for by United Nations Secretary Council resolution 1172, and to make progress in their bilateral dialogue.

My Department has tightened procedures governing exports of dual-use goods to India and Pakistan, and discouraged contact between UK nuclear scientists and nuclear industry personnel and their Indian and Pakistani counterparts.

**Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Governments of *(a)* India and *(b)* Pakistan on religious freedom within those countries; and if he will make a statement. [73891]

**Mr. Fatchett:** I raised our concerns about the situation of religious minorities with the Indian Home Minister in November, as did the Foreign Secretary with the Indian National Security Adviser on 20 January in London. I raised our concerns about religious minorities in Pakistan with the Pakistani Minister of Law during my visit there in February.

### Information Working Group (European Union)

**Sir Richard Body:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will deposit in the Library a copy of the presentation made by the United Kingdom delegation to the seminar on information about the EU held in Brussels on 27 March 1998; and if he will make a statement on the role of the Information Working Group in respect of the conclusions of this seminar. [73770]

**Ms Quin:** The UK delegation made a presentation on the Internet and circulated a selection of frames from the FCO internet website http://www.fco.gov.uk. A copy of this has been deposited in the Library. The seminar was co-chaired by the UK Presidency and the Director-General of DGX of the Commission. The UK Presidency chairwoman was also chair of the Information Working Group. This Group discussed draft conclusions to follow-up the seminar. These were adopted by the General Affairs Council on 29 June 1998.

### Congo

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about the cost to Zimbabwe of the military expedition in the Democratic Republic of the Congo and about the sources of the finance for the operation. [73954]

**Mr. Tony Lloyd:** We are concerned about the impact on the Zimbabwe economy of its involvement in the DRC. Zimbabwe's defence budget is one of the highest in the region. The cost of sustaining the conflict could put the region's long-term development at risk. The Government of Zimbabwe has said that the Government of the Democratic Republic of the Congo is funding the direct costs of its intervention, and that the Government of Angola is providing logistics support.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Zimbabwean Government about its decisions to send troops to the Democratic Republic of the Congo. [73956]

**Mr. Tony Lloyd:** I have twice raised this personally with President Mugabe, most recently when I visited Zimbabwe on 25 February. Other representations include letters from my right hon. Friend the Prime Minister to President Mugabe, and lobbying both here and in Harare. We have consistently urged the President to use his influence to bring about a negotiated peaceful settlement to the conflict.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance he plans to give to the National Constitutional Assembly of Zimbabwe to encourage democracy in Zimbabwe. [73955]

**Mr. Tony Lloyd:** We have assisted organisations which are members of the National Constitutional Assembly (NCA) with civic education programmes to encourage democracy in Zimbabwe. At present we are not assisting the NCA itself, but are keeping the situation under review.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Zimbabwean Government about the arrest and detention of the journalists Grace Kwinjeh, Farai Muncazi and Fernando Goncalves. [73953]

**Mr. Tony Lloyd:** I urged President Mugabe, at my meeting with him in Harare on 25 February, to uphold international human rights standards, including freedom of the press.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he or his officials last met representatives of the National Constitutional Assembly of Zimbabwe. [73952]

**Mr. Tony Lloyd:** In the course of their normal duties, officials at the British High Commission in Harare have *frequent contact with representatives of the National* Constitutional Assembly, some of whom also represent other organisations such as the Zimbabwe Congress of Trades Unions and the Zimbabwe Council of Churches.

I met some of these individual organisations when I visited Zimbabwe in January 1998, and some of them called on officials in London last year. Officials visited Zimbabwe have also met representatives of these organisations.

### North Atlantic Assembly

**Mr. Colman:** To ask the Secretary of State for Foreign and Commonwealth Affairs what changes have been made in the composition of the United Kingdom parliamentary delegation to the North Atlantic Assembly. [74392]

**Mr. Tony Lloyd:** The right hon. Member for South Shields (Dr. Clark) has replaced the hon. Member for City of York (Mr. Bayley) as a member of the delegation.

### Colombia

**Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with representatives of the U.S. Government concerning their anti-drugs policies in Colombia. [73714]

**Mr. Tony Lloyd:** The UK maintains a wide-ranging dialogue on drugs policy with the US. I visited Bogota in September 1997 and October 1998, when I held discussions with the Colombian government on their own approach to the drugs problem.

**Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with the Government of Colombia concerning *(a)* human rights abuses and *(b)* internal migrations. [73716]

**Mr. Tony Lloyd:** I have raised the question of human rights, including internal displacement, several times with senior members of the Colombian Government, including President Pastrana and his predecessor, President Samper, both in London and during my two visits to Colombia. These discussions have covered, among other things, the activities of the paramilitaries (which are a major cause of internal migration), impunity, the safety of human rights workers and individual cases.

**Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with representatives of British companies operating in Colombia about *(a)* human rights and *(b)* environmental damage. [73715]

**Mr. Tony Lloyd:** I have discussed both human rights and environmental issues with BP.

## TRADE AND INDUSTRY

### KPMG

**Mr. Ruffley:** To ask the Secretary of State for Trade and Industry if he will list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period prior to 1 May 1997, indicating the remuneration made in each case. [72013]

**Mr. Byers** *[holding answer 22 February 1999]:* Information on contracts let to KPMG is not held centrally, and could be provided only at disproportionate cost.

The above information does not include contracts let by the Department's Executive Agencies, and I have asked the respective Chief Executives to reply separately to this question.

*Letter from Desmond Flynn to Mr. David Ruffley, dated 26 February 1999:*

You asked the Secretary of State for Trade and Industry if he would list the services that KPMG have performed for his Department *(a)* since 1 May 1997 and *(b)* in the corresponding period to 1 May 1997, indicating the remuneration made in each case. In the absence of Peter Joyce, the Chief Executive, I have been asked to reply on behalf of The Insolvency Service.

KPMG, as an organisation, have not performed any services for The Insolvency Service in the periods in question. Payments have however been made to KPMG in relation to work done by individual members of the firm in relation to disqualification proceedings brought against directors of failed companies where those individuals acted as liquidator, administrative receiver or administrator of the company.

The fees paid for such work are as follows:

(a) since 1 May 1997 £85,600

(b) in the corresponding period prior to 1 May 1997 £72,100.

*Letter from Ian Jones to Mr. David Ruffley, dated 26 February 1999:*

You recently tabled a Parliamentary Question to the Secretary of State for Trade and Industry about the services that KPMG have performed for his Department. I have been asked to reply on behalf of the Employment Tribunals Service (ETS) which is an executive agency of the DTI.

The ETS has not engaged the services of KPMG.

*Letter from David Hendon to Mr. David Ruffley, dated 26 February 1999:*

The Secretary of State for Trade and Industry has asked me to reply on behalf of the Radiocommunications Agency to your Parliamentary Question about the Agency's use of KPMG.

This Agency entered into no contracts with KPMG since 1 May 1997. It used KPMG's services on one occasion before that date. In financial year 1996/97 the Agency commissioned KPMG to provide financial advice on the establishment of a joint venture company. The remuneration amounted to £120,244 ex-VAT.

*Letter from Dr. Seton Bennett to Mr. David Ruffley, dated 26 February 1999:*

The Secretary of State for Trade and Industry has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about the services that KPMG have performed for the Agency both prior to and since 1 May 1997.

Since its creation as a *Next Steps* Agency in 1989, the National Weights and Measures Laboratory has not availed itself of the services of KPMG.

*Letter from P. R. S. Hartnack to Mr. David Ruffley, dated 26 February 1999:*

I am replying for the Patent Office to your question to the Secretary of State for Trade and Industry about the services performed by KPMG and details of any remuneration made by the Patent Office. I can confirm that a nil return is appropriate.

*Letter from John Holden to Mr. David Ruffley, dated 26 February 1999:*

I have now been invited to reply directly to you concerning your question, no 72013, tabled on 16 February 1999, asking the Secretary of State for Trade and Industry if he will list the services that KPMG have performed for his Department since 1st May 1997 and in the corresponding period prior to 1st May 1997.

I can advise that KPMG have provided consultancy support in developing the business case for the introduction of the Government Procurement Card between October 1998 and March 1999. The consultancy was commissioned by the Treasury and has been undertaken at no cost to Companies House.

### Low Pay Commission

**Mr. Boswell:** To ask the Secretary of State for Trade and Industry if he will make a statement on in the current work programme of the Low Pay Commission. [73814]

**Mr. Ian McCartney:** The Low Pay Commission has been asked to monitor and evaluate the introduction and impact of the national minimum wage, with particular reference to the effect on pay, employment and competitiveness in low paying sectors and small firms; particular groups of workers, such as young people, women, ethnic minorities, homeworkers, people with disabilities and voluntary sector workers; pay structures, including the effect on differentials and different pay systems; and training.

In view of the representations received on the accommodation offset that can be counted towards the national minimum wage, we have also asked the Commission to give early advice on that issue. It is for the Commission to formulate a programme of work to meet these remits.

### Offshore Wind Farm Industry

**Mr. Boswell:** To ask the Secretary of State for Trade and Industry what action he is taking to encourage the transfer of British technology and expertise in the offshore oil and gas industries to the offshore wind farm industry. [73815]

**Mr. Battle:** Offshore wind has the potential to make a substantial contribution in future to sustainable and diverse energy supplies and I am pleased to see that UK industry is coming together in this area.

Through the New and Renewable Energy (NRE) programme, my Department last week sponsored a British Wind Energy Association (BWEA) seminar on Offshore Engineering. Many of the companies attending the seminar currently operate in the oil and gas industries and the application of technology currently used in the oil and gas sectors to offshore wind farms was discussed.

### Poole Bay

**Mr. Boswell:** To ask the Secretary of State for Trade and Industry if his Department is requiring Elf Exploration plc to carry out further drilling operations in Poole Bay. [74055]

**Mr. Battle:** The Petroleum Licence covering block 98–12 in Poole Bay was awarded in 1991 with an obligation on the licensees to drill at least three exploration wells. The first of these was drilled in 1993, south east of the location of the well currently under discussion. This was unsuccessful and the licensees asked for all the outstanding work obligations to be waived. A waiver was granted in respect of one of the wells, but my Department took the view that the other should be drilled in order to fully explore the potential of the licensed area.

The current licence operator, Elf Exploration UK plc, has been preparing to seek consent to a further well to test a small structure which lies between the first well on the licence and the Wytch Farm oil field, but has now sought my Department's agreement to waive the outstanding commitments and relinquish the licence. This request is being considered and a response will be given as soon as possible.

### Working Time Regulations 1998

**Mr. Boswell:** To ask the Secretary of State for Trade and Industry if juvenile employees working part-time on paper rounds are subject to the holiday pay provisions of the working time regulations. [72024]

**Mr. Ian McCartney** *[holding answer 22 February 1999]:* Newspaper delivery boys and girls are not entitled to paid annual leave under the regulations if they are below minimum school leaving age; anyone aged 16 or over who delivers newspapers is, like any other part time worker, entitled to paid annual leave but only pro rata according to the hours they normally work.

### Photovoltaic Industry

**Mr. Brake:** To ask the Secretary of State for Trade and Industry if he will make a statement on his Department's support for the UK photovoltaic industry. [73926]

**Mr. Battle:** Last week I announced 3 major new PV initiatives:

(a) a call for proposals for the development of PV components and systems, with the aim of enhancing the competitiveness of UK companies;

(b) a field trial for around 100 homes across the country to test a variety of actual PV installations under UK conditions;

(c) development of a scheme to demonstrate the use of PV in large-scale building applications.

The total value of these initiatives is expected to be £15 million, with £5 million coming from the DTI. In the case of the demonstration scheme the final go-ahead will have to await the outcome of the Renewables Review, on which I expect to issue a Consultation Paper shortly.

These new initiatives are in addition to the work on solar photovoltaics that my Department is already funding (under the DTI's New and Renewable Energy Programme, the Engineering and Physical Sciences Research Council PV R&D programme, and the Foresight Scolar Programme), and will be taken forward in consultation with the PV and building industries.

### Renewable Energy

**Mr. Casale:** To ask the Secretary of State for Trade and Industry how many people are currently employed in the generation of energy from renewable sources *(a)* in the United Kingdom and *(b)* in other member states of the European Union. [73772]

**Mr. Battle:** There are over 500 companies involved in renewable energy in the UK, which are estimated to employ some 3,500 people directly. These companies include manufacturers, developers, consultants, and operators.

Statistics for European Countries are not generally available. In the EU White Paper—*Energy For the Future: Renewable Sources of Energy*—the Commission cites the example of the wind energy sector which it estimates has created 30,000 jobs in Europe. The White Paper also states that if the contribution of renewables to energy supply in Europe were to double from the current 6 per cent. to 12 per cent. by 2010 it would create at least 500,000 jobs.

### Genetic Testing

**Mr. Chope:** To ask the Secretary of State for Trade and Industry what proposals he has to regulate the use of genetic testing in relation to employment; and if he will make a statement. [74145]

**Mr. Battle:** The Human Genetics Advisory Commission has set up a Working Group under the chairmanship of Mrs. Doris Littlejohn (President, Employment Tribunals (Scotland)) to consider the implications of genetic testing for employment. I look forward to receiving their advice later this year.

### Human Genetics Advisory Commission

**Mr. Chope:** To ask the Secretary of State for Trade and Industry if he will set out the qualifications and areas of expertise of the members of the Human Genetics Advisory Commission. [74146]

**Mr. Battle:** Affiliations and qualifications of members of the Human Genetics Advisory Commission are as follows:

*Acting chair*

Baroness O'Neill Principal, Newnham College, Cambridge; Chairman, Nuffield Foundation.

*Members*

Professor Cairns Aitken CBE Professor-emeritus of Rehabilitation Studies, University of Edinburgh; Fellow of the Royal College of Physicians of Edinburgh; Fellow of the Royal College of Psychiatrists.

Dr. Micheala Aldred Director, Retinoblastoma Society; Trustee, Genetic Interest Group.

Professor Martin Bobrow CBE Professor of Medical Genetics, University of Cambridge; Fellow of the Royal College of Physicians; Fellow of the Royal College of Pathology.

Mrs. Doris Littlejohn CBE President Employment Tribunals (Scotland).

Professor Norman Nevin Chairman Gene Therapy Advisory Committee; Professor of Medical Genetics, Northern Ireland Regional Genetics Centre; Fellow of the Ulster Medical Society.

Reverend Dr. John Polkinghorne KBE; Chairman, Advisory Committee on Genetic Testing, Member of the General Synod of the Church of England; Fellow of the Royal Society; Past President of Queens' College Cambridge.

Dr. George Poste CBE Chief Science and Technology Officer, SmithKline Beecham Plc; Fellow of the Royal Society.

Ms Moira Stuart Reporter/presenter, British Broadcasting Corporation.

### British Coal (Canteen Workers)

**Mr. Clapham:** To ask the Secretary of State for Trade and Industry, pursuant to his answer of 10 February 1999, *Official Report*, column *224*, what was the average award made to those canteen workers where cases have been settled. [73962]

**Mr. Battle:** The British Coal Corporation tell me that the average settlement cost is around £1,300 per claim.

### Mixed Oxide Fuel Shipments

**Mr. Drew:** To ask the Secretary of State for Trade and Industry what assessment he has made of the international proliferation implications of MOX fuel shipments. [73212]

**Mr. Battle:** I refer my hon. Friend to the answer given by the Minister of State, Foreign and Commonwealth Office, my right hon. Friend the Member for Leeds, Central (Mr. Fatchett), to my hon. Friend the Member for Bury, North (Mr. Chaytor) on 2 December 1997, *Official Report*, column *122*.

**Mr. Drew:** To ask the Secretary of State for Trade and Industry what assessment he has made of the accessibility of the plutonium in MOX fuel contained in BNFL shipments to Japan for the purposes of making nuclear weapons. [73211]

**Mr. Battle:** The process by which MOX fuel is made combines the uranium and plutonium in such a way that separation by physical means is not possible. To recover plutonium from MOX fuel would require a chemical separation process requiring complex and highly specialised plant, equipment and skills. Very stringent physical protection and safeguards measures are applied to MOX fuel at all times to prevent its theft or diversion.

**Mr. Drew:** To ask the Secretary of State for Trade and Industry what discussions have taken place between his Department and *(a)* the Foreign and Commonwealth Office and *(b)* the Ministry of Defence on the proposed shipments of plutonium to Japan by BNFL. [73210]

**Mr. Battle:** Responsibility within Government for the security of MOX shipments rests with the Secretary of State for Trade and Industry. Consultations between DTI and other Government Departments, including the Foreign and Commonwealth Office and the Ministry of Defence, have continued in the normal way.

**Mr. Drew:** To ask the Secretary of State for Trade and Industry when he expects the Japanese to take ownership and control of the materials involved in the proposed shipment of plutonium to Japan; and what agencies are involved in overseeing these shipments. [73209]

**Mr. Battle:** The MOX fuel, which is already owned by the Japanese utilities, will come under the control of the Government of Japan on arrival at the port of entry. For the UK Government, the Department of the Environment, Transport and the Regions deals with the safety of movements of nuclear materials carried out by the UK, while my Department handles security issues associated with these shipments.

**Mr. Edwards:** To ask the Secretary of State for Trade and Industry for what reasons armed vessels with armed

escorts are required to accompany shipments of MOX fuel and other nuclear material from BNFL to its overseas customers. [73562]

**Mr. Battle** *[holding answer 26 February 1999]:* I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Stroud (Mr. Drew) on 18 February 1999, *Official Report,* columns *364–65.*

**Mr. Edwards:** To ask the Secretary of State for Trade and Industry what assessment he has made of the extent to which the production and export of MOX fuel and other nuclear materials which will be returned to BNFL's overseas customers after reprocessing are consistent with the terms of the Non-Proliferation Treaty. [73561]

**Mr. Battle** *[holding answer 26 February 1999]:* I refer my hon. Friend to the answer given by the then Under-Secretary, my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), to my hon. Friend the Member for Bury, North (Mr. Chaytor) on 9 December 1997, *Official Report,* column *528.*

## Cannabis Medical Trials

**Mrs. Ann Winterton:** To ask the Secretary of State for Trade and Industry if he will make a statement on the progress of the cannabis medical trials. [72374]

**Mr. Battle:** The Medical Research Council have invited two research groups to submit full detailed proposals for clinical trials on the potential therapeutic uses of cannabis. These proposals are expected to be submitted in time to undergo peer review and be submitted to MRC's research selection boards for recommendation on funding in October.

## Oil Extraction (St. Kilda)

**Mr. Swayne:** To ask the Secretary of State for Trade and Industry what representations he has received regarding proposed oil extraction near St. Kilda; and if he will make a statement. [69388]

**Mr. Battle:** I have received correspondence from environmental groups, members of the public and hon. Members expressing concern about the impact of petroleum extraction on St. Kilda, and about the potential contribution to climate change of continuing exploitation of fossil fuels.

There is no evidence that either the offer of petroleum licences in the Atlantic or activity under such licences has compromised the environmental sensitivity of the area, jeopardised the status of any World Heritage Sites or harmed any particular species or habitat.

Prior to offering acreage west of the Hebrides in the 17th Seaward Licensing Round, the Department took the advice of the Joint Nature Conservation Committee (JNCC), the Government's statutory adviser on conservation matters, about the potential environmental impact of activities under licences. The JNCC advised — and my Department accepted — that because of the environmental importance of the protected area around St. Kilda, no acreage within 25 miles of the island should be offered for licensing. In actual fact, the nearest licence awarded is 45 miles away.

As a further safeguard, conditions were attached to these licences at the request of JNCC and the Scottish Office Agriculture, Environment and Fisheries Department (SOAEFD) which prohibit seismic acquisition and drilling during specified sensitive seasons in order to minimise any potential disruption to local ecosystems.

The advice from the JNCC, and the Department's subsequent decision-making process about the offer of blocks for petroleum licensing, takes full account of the requirements of the EU Habitats Directive (92/43/EEC). Such advice from the JNCC and other consultees has led to some blocks being excluded from licence offers in particular licensing rounds, despite clear interest from oil and gas companies which wished to see them made available.

All exploration wells are subject to the Petroleum Pipe-lines (Assessment of Environmental Effects) Regulations 1998, which implement the European Union Environmental Impact Assessment Directive (85/337/EEC) across the whole of the UK Continental Shelf. Under these Regulations, the Secretary of State must take account of the likely environmental impact of the well before he may decide whether or not to consent to its drilling. Both the JNCC and SOAEFD are consulted about the likely effects of wells in this area and may recommend that a full environmental statement is required before a consent decision can be made. Such statements must be made available to the public for their comments and the Secretary of State must then take into consideration any comments he has received when making his decision about consent for the project.

Under the Regulations, the same process must be applied to any application for consent to a further well to appraise the commercial potential of an oil or gas discovery, and again to any subsequent proposal to develop such a find for production. The production of an environmental statement is mandatory for most development projects. No application has yet been received for consent to commercial extraction of oil or gas west of the Hebrides.

Offshore activity, including all exploration wells, is also subject to the Merchant Shipping (Oil Pollution Preparedness and Response Convention) Regulations 1998. These require an oil spill contingency plan to be submitted to this Department for approval before drilling activities may commence. The Maritime and Coastguard Agency (MCA) are consulted in relation to such plans. Each contingency plan is project-specific and will take account of relevant environmental sensitivities.

The UK offshore oil and gas industry has a good environmental record. Areas west of Scotland were first licensed for petroleum exploration and production in 1972. The first commercial developments in the area are the Foinaven and Schiehallion oil fields, which lie west of Shetland, more than 200 miles northeast of St. Kilda. Regrettably, there have been some small oil spills around these facilities since production started, but all dispersed naturally with no evidence of damage to the environment.

However, the companies involved have been asked to reassess their operational procedures to ensure that the risk of even small oil spills can be reduced still further.

The Government are committed to playing its part in tackling the threat of global warming and agrees that we need to move away from dependence on fossil fuels. The Government intend to develop a strategic UK climate change programme for publication later this year which will set out proposals for policies and measures to achieve international targets and its domestic policy aims, including increased support for renewables. The aim of the programme will be to develop an equitable, balanced strategy, covering all sectors of the economy and engaging all parts of the community. It will be finalised after public consultation and the Government will take forward its implementation, probably in 2000 and subsequent years.

### Electron Microscopes

**Mr. Skinner:** To ask the Secretary of State for Trade and Industry what is his estimate of the number of electron microscopes employed in the United Kingdom for the purposes of assessing the presence of asbestos fibres in lung tissue in order to advise *(a)* special medical boards on respiratory diseases; and *(b)* coroners. [70180]

**Mr. Battle:** Within the DTI, the Office of Science and Technology (OST) has a specific interest in areas of research using electron microscopes, investigating the health effects of fibre inhalation, including asbestos fibres, in relation to the pathogenesis of disease, through the Medical Research Council (MRC) Toxicology Unit in Leicester.

The DSS is responsible for "special medical boards" which, I am informed, do not use electron microscopy for assessing the presence of asbestos fibres in lung tissue. The Home Office are not aware of any figures for Coroners. My Department has no such estimate; even if it were possible to gather such information, it would involve disproportionate cost.

### Pilot Projects

**Yvette Cooper:** To ask the Secretary of State for Trade and Industry if he will list the pilot projects instigated by his Department since 1 May 1997, indicating the area in which each pilot took, or is taking, place. [72640]

**Mr. Byers:** Details of the pilot projects instigated by my Department since 1 May 1997 are set out in the table.

*Pilot projects instigated by DTI since 1 May 1997*

| *Description of the project* | *Area covered* |
|---|---|
| Investigation into the feasibility of introducing Intelligent Character Recognition Systems into Companies House. | England and Wales (but restricted to nine regular presenters of documents) |
| Running a service whereby presenters of documents can file them electronically with Companies House using an approved software package (four packages approved to date). | England and Wales |
| Providing access to images of all Companies House documents via the CH Direct service. Service piloted with 18 customers. | Mainly in the UK, but also world-wide via the Internet. |
| A project to enable trade fair intermediaries to access the TradeUK National Exporters Database and the Export Sales Leads Service at overseas trade fairs via the Internet. | World-wide. |
| A project to pilot the Hints to Exporters series on the Internet, rather than through printed copies. | World-wide. |
| Manufacturing for Biotechnology Initiative. A pilot initiative to raise awareness of manufacturing opportunities for biotechnology SMEs and to enhance manufacturing potential. | National |
| Joint project with the British Jewellery and Giftware Federation to test the scope for trade associations to commission the chargeable export services delivered by British Diplomatic Missions worldwide on behalf of companies in their sector. | National |
| Competitiveness and management organisation in SMEs. The pilot compares differences in management styles, then helps companies to choose the styles that suit their particular culture. | East Midlands |
| A project to encourage market research companies to achieve British Standard BS7911. | National |
| Capex Scoreboard. List of 500 UK companies' capital investment figures in comparison with 300 international companies for benchmarking purposes. | National |
| Research on the innovation stories behind successful entrants for the Design Council's Millennium Products awards. | Pilot interviews conducted nationally. |
| Pilot awareness campaign promoting the use of automatic identification technologies among SMEs. | Hertfordshire |
| UK-Russia High Technology Forum. Aims to encourage technology transfer between Russia and some countries in the FSU with the UK. | National |
| Joint project with North Nottinghamshire TEC and local Business Links to examine the challenge of delivering Level Two ICT skills to a mass market. | North Nottinghamshire |
| Joint project with Merseyside SATRO and schools in Liverpool and Salford to examine whether DTI's CD-ROM based information on business best practice could be of value in an educational environment. | Liverpool and Salford |
| Joint project with DfEE to identify the value that firms place on the skills of their workforce in 12 sectors. | National |

### Departmental Policies

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry what systems he has in place to ensure that policies being developed by his Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72680]

**Mr. Byers** *[holding answer 24 February 1999]:* Government Departments are co-operating on policy developments, and I liaise closely with Ministerial colleagues at the Home Office on any likely implications for crime of new policies.

### Minister for Science

**Mr. Redwood:** To ask the Secretary of State for Trade and Industry if he will place an agenda and minutes for the meeting on 15 December 1998, which the Minister for Science chaired, in the Library. [73020]

**Mr. Byers** *[holding answer 25 February 1999]:* The meeting referred to was part of the Public Consultation on the Biosciences, which my noble Friend chairs. The meeting was attended by representatives of many different interested parties. This exercise looks at public attitudes to regulation of the biosciences. Minutes for the meeting have been circulated to all attendees of the meeting and a copy has been placed in the Library of the House.

### Internet Web Caching

**Mr. Fabricant:** To ask the Secretary of State for Trade and Industry what assessment he has made of the effects on information technology in the United Kingdom of the implementation of the resolution by the European Parliament to outlaw Internet web caching. [73383]

**Mr. Wills:** Unauthorised reproduction of copyright material in electronic form is generally prohibited under the Copyright, Designs and Patents Act 1988. The European Parliament's proposed amendment to the draft Directive on copyright in the information society, which would mean that temporary copies such as occur in caching could infringe copyright if right owners have not agreed to use of their material in the relevant service, would not therefore change the situation in the UK. Current UK copyright law does not seem to have inhibited the development of information technology services, or placed undue burdens on those providing such services. However, we support moves to clarify the liability of service providers under copyright and other laws, along the lines proposed in the draft Directive on electronic commerce.

### Electronic Red Boxes

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry if he will name the Ministers in his Department who are regular users of the new electronic red boxes. [73693]

**Mr. Byers** *[holding answer 26 February 1999]:* The Minister of State for Energy and Industry has been using the electronic red box developed for the DTI for some time. This facility enables him to work on electronic copies of documents at home and to access many of the Department's information systems. Following evaluation of his experience later this year, consideration will be given to extending its use to other Ministers.

### Business Regulation (USA)

**Mr. Bercow:** To ask the Secretary of State for Trade and Industry what assessment he has made of the operation of the Regulatory Flexibility Act 1980 in the United States. [73231]

**Mr. Kilfoyle:** I have been asked to reply.

Whilst it is not for us to assess the effectiveness of the United States' internal legislative arrangements, we are aware of this Act and officials in the Cabinet Office Better Regulation Unit are in contact with their US counterparts with the aim of increasing our mutual understanding and promoting the exchange of best practice. Many of the main provisions of this Act cover the same ground as certain requirements in our own system of regulatory impact assessment.

**Mr. Bercow:** To ask the Secretary of State for Trade and Industry what assessment he has made of the operation of sunset regulation in the United States. [73224]

**Mr. Kilfoyle:** I have been asked to reply.

We are aware of the discussions in the United States and other countries about the use of sunset clauses in regulation. Officials in the Cabinet Office Better Regulation Unit actively participate in such discussions both bilaterally and at the OECD with the aim of increasing mutual understanding and promoting exchanges of best practice. We are not aware of any federal United States legislative requirement for sunset clauses.

**Mr. Bercow:** To ask the Secretary of State for Trade and Industry what assessment he has made of the operation of the Small Business Regulatory Enforcement Fairness Act 1996 in the United States. [73223]

**Mr. Kilfoyle:** I have been asked to reply.

Whilst it is not for us to assess the effectiveness of the United States' internal legislative arrangements, we are aware of this Act and officials in the Cabinet Office Better Regulation Unit are in contact with their US counterparts with the aim of increasing mutual understanding and promoting the exchange of best practice. Many of the main provisions of this Act, aimed at small business, cover the same ground as the UK's Access Business initiative.

## SCOTLAND

### Stuart Gair Case

**Mr. Mullin:** To ask the Secretary of State for Scotland (1) what steps have been taken to interview new witnesses or witnesses who have changed their evidence in the case of Stuart Gair; and if he will make a statement; [68173]

(2) what date he received a submission on behalf of Stuart Gair; what action he has taken; and when he expects to complete his consideration. [68188]

**Mr. McLeish** *[holding answer 4 February 1999]:* A petition claiming a miscarriage of justice in Stuart Gair's conviction was submitted by Mr. Gair's solicitor to my right hon. Friend on 10 September 1998.

An initial review of the new evidence in Mr. Gair's case has been carried out by the Scottish Office and clarifications and further information sought from the solicitor. However, no interviews or inquiries have yet been commissioned. Mr. Gair's solicitor has indicated that he does not want the Crown Office to be involved in the examination of this case and has requested that my right hon. Friend appoint an impartial body to carry out any investigations.

In the light of this continuing objection by Mr. Gair's solicitor, the most appropriate way forward would seem to be for the Scottish Criminal Cases Review Commission to instruct or carry out any necessary investigations once it comes into operation on 1 April this year. The new Commission will have powers to undertake its own inquiries and to obtain statements and reports. One of the main intentions behind our setting up this Commission is to make the review of alleged miscarriages of justice in Scotland clearly independent and to ensure public confidence in the process.

In these circumstances we are not in a position to estimate how long it might be before a decision is reached in this case.

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Secretary of State for Scotland what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71268]

**Mr. Galbraith** *[holding answer 22 February 1999]:* We are acting to ensure that the Department's policies meet the needs of disabled people and comply with legal requirements. The Department already takes positive steps to make it easier for disabled people to make use of its services. We shall continue to do so, not only by complying fully with new duties in the Disability Discrimination Act but by aiming to do more where appropriate.

Existing guidance on policy appraisal is currently being reviewed in the light of the guidance "Policy Appraisal for Equal Treatment" which the Cabinet Office issued to all Government Departments in November 1998. This was signed jointly by the Minister for Women, the Secretary of State for Education and Employment and the Home Secretary. The new guidance will ensure that all new and existing policies and programmes are assessed for any differential impact, not only on disabled people but on women and people from ethnic minorities. That includes the need to ensure that policies and their outcomes comply with the law. Where necessary, we shall act to remove any differential impact.

From 1 July 1999, this will be a matter for the Scottish Parliament. The report of the Consultative Steering Group on the Scottish Parliament strongly recommended that the Parliament should have an Equal Opportunities Committee. Monitoring and reporting of progress on the Disability Discrimination Act will be for the Scottish Executive.

### Rowett Research Institute

**Mr. Llew Smith:** To ask the Secretary of State for Scotland when his Department received the research dossier on GMO research into potatoes from Dr. Pusztai of the Rowett Research Institute; when the Minister for the Cabinet Office requested copies of the work submitted to his Department under contract by Dr. Pusztai; which other Government departments or research units have received copies; and on what dates. [72528]

**Mr. Macdonald:** A copy of the report produced by Dr. Putszai for the Rowett Research Institute in response to the Institute's Audit Committee was copied to the Scottish Office on 26 October 1998. The report was published by the Rowett Research Institute on 16 February 1999. Dr. Pusztai was contracted by the Rowett Research Institute to undertake the research on GMO potatoes and it was for the Institute to consider and publish the report.

The Government welcome the decision by the Rowett Research Institute to publish Dr. Pusztai's report, together with the audit committee's response to this report. The Government also welcome the request by the Rowett Research Institute to the Royal Societies of London and Edinburgh to conduct an independent analysis of Dr. Pusztai's and Dr. Ewen's research. For this to take place, it is clearly essential that all those involved should respond to the requests within the scientific community to make available the data and papers on which their conclusions are based.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### University Fees

**Mr. Gorrie:** To ask the Secretary of State for Scotland what estimate he has made of the income to be raised by fees paid by *(a)* Scottish students at Scottish universities, *(b)* English, Welsh and Northern Irish students at Scottish universities and *(c)* Scottish students at English, Welsh and Northern Irish universities in the current year and each of the next five years. [72658]

**Mrs. Liddell:** No separate estimates have been made for fees income for Scottish universities as requested. The table provides estimates for fees income for Scottish higher education institutions and further education colleges for the years 1998–99 to 2001–02 only:

*£ million*

| | *1998–99* | *1999–2000* | *2000–01* | *2001–02* |
|---|---|---|---|---|
| Scottish higher education institutions (1) | 15 | 26 | 35 | 40 |
| Scottish further education colleges | 4 | 6 | 6 | 6 |
| Total for Scottish institutions | 19 | 32 | 41 | 46 |
| Scottish students at other UK institutions | 1 | 2 | 2 | 2 |

*Note:*
All figures are at 1998–99 prices

It is assumed that most students coming to Scotland from elsewhere in the UK will attend higher education institutions. Within the figures at (1) their contribution is estimated as £2 million, £5 million, £7 million and £10 million respectively. This is estimated using the same average private contribution as for Scottish and EU students. Actual amounts will be dependent on the

specific funding body responsible providing student support in whatever part of the UK the student comes from.

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Schizophrenia Psychoses

**Sir Alastair Goodlad:** To ask the Secretary of State for Scotland how many people discharged from hospital in Scotland following a main diagnosis of schizophrenia psychoses and subsequently taken to hospital by the police under the Mental Health Acts were refused admission in the last year for which figures are available. [73236]

**Mr. Galbraith:** The information is not collected or held centrally.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Sir Alastair Goodlad:** To ask the Secretary of State for Scotland what research projects his Department is funding in the current year to test the effectiveness of community care for people suffering from schizophrenia psychoses; and if he will make a statement. [73365]

**Mr. Galbraith:** The Chief Scientist Office (CSO) within the Scottish Office Department of Health has responsibility for managing funds which support research activity to further the development of patient care and health services within the NHS in Scotland.

Mental Health is one of the health priorities in Scotland, and CSO's awards to mental health research projects in 1998–99, total some £2M. Many of these projects may be relevant to schizophrenia psychoses alongside other severe mental health problems, and some may have implications for methods of care, including community care, for sufferers. Projects, completed or still running in 1998–99, which we have identified as definitely relevant to schizophrenia psychoses (and perhaps—to varying extents—to community care for sufferers) are detailed below. Their awards total some £657K of the £2M.

CSO also manages the NHS in Scotland's Research and Development (R&D) Support Fund, which supports research and development in NHS hospitals, general practice and other health care settings in Scotland. R&D Support Fund expenditure on mental health is estimated to be some £3M in 1998–99. R&D Support Fund expenditure on schizophrenia psychoses cannot be identified separately, except at disproportionate cost. From 1 July 1999, this will be a matter for the Scottish Parliament.

| *Project title, research base and project duration* | *Award* |
|---|---|
| Role of Obstetric Complications in the Aetiology of Schizophrenic and Affective Psychosis (Royal College of Psychiatrists, London, 1 October 1997 to 31 September 1998) | 9,276 |
| Schizophrenia in the Elderly: Its Prevalence and Suffers' Needs for Health and Social Care (Lanarkshire Healthcare NHS Trust, 1 July 1997 to 30 June 1996) | 85,034 |
| Cognitive Therapy with Medication-resistant Psychotic Symptoms: A Clinical Trial with Nurses as Therapists (University of Dundee, 1 January 1997 to 31 December 1999) | 112,688 |
| Hospital Discharge for People with a Mental Illness (University of Glasgow, 1 December 1997 to 31 January 2000) | [1]67,177 |
| A Randomised Controlled Comparison of Neuroleptic Maintenance in Combination with Individualised Psychoeducation in the Prevention of Relapse in Schizophrenia (Ayrshire & Arran Community Healthcare Trust, 1 June 1997 to 12 May 2000) | 115,989 |
| The Prevalence and Impact of Substance Misuse in Schizophrenic Patients in Scottish Urban and Rural Settings (Health Services Research Unit, Aberdeen, 1 February 1999 to 30 January 2001 —dates to be confirmed) | 166,424 |

[1] Co-funded by CSO and Social Work Services Group of The Scottish Office

**Sir Alastair Goodlad:** To ask the Secretary of State for Scotland how many people with a main diagnosis of schizophrenia psychoses were discharged from mental illness hospitals in Scotland in each of the last three years; and how many of them were taken into local authority residential care in the same year. [73360]

**Mr. Galbraith:** The number of people with a main diagnosis of schizophrenia psychosis discharged from mental illness hospitals in Scotland for the last 3 years for which complete information is available is shown in the table.

| *Year ending* | *Number* |
|---|---|
| 31 March 1994 | 2,739 |
| 31 March 1995 | 2,623 |
| 31 March 1996 | 2,680 |

Information on discharges to local authority residential care is not collected or held centrally.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Sir Alastair Goodlad:** To ask the Secretary of State for Scotland how many of those convicted of crimes in

Scotland in the last year for which figures are available have ever been admitted to National Health Service mental illness hospitals with a main diagnosis of schizophrenia psychoses. [73357]

**Mr. Galbraith:** The information is not collected or held centrally.

From 1 July 1999, this will be a matter for the Scottish Parliament.

**Sir Alastair Goodlad:** To ask the Secretary of State for Scotland if he will list the admissions by diagnosis and order of admission indicating percentage changes over the previous year in numbers and rates per 100,000 population of patients suffering from schizophrenia psychoses in Scotland in the last year for which figures are available. [73368]

**Mr. Galbraith:** The number of admissions to psychiatric in-patient care in Scotland, with a main diagnosis of schizophrenic psychoses during the latest years for which complete information is available, is shown in the table:

| | *Number of admissions* | *Rate per 100,000 population* | *+ or − per cent.* |
|---|---|---|---|
| 1995 | 3,547 | 69.1 | — |
| 1996 | 3,611 | 70.3 | +1.8 |

From 1 July 1999, this will be a matter for the Scottish Parliament.

### Departmental Expenditure

**Mrs. Laing:** To ask the Secretary of State for Scotland if he will list general Government expenditure in Scotland on (i) agriculture, (ii) fisheries, (iii) education, (iv) prison service, (v) police service, (vi) health, (vii) transport and (viii) housing, in *(a)* cash terms and *(b)* 1998–99 prices, for each year since 1992. [73624]

**Mr. Dewar:** Figures for identifiable general government expenditure in Scotland from 1992–93 to 1996–97 were published in "Public Expenditure Statistical Analyses 1998–99", Cm 3901, in April 1998. A breakdown into more detailed functional categories is not available.

### Indecency Offences

**Mr. Clappison:** To ask the Secretary of State for Scotland how many persons have been *(a)* charged with and *(b)* convicted of offences of (i) sodomy, (ii) gross indecency and (iii) shameless indecency by one male person with another in each year for the last 10 years. [73544]

**Mr. McLeish:** The available information on prosecutions for homosexual offences, including statutory offences, is given in the tables. From 1 July 1999, this will be a matter for the Scottish Parliament.

*Males proceeded against where the main offence was sodomy, gross indecency, shameless indecency or statutory homosexual offences Scotland 1988–97*

| *Main offence* | *1988*[1] | *1989* | *1990* | *1991* | *1992* | *1993* | *1994* | *1995* | *1996* | *1997* |
|---|---|---|---|---|---|---|---|---|---|---|
| Sodomy (Common Law) | 11 | 18 | 12 | 9 | 5 | 17 | 15 | 12 | 8 | 13 |
| Gross Indecency (Common Law) | 2 | — | 2 | 1 | — | — | — | 1 | — | — |
| Shameless Indecency (Common Law) | 28 | 39 | 50 | 57 | 62 | 85 | 103 | 103 | 128 | 113 |
| Statutory Homosexual Offences[2] | 56 | 43 | 75 | 103 | 76 | 61 | 78 | 50 | 41 | 30 |
| Total | 97 | 100 | 139 | 170 | 143 | 163 | 196 | 166 | 177 | 156 |

[1] Excludes 3 males proceeded against for homosexual offences and 17 males proceeded against for lewd and libidinous offences where the main offence is not known.
[2] Includes Section 7 of the Sexual Offences (Scotland) Act 1976, Section 80 of the Criminal Justice (Scotland) Act 1980 and Section 13 of the Criminal Law (Consolidation) (Scotland) Act 1995.

*Males with a charge proved where the main offence was sodomy, gross indecency, shameless indecency or statutory homosexual offences Scotland 1988–1997*

| *Main offence* | *1988*[1] | *1989* | *1990* | *1991* | *1992* | *1993* | *1994* | *1995* | *1996* | *1997* |
|---|---|---|---|---|---|---|---|---|---|---|
| Sodomy (Common Law) | 8 | 14 | 12 | 8 | 5 | 16 | 12 | 11 | 6 | 11 |
| Gross Indecency (Common Law) | — | — | 2 | 1 | — | — | — | — | — | — |
| Shameless Indecency (Common Law) | 27 | 34 | 43 | 44 | 52 | 70 | 91 | 89 | 98 | 92 |
| Statutory Homosexual Offences[2] | 52 | 42 | 72 | 98 | 74 | 60 | 75 | 46 | 39 | 27 |
| Total | 87 | 90 | 129 | 151 | 131 | 146 | 178 | 146 | 143 | 130 |

[1] Excludes 1 male with a main charge proved for a homosexual offence and 12 males with a main charge proved for lewd and libidinous offences where the main offence is not known.
[2] Includes Section 7 of the Sexual Offences (Scotland) Act 1976, Section 80 of the Criminal Justice (Scotland) Act 1980 and Section 13 of the Criminal Law (Consolidation) (Scotland) Act 1995.

## SOCIAL SECURITY

### Bereavement Support

**Mr. Field:** To ask the Secretary of State for Social Security if he will estimate the total cost to the taxpayer of benefits paid to widows and widowers (1) if the benefit rules were to remain unchanged and (2) if the reforms in "Support in Bereavement" were implemented, in *(a)* 2002, *(b)* 2007, *(c)* 2012 and *(d)* 2017. [71100]

**Angela Eagle:** The information is in the table.

*Indicative estimates of the expenditure on widows benefit without reform and the net savings which may accrue following reform*

*£ million in 1998–99 benefit rates*

| | *Expenditure on existing widow benefit scheme without reform* | *Costs(+)/Savings(-) from proposals (net of means-tested benefit offsets)* |
|---|---|---|
| 2002–03 | 950 | +100 |
| 2007–08 | 800 | −100 |
| 2012–13 | 800 | −200 |
| 2017–08 | 950 | −450 |

*Notes:*

1. Estimates for the effects of reform are presented net of means-tested benefit offsets, in line with those in "A new contract for welfare: support in bereavement". Means-tested benefit offsets were estimated using the 1995–96 Family Resources Survey and the Income Support Quarterly Statistical Enquiries. They assume a constant offset ratio in order to provide illustrative estimates for later years.

2. The forecast of expenditure under the existing Widows Benefit scheme together with the underlying contributory benefit effects of reform have been provided by the Government Actuary's Department.

3. Estimates provide broad orders of magnitude and are rounded to the nearest £50 million.

4. A start date of 2001–02 has been assumed.

### Benefit Integrity Project

**Mr. Bennett:** To ask the Secretary of State for Social Security when the Benefit Integrity Project ended in Greater Manchester; what has replaced it; and how the replacement is different from its predecessor. [73547]

**Mr. Bayley:** The administration of Disability Living Allowance is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

*Letter from Peter Mathison to Mr. Andrew F. Bennett, dated 1 March 1999:*

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking when the Benefits Integrity Project ended in Greater Manchester, what has replaced it, and how the replacement is different from its predecessor.

The Benefit Integrity Project (BIP) will end nationally on 31 March 1999 and is to be replaced by a new and fairer system. No new cases will be selected for the BIP after this date. Cases where action has already started will continue to be processed through the stages of adjudication including review and appeal.

From April, a new system of "Periodic Review" will be introduced. This will incorporate the lessons already learned from BIP, and will be fairer as it will gather information by home visits and postal enquiries across the whole range of rates and components of Disability Living Allowance (DLA). It will therefore provide for awards to be increased as well as decreased in line with entitlement.

At the outset, those DLA recipients whose cases have been examined by the BIP will be excluded from the process, as will those people in any one of the specific categories of exclusions from the BIP. People with a fixed period award due to end within the next three years will also be excluded.

The process will be evaluated after six months. The findings will be used to continue to improve the process to make it more sensitive to the circumstances of the individual concerned. Additionally, we will be testing new ways of evidence gathering for DLA claims. Discussions are taking place with disability groups to ensure that the new system is sensitive and is both fair and effective.

I hope that you have found this reply helpful.

### Child Support Agency

**Mr. Peter Bradley:** To ask the Secretary of State for Social Security how many applications have been made to the Child Support Agency for the deferment of arrears; and how many have been granted. [73719]

**Angela Eagle:** Information is not available about the number of applications for deferment of arrears. However, Child Support Agency records show that there are currently 7,647 cases, where arrears of child support maintenance have been deferred. As at 31 January 1999 the Agency had made 1,233 payments of compensation to parents with care under the deferred debt scheme.

**Mr. Peter Bradley:** To ask the Secretary of State for Social Security what discussions his Department has had with the Child Support Agency over its decision not to inform non-resident parents of the Government's policy on the deferment of arrears arising from delays in the Agency's completion of assessments. [73718]

**Angela Eagle:** Child Support Officers are expected to consider whether deferment of arrears should be offered in all cases where arrears of maintenance are due to delay by the Child Support Agency in completing initial maintenance assessments and periodic or change of circumstance reviews. A non-resident parent may also ask the Agency to consider deferring arrears of maintenance at any time. We are satisfied that these arrangements are sufficient to ensure that non-resident parents are offered deferment of arrears, whenever this is appropriate.

### Lone Parents

**Ms Harman:** To ask the Secretary of State for Social Security how many lone parents receive Income Support, broken down by constituency. [73474]

**Angela Eagle:** Information is not available in the format requested. Such information as is available is as follows.

In August 1998 there were 955,000 lone parents receiving Income Support. Reliable information by parliamentary constituency is not available at present.

Currently, the best estimate for the number of Lone Parents in each parliamentary constituency is based on the number of cases in each Local Authority area whose boundary overlaps that of the constituency. However, this will overstate the number of cases in many areas, as a single Local Authority may overlap several parliamentary constituencies.

It is anticipated that reliable constituency breakdowns for England will become available by the end of March.

*Source:*

August 1998 Income Support Statistics Quarterly Enquiry, the latest figures available.

### Air Miles

**Mr. Maclean:** To ask the Secretary of State for Social Security how many Air Miles have been earned by him and each of his Ministers; and how he proposes to use them. [73329]

**Mr. Timms:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend the Prime Minister on 12 January 1999, *Official Report*, column *141*.

Detailed information on any air miles earned by Ministers as a result of official travel is not recorded centrally.

### National Insurance

**Mr. Ennis:** To ask the Secretary of State for Social Security how many people in the Barnsley, East and Mexborough constituency will gain from the reduction in national insurance contributions scheduled for April. [73372]

**Mr. Timms:** The information is not available.

Throughout Great Britain, some 20 million people will pay an average of nearly £70 a year less in National Insurance contributions as a result of the abolition of the employee entry fee in April 1999.

### Pension Splitting

**Mr. Sayeed:** To ask the Secretary of State for Social Security what estimate he has made of the charges which will be made for couples splitting a pension on divorce. [73551]

**Mr. Timms:** Broad estimates of the charges, which private pension schemes might make for couples sharing a pension on divorce, are contained within Annexe 2 of the Regulatory Impact Assessment of the Welfare Reform and Pensions Bill as introduced in the House of Commons on 10 February 1999. Copies of the Assessment have been placed in the Libraries of the House.

### Cold Weather Payments

**Mr. Cox:** To ask the Secretary of State for Social Security what was the total amount of money paid in cold weather payments in 1998. [73781]

**Mr. Timms:** Last winter (1997–98) over 55,000 Cold Weather Payments were made at a total cost of almost £0.5 million.

To date this winter (1998–99), an estimated 26,000 payments have been made at a total cost of over £220,000.

The expenditure depends on the severity of the temperature conditions during each winter.

### Winter Fuel Payments

**Mr. Cox:** To ask the Secretary of State for Social Security how many state pensioners received the winter fuel allowance in the last year for which figures are available; and if he will make a statement. [73783]

**Mr. Timms:** This winter, around 10 million eligible pensioners received a Winter Fuel Payment. Around 1.5 million of the poorest pensioners—those receiving Income Support or income-based Jobseeker's Allowance—received their payments in November 1998. The remaining 8.5 million eligible pensioners receiving one of the other qualifying benefits received their payments during January 1999.

### Housing Benefit

**Dr. Lynne Jones:** To ask the Secretary of State for Social Security if he will assess the benefits of introducing a universal housing benefit scheme covering both rent and mortgage payments. [73747]

**Angela Eagle:** The help provided for people on low incomes to meet their housing costs is kept under review. Housing Benefit helps people on low incomes meet their rent, whether they are in or out of work. Help with mortgage costs is provided for those on Income Support or income based Jobseeker's Allowance. Extending help with mortgage costs to those with low incomes but above the level of Income Support or income based Jobseeker's Allowance could cost up to £1 billion per year, if it was fully taken up.

### Radiation

**Mr. Paul Clark:** To ask the Secretary of State for Social Security if he will make a statement on the Industrial Injuries Advisory Council's report on diseases caused by radiation. [74675]

**Mr. Bayley:** My right hon. Friend the Secretary of State has today laid a copy of the council's report before Parliament (Cm 4280). We have given the report careful consideration and are pleased to say that we have accepted the recommendations set out in the report. Regulations implementing the recommendations will be made in due course.

### Decision-making and Appeals

**Mr. Caplin:** To ask the Secretary of State for Social Security when he will lay regulations under the decision making and appeals provision of the Social Security Act 1998; and if he will make a statement. [74676]

**Angela Eagle:** Last year in the Social Security Act we laid the foundations for a new system for handling decisions and appeals in benefits, child support and vaccine damage claims. Today my right hon. Friends the Lord Chancellor and the Secretary of State for Social Security are laying the main Regulations, which will provide the detailed legal framework for this new system.

The new system for handling decisions and appeals is a major step to modernise the delivery of Social Security and child support as part of the Government's programme for welfare reform. The current system needs to change. It is confusing for claimants and staff. Putting mistakes right is complicated and claimants often have to appeal, even when a mistake is obvious to all concerned. Appeals take far too long to be cleared—on average seven months—even where they have no prospect of success. These delays are unacceptable.

The changes we are making will enable the Benefits Agency, Child Support Agency and Employment Service to provide a more helpful and accessible service to the public.

Under the new system, decisions will continue to be based on the facts and the law, with a right of appeal to an independent tribunal. There will be clearer, simpler decisions and a programme to develop simpler communications for the public. There will be new arrangements for handling disputes, so mistakes are put right more easily without having to go to appeal. There will be one type of appeal tribunal, rather than five, with one unified set of rules and three, two or one member tribunals according to the issues raised by the appeal. Appeals, which have no prospect of success, will be resolved more quickly.

The new arrangements will come into operation during the second half of this year. They will apply to child support from the beginning of June. For benefits they will be introduced in stages between July and November, to help maintain service to the public while the new arrangements start to operate.

The Independent Tribunal Service will be replaced by The Appeals Service, which will encompass both the administration of appeals and the appeal tribunals. The administration of appeals will be undertaken from April 2000 by a new executive agency of this Department. My right hon. Friend the Secretary of State will set targets for the Agency, which will be published and reported on annually. The President of appeal tribunals and the panel members who hear appeals will be appointed by my right hon. Friend the Lord Chancellor and remain independent of this Department.

Benefit claimants and child support clients will receive full information about what the new system means for them as the changes come into effect.

### National Pensioners Convention

**Mr. Corbyn:** To ask the Secretary of State for Social Security if he will list the meetings which he has had with the National Pensioners Convention since May 1997; who attended them; and if he will publish the proceedings of these meetings. [73735]

**Mr. Timms:** As under previous Administrations, it is not the normal practice to provide details of private meetings with specific individuals or organisations.

### Benefit Interviews

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what procedure to obtain benefits will be required of claimants who are allowed to defer or not attend the interview in the Single Gateway to Benefit. [74000]

**Angela Eagle:** Where a decision has been made to either waive or defer a claimant's work-focused interview, the claimant will need to provide a fully completed claim form and meet all the relevant entitlement conditions to obtain benefit.

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what estimate he has made of the time required for the interview of those entering the Gateway. [73989]

**Angela Eagle:** The length of time required to conduct an interview for those entering the Gateway will vary according to the needs of the individual concerned.

### Benefit Fraud

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what the expenditure on the advertisement of the Benefit Fraud Hotline has been in each month since May 1997. [73994]

**Mr. Timms:** Since May 1997 there have been two advertising campaigns for the National Benefit Fraud Hotline. The first was in March 1998 at a cost of £225,000 and the second started in October 1998 and is due to be completed at the end of March 1999 at a cost of £290,247.

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security how many calls to the Benefit Fraud Hotline have been recorded in each month since May 1997. [73995]

**Mr. Timms:** The information is in the table.

*Number of calls recorded at the National Benefit Fraud hotline since May 1997*

| *Month/Year* | *Number* |
|---|---|
| May 1997 | 19,272 |
| June 1997 | 16,272 |
| July 1997 | 18,808 |
| August 1997 | 14,755 |
| September 1997 | 16,236 |
| October 1997 | 13,202 |
| November 1997 | 11,770 |
| December 1997 | 10,829 |
| January 1998 | 17,206 |
| February 1998 | 15,780 |
| March 1998 | 15,345 |
| April 1998 | 19,007 |
| May 1998 | 13,149 |
| June 1998 | 13,692 |
| July 1998 | 15,512 |
| August 1998 | 11,104 |
| September 1998 | 13,694 |
| October 1998 | 12,805 |
| November 1998 | 14,285 |
| December 1998 | 12,160 |
| January 1999 | 13,925 |

### Private Pensions

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security (1) what amount is unpaid with respect to national insurance rebates for contracted out private pensions; [73996]

(2) what interest has accrued on the money which has not been paid to contracted out private pensions as national insurance rebates; [73998]

(3) for how long the national insurance rebates to contracted out private pensions have not been paid; [73997]

(4) what estimate he has made of the loss of investment profit from the failure of the payments of the national insurance rebates to contracted out private pensions. [73999]

**Mr. Timms:** The information is not available in the format requested.

The calculation of the National Insurance Rebates contains an assumption that they are paid in the October following the end of the tax year for which they are due. Normally around 90 per cent. of payments have been made by that date, increasing to 95 per cent. by December. This year by October 14 per cent. had been paid, by December this had increased to 46 per cent. Currently 77 per cent. has been paid.

The delay in payment of the age related rebates has allowed the retention of Government gilt's which would otherwise have been sold to meet the age related rebate payments. In determining any potential gain to the National Insurance Fund as a result of the delay, certain assumptions need to be made about the pattern of payments that would have been made and the rate of return on gilts. Assuming certain payment patterns and

a 6 per cent. rate of return then the gain to the National Insurance Fund is tentatively estimated to be around £58 million.

We have been paying compensation at the rate of 0.5 per cent. per month for each month of delay, since November 1998. To date £21 million has been paid and it is estimated that the total compensation figure will be around £38 million.

We have not made any estimates about the actual loss of investment incurred as a result of the delays. Instead we have implemented a system to compensate individuals which takes into consideration the following factors: First the calculation of the rebate, in particular the assumption within the calculation that the payment is made in October, following the end of the tax year for which it is due. Second the need to provide certainty for scheme members and personal pension holders. Third the investment return prevailing at the time (September 1998) and finally the need for straightforward and cost effective administrative arrangements which would minimise the additional work required by pension providers, scheme administrators and Contributions Agency.

The level of compensation was discussed with the Government Actuary's Department who agreed that 0.5 per cent. per month represented a reasonable level of compensation given the prevailing market conditions in September 1998 and on the assumption that the arrangements put in place at that time were designed to cover a few months delay.

### Benefits (Personal Advisers)

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what the cost of training a personal adviser is; what length of time it takes to train a personal adviser; and what specific areas of training personal advisers undergo for *(a)* the New Deal for Lone Parents and *(b)* the Single Gateway to Benefit. [73990]

**Angela Eagle:** Personal advisers working on the New Deal for Lone Parents receive up to six weeks training, at an average cost of £4,337 (including travel and subsistence), half of which is provided by the Employment Service and half by the Benefits Agency. All personal advisers are fully trained in the skills and knowledge required to deal with the client group, and specifically in jobsearch activity; benefits and allowances training; advanced interviewing and presentational, marketing and representational skills.

The Single Gateway pilots will provide the information we need to determine the optimum investment in training for our personal advisers. The programme of learning we are currently developing will, however, ensure that personal advisers have the necessary balance of skills in order to deal with a wide range of clients in differing circumstances.

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what proportion of advisers in the Single Gateway to Benefit will be trained to deal with all areas of special needs in each interview centre. [73991]

**Angela Eagle:** One of the key questions which the single gateway pilots will help us address is how far it is reasonable to expect one individual to be able to deal with the special needs of all our customers. In the initial stages of the pilots we will be setting up adviser teams. Each team will have the range of expertise required.

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security, pursuant to his oral statement of 23 February 1999, *Official Report*, column 225, what estimate he has made of the total number of personal advisers required for the Single Gateway to Benefit when it is rolled out nationally in its final stage. [73987]

**Angela Eagle:** We will use the single gateway pilots to determine the number of personal advisers that would be required if the Single Work-Focused Gateway were to be rolled out nationally. We will consider national implementation in the light of these findings.

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what proportion of personal advisers required for the Single Gateway to Benefit is planned to be recruited from outside the employment and benefit agencies. [73988]

**Angela Eagle:** The recruitment arrangements for Personal Adviser posts have been developed to fill posts, as far as possible, using existing staff in the Employment Service, the Benefits Agency and the Local Authorities. Staff whose current job is directly affected by the introduction of Single Work-Focused Gateway will have priority.

Staff will be selected for Personal Adviser posts on the basis of their suitability and competence for the work. There is no pre-determined proportion of posts to be filled by staff from the Employment Service, the Benefits Agency or the Local Authorities. If there are insufficient suitable internal candidates to fill posts, external recruitment will be considered.

Four of the pilots will be run by the private/voluntary sectors. They may wish to use their own staff to undertake the service or may contract existing Employment Service, Benefits Agency and Local Authority staff.

### CSA Computer System

**Mr. Rendel:** To ask the Secretary of State for Social Security (1) when the contract to develop the new CSA computer system under the ACCORD project will be formally awarded; and if he will make a statement; [74224]

(2) how much the contract to develop the new CSA computer system under the ACCORD project will cost; and when the money for it was authorised. [74227]

**Angela Eagle:** In December 1998 the Department announced the setting up of the Modern Service One Project (MS1). This project represents the first key stage of the strategy to transform the Department's service delivery and supporting information systems in line with our objectives for modernising the service.

The modernisation of the Child Support Computer System is being taken forward as part of the MS1 Project. Negotiations are proceeding with AFFINITY under the ACCORD arrangements for the delivery of the IS/IT products required to support MS1. Currently the MS1

project is working with AFFINITY in the clarification and development of more detailed requirements and high level design of the first key products to be delivered. It is anticipated that this work, scheduled to take three months, will enable the Department to finalise contracted arrangements. Until the negotiations are complete costings for the new Child Support Computer System will not be available.

**Mr. Rendel:** To ask the Secretary of State for Social Security how many hours downtime the current CSA computer system has experienced each week in *(a)* 1996–97 and *(b)* 1997–98. [74225]

**Angela Eagle:** The information is in the table and shows the weeks in which there was downtime in 1996–91 and 1997–98.

| *Period week commencing* | *Downtime Hours* |
|---|---|
| Service availability—by week—1996–97 | |
| 1 April 1996 | 1.60 |
| 29 April 1996 | 0.48 |
| 27 May 1996 | 0.08 |
| 17 June 1996 | 4.32 |
| 29 July 1996 | 7.90 |
| 12 August 1996 | 0.50 |
| 21 October 1996 | 1.91 |
| 4 November 1996 | 0.60 |
| 11 November 1996 | 0.10 |
| 18 November 1996 | 0.30 |
| 6 January 1997 | 0.50 |
| 3 February 1997 | 0.50 |
| 10 February 1997 | 0.10 |
| Service availability—by week—1997–98 | |
| 14 April 1997 | 0.10 |
| 21 April 1997 | 0.10 |
| 28 April 1997 | 0.10 |
| 12 May 1997 | 9.66 |
| 2 June 1997 | 1.00 |
| 30 June 1997 | 1.70 |
| 14 June 1997 | 0.10 |
| 28 July 1997 | 0.30 |
| 11 August 1997 | 0.10 |
| 26 January 1998 | 0.98 |
| 16 March 1998 | 0.32 |

*Notes:*
The downtime is attributable to the Child Support System Mainframe and the software that runs on it.

### Television Licence Fee

**Mr. MacShane:** To ask the Secretary of State for Social Security what percentage of the income of a retired man on a single pension is represented by the cost of the annual BBC licence fee. [74069]

**Mr. Timms:** It is estimated that the BBC licence fee for a colour television set represented 1 per cent. of the average annual gross income of a single retired man on a State Pension in 1996–97.

### Poverty Report

**Mr. Rendel:** To ask the Secretary of State for Social Security if responsibility for the production of the annual poverty report in relation to Scotland will fall to his Department or to the new Scottish Executive. [74231]

**Angela Eagle:** The Government plan to report on tackling the causes of poverty and social exclusion on a UK-wide basis.

**Mr. Rendel:** To ask the Secretary of State for Social Security what statistics he will collect and publish as part of the poverty report. [74229]

**Angela Eagle:** We will be drawing on a wide range of statistical information looking at the causes of poverty and social exclusion. The report will also contain information on indicators of success.

**Mr. Rendel:** To ask the Secretary of State for Social Security what targets he will set for *(a)* his Department and *(b)* other Departments in his annual poverty report. [74230]

**Angela Eagle:** This report will act as a cross-departmental framework for tackling the causes of poverty and social exclusion. It will include information on indicators of success, drawing on targets already in place or currently being developed, against which we can chart progress.

**Mr. Rendel:** To ask the Secretary of State for Social Security when he expects to publish the first annual poverty report. [74228]

**Angela Eagle:** We aim to publish the first annual report on tackling poverty and social exclusion later this year, a final date is yet to be set.

## LORD CHANCELLOR'S DEPARTMENT

### Access to Justice Bill

**Dr. Gibson:** To ask the Minister of State, Lord Chancellor's Department what plans he has to inform and advise the public about changes to legal aid following the publication of the Access to Justice Bill [*Lords*]. [73377]

**Mr. Hoon:** The Access to Justice Bill was published on 2 December 1998, but the Government's proposals to reform legal aid were first outlined in October 1997. Since then, my Department and the Legal Aid Board have publicised them in numerous speeches and interviews and in articles in the media. Consultation papers have been published on various aspects of the reforms. The White paper, *Modernising Justice*, published in December 1998, set out the Government's intentions and a summary of the White paper has been widely circulated. The full text of the White paper is also available on the Internet. Explanatory notes for the Access to Justice Bill are also publicly available.

### Decree Absolute Index

**Ms Oona King:** To ask the Minister of State, Lord Chancellor's Department what plans he has to make the Decree Absolute Index open to public inspection without the present fee. [73469]

**Mr. Hoon:** There are no plans to allow public inspection of the Decree Absolute Index free of charge. However, the usual fee remission and exemption rules do apply.

### Community Project Scheme

**Mr. Lansley:** To ask the Minister of State, Lord Chancellor's Department how many visits by magistrates have taken place under the community project scheme run by the Magistrates' Association and partially funded by his Department at *(a)* schools and *(b)* community groups, since the scheme began. [73613]

**Mr. Hoon:** The Magistrates in the Community Project was established in 1995 and was developed from the Schools Project. In the last three years there were 5,400 visits to schools and 1,980 visits to community groups, a total of 7,380 visits.

### Scriveners' Company

**Miss McIntosh:** To ask the Minister of State, Lord Chancellor's Department, (1) pursuant to his answer of 22 February 1999, *Official Report*, column *44*, concerning representations from the Scriveners' Company, what other representations he has received concerning proposals to amend the Scriveners' jurisdiction; [73285]

(2) pursuant to his answer of 22 February 1999, *Official Report*, column *44*, what representations he has received on proposals to amend scriveners' jurisdiction from sources other than the Scriveners' Company. [73972]

**Mr. Flight:** To ask the Minister of State, Lord Chancellor's Department (1) what representations he has received calling for the abolition of the monopoly of the Worshipful Company of Scriveners of notarial work in London; [73468]

(2) what discussions he has had regarding the proposal to end the monopoly of the Worshipful Company of Scriveners of notarial work in London. [73467]

**Mr. Chope:** To ask the Minister of State, Lord Chancellor's Department how many responses were received to his consultation on the abolition of the scriveners' jurisdiction. [74214]

**Mr. Hoon:** In the course of the review of the monopoly undertaken by the Department last year, the Lord Chancellor received representations from 12 parties. Of these, six were in favour of ending the monopoly, four were in favour of retaining the monopoly, and two were neutral. The respondents were:

*In favour of abolition of the monopoly:*

The Office of Fair Trading

The Law Society

The Association of Solicitor Notaries in Greater London

Mr. Kober-Smith

Mr. Hartwig

Ms Roney

*In favour of retention*

The Worshipful Company of Scriveners

The Society of Public Notaries of London

John Venn & Co.

Mr. O'Meara

*Neutral*

The Faculty Office of the Archbishop of Canterbury

The Notaries' Society.

The Lord Chief Justice, the Bar Council, the Institute of Legal Executives, and the Corporation of London were also consulted but did not make any representations.

### Single Currency

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department what plans he has to issue information from his Department to help the public make an informed decision when they vote on the single currency. [73579]

**Mr. Hoon:** Any plans by the Government to issue information during a referendum campaign on whether or not the UK should join the single currency would be made in the light of the Government's response to the recommendations from the Neill Committee on the conduct of the referendums. The Government will announce their conclusions on those recommendations when my right hon. Friend the Home Secretary publishes a White Paper and draft Bill before the summer recess.

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department if he will list the subject areas within her Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73664]

**Mr. Hoon:** The Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the

changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter eight of the Treasury's Outline National Changeover Plan provides further information. Copies of the Plan are available in the House Library.

### Jurors (Payment)

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department what is the daily allowance for people on jury service; and what plans he has to uprate the allowance. [73303]

**Mr. Hoon:** The daily allowances where the periods of time over which earnings or benefit are lost or additional expense is incurred are: Up to 4 hours—£24.84 and more than 4 hours—£49.68. Where a juror has served on more than 10 days, they can claim up to a maximum of £99.37 for each day over the tenth day. We will be considering whether or not the allowances should be increased.

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department if he will introduce a system of allowances for jurors based on their actual income loss. [73301]

**Mr. Hoon:** It is necessary to place a limit on the amount of financial loss allowance payable to jurors to ensure that the expenditure from the public purse is not excessive. There are no plans to alter the current system, which allows jurors to receive up to £49.68 per day for loss of earnings, rising to a daily maximum of £99.37 after 10 days of jury service. Courts will listen sympathetically to applications for excusal or deferral if financial hardship might result.

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department what reports he has received of jurors seeking to evade jury service because they cannot afford the loss of income to their business. [73658]

**Mr. Hoon:** I understand that there have been occasional complaints from self employed people called for jury service. Generally, these are dealt with at the originating court and information is not kept centrally.

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department on what basis the current level of juror allowance is set. [73304]

**Mr. Hoon:** The allowances are broadly based on the average earnings figures. For employed people, they are not subject to deductions for income tax or national insurance. They are updated periodically to allow for inflation. All increases are approved by the Treasury.

### Zimbabwe

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department what official visits he, his Ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73463]

**Mr. Hoon:** Since May 1997 neither myself, the Lord Chancellor, nor any officials from my Department have made any official visits to Zimbabwe.

### Air Miles

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department how many Air Miles have been earned by *(a)* him and *(b)* the Lord Chancellor; and how they propose to use them. [73339]

**Mr. Hoon:** The Government's policy on the use and disposal of Air Miles was set by my right hon. Friend the Prime Minister on 12 January 1999, *Official Report*, column *141*.

Detail information on any Air Miles earned by Ministers as a result of official travel is not recorded centrally.

### Barristers' Renumeration

**Mr. Maclean:** To ask the Minister of State, Lord Chancellor's Department what is the minimum amount to which a junior barrister would be entitled when representing a client on legal aid for one day. [73302]

**Mr. Hoon:** Legal aid renumeration regulations do not set minimum entitlements.

## AGRICULTURE, FISHERIES AND FOOD

### Fisheries

**Mrs. Butler:** To ask the Minister of Agriculture, Fisheries and Food what is the reduction in the number of foreign vessels licensed by his Department over the last two years; and what steps those vessels are taking to maintain an economic link with the United Kingdom. [74617]

**Mr. Morley:** Following changes in registration requirements in 1993 information is no longer maintained on the beneficial ownership of UK registered fishing vessels. However, we estimate that over the last 2 years the number of over 10 metre vessels which are part or wholly owned by overseas interests has fallen from some 160 to 140.

From 1999 onwards all vessels fishing against the UK's quotas are required to demonstrate that a satisfactory economic link is maintained with our coastal communities. That link may be achieved by landing at least 50 per cent. of the vessel's catch of quota stocks in the UK, by employing a crew of whom 50 per cent. are normally resident in a UK coastal area, by incurring operating expenditure in the UK for goods and services provided in UK coastal areas or by demonstrating an economic link by other means providing sufficient benefit to populations dependent on fisheries and relative industries. Responsibility for maintaining an economic link rests with the vessel owner and compliance will be assessed annually after the conclusion of each quota year.

There is clear evidence that these new arrangements, which have been blessed by the Commission, are being taken very seriously. Although vessel owners are not required to give notice of the means by which they will

be achieving an economic link there has been a series of discussions with the Fisheries Departments about the means by which satisfactory links can be established.

As a result of such discussions we have accepted that some 17 vessels belonging to the North Sea Fish Producers Organisation may achieve part of their economic link by making part of their annual quota allocation available for redistribution by the Fisheries Departments, with the remainder of their link being achieved through other means such as landings, crewing or expenditure in the UK. The quota, which will consist of 50 tonnes of North Sea sole along with smaller quantities of turbot and brill and Channel plaice, will be used to extend the fishing opportunities for the inshore fleet and in particular the under 10 metre vessels.

## Genetically Modified Foods

**Mr. Baker:** To ask the Minister of Agriculture, Fisheries and Food, pursuant to the answer of 2 February 1999, *Official Report*, column *604*, to the Member for North Cornwall (Mr. Tyler), what was the date of the first assessment by his Department of the impact of genetically modified feed material on human health; if he will list the studies commissioned in this area with the dates of those studies; and if he will make a statement. [73400]

**Mr. Rooker** *[holding answer 1 March 1999]*: The implications for human health from the use of animal feed materials derived from a genetically modified crop were first considered in 1994.

Work was commissioned in 1996 with the Laboratory of the Government Chemist to determine the effects of processing on maize by-products, in connection with the application for a marketing consent for pest resistant maize. A further MAFF-funded study at Leeds University has looked at the various parameters used to process animal feeds and their effect on DNA; this was completed in 1998.

More recently, follow-up work has been commissioned with ADAS, to investigate the effects of processing on DNA in certain feeds under controlled commercial conditions.

There has been other relevant work which has considered the potential for gene transfer from GM organisms to gut bacteria.

**Mr. Baker:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the agricultural implications of the introduction of genetically modified crops into United Kingdom agriculture. [73401]

**Mr. Rooker** *[holding answer 1 March 1999]*: The Government believe that there are potential benefits to UK agriculture from the introduction of genetically modified crops. At the same time we recognise that there are widespread concerns about potential risks which they may pose to the agricultural environment. In response to these two considerations, we have set in hand a programme of research into the potential risks, and are proceeding with caution at the farm level by arranging a limited number of field-scale trials this year with full ecological monitoring.

**Ms Walley:** To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library responses to his Department's consultation document on genetically modified herbicide-resistant crops in the United Kingdom; and if he will make a statement. [72227]

**Mr. Rooker:** The comments on this discussion paper (issued on 10 July 1997) can be found in the Libraries of the House, and are available for viewing by the public on request in my Department's library at Whitehall Place.

The responses received were taken fully into account when formulating the statement I made to the House of Lords Select Committee on European Legislation on 21 October 1998.

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the reports from outside bodies on genetically modified food received by his Department in September 1998. [73502]

**Mr. Rooker:** The Government welcome all reports by outside bodies that make a constructive contribution to the debate about genetically modified (GM) food and biotechnology. In this context, the Government particularly welcomed the Royal Society report on GM foods and crops published in September 1998.

**Sir Teddy Taylor:** To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with the Catering Committee about genetically modified foods in the House; and if he will make a statement. [72999]

**Mr. Rooker:** I have had no such discussions with the House Catering Committee on this matter.

I would, however, refer the hon. Member to the statement issued by Sue Harrison, the Director of Catering Services and Head of the Refreshment Department for the House of Commons, on 17 February 1999, in which she makes it clear that although the use of foods containing genetically modified (GM) organisms is avoided wherever possible, there is no outright ban on the use of such foods in the House of Commons dining rooms and cafeterias.

The Government continue to be committed to ensuring that all GM foods are clearly labelled to enable all consumers, including hon. Members, to be able to make an informed choice about whether or not to eat such foods.

**Sir Teddy Taylor:** To ask the Minister of Agriculture, Fisheries and Food what powers Her Majesty's Government have to impose a moratorium on the production and sale of genetically modified foods *(a)* with and *(b)* without EU permission. [72998]

**Mr. Rooker:** Under Article 12 of the EC Novel Foods Regulation (258/97), a member state may act to either temporarily restrict or suspend the trade in, and the use of, an approved novel food or food ingredient in its territory if as a result of new information, or a reassessment of existing information, it has detailed grounds for believing that its use endangers human health or the environment. In such cases, it is required to immediately inform the European Commission of its decision. The European Commission then has three months from the date of referral to resolve the matter or adopt the member state's proposed measure.

**Sir Teddy Taylor:** To ask the Minister of Agriculture, Fisheries and Food if he will introduce legislation to require all genetically modified foods to be clearly labelled when offered for sale to the general public. [72997]

**Mr. Rooker:** It is already a requirement under EC law (EC Regulations 258/97 and 1139/98) that foods are labelled to inform consumers when their content has been genetically modified. GB legislation to enforce Regulation 1139/98, which requires all foods containing genetically modified soya and maize to be clearly labelled, will be brought into force as quickly as parliamentary procedures allow.

### Quarantine

**Mr. Wigley:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the outcome of the review of quarantine rules in the cases of blind people who need their guide dogs to accompany them on visits abroad. [72822]

**Mr. Rooker** *[holding answer 1 March 1999]:* The Government are considering the outcome of the consultation on the review of quarantine rules undertaken by the Advisory Group on Quarantine. We will announce a specific way forward as soon as we can.

**Sir George Young:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to amend the secondary legislation on quarantine to make it compatible with European Community law. [72907]

**Mr. Rooker:** The Government are considering the outcome of the consultation on the report of the Advisory Group on Quarantine, which recommended changes to the quarantine system. Implementing such changes would require legislative amendment.

**Sir George Young:** To ask the Minister of Agriculture, Fisheries and Food what contingency plans he has drawn up in case his defence in respect of the Quarantine Abolition Fighting Fund application for judicial review should fail. [73000]

**Mr. Rooker:** Any action that the Department took following the judicial review would depend on the terms of the judgment, whatever that might be.

**Mr. Malins:** To ask the Minister of Agriculture, Fisheries and Food if he will authorise the release from quarantine of clinically healthy dogs and cats which show valid serological evidence of immunity to rabies; and if he will make a statement. [72942]

**Mr. Rooker:** No. The Government are considering the outcome of the consultation on the review of quarantine rules undertaken by the Advisory Group on Quarantine. The Advisory Group recommended that changes to the present system should not be introduced until an alternative administrative and operational infrastructure is in place.

### BSE

**Mr. Charles Kennedy:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on reports that files on BSE controls between 1990 and 1995 are missing from his Department. [72292]

**Mr. Nick Brown:** All the material facts about Departmental papers have been passed to the BSE Inquiry. It would not be appropriate or fair for me to make any comment while that Inquiry is still in progress.

### Beef Ban

**Mr. Yeo:** To ask the Minister of Agriculture, Fisheries and Food what advice he has received from the Government's Chief Scientist about banning beef on the bone. [72611]

**Mr. Nick Brown:** None. This is primarily a matter for the Chief Medical Officer, Professor Liam Donaldson, who advised me and my right hon. Friend the Secretary of State for Health after he had considered the most recent scientific assessment by the Spongiform Encephalopathy Advisory Committee.

### Consultation Exercise

**Mr. Yeo:** To ask the Minister of Agriculture, Fisheries and Food what is the latest possible date for responses to the consultation exercise, Towards a New Direction for UK Agriculture. [66906]

**Mr. Nick Brown:** There is no specific close down date. Responses will be taken into account in decisions on the national implementation of CAP reforms over the foreseeable future. Those received while negotiations are still continuing will be fed into the final stages of that process.

### Beef on the Bone

**Mr. Yeo:** To ask the Minister of Agriculture, Fisheries and Food (1) when he expects to make a decision about the lifting of the ban on beef on the bone; [68105]

(2) what is the current advice he has received from the Chief Medical Officer on the safety of beef on the bone. [68059]

**Mr. Nick Brown:** I refer the hon. Member to the reply given to my hon. Friend the Member for Wirral, South (Mr. Chapman) on 4 February 1999, *Official Report*, columns *1077–78*.

**Mr. Yeo:** To ask the Minister of Agriculture, Fisheries and Food if he will publish the advice of the Chief Medical Officer on the safety of beef on the bone in each of the last three years. [68060]

**Mr. Nick Brown:** The advice to Ministers on this matter, given by the then Chief Medical Officer, Sir Kenneth Calman, on 3 December 1997, was the subject of a Department of Health Press Release issued on 5 December 1997. Further advice from his successor, Professor Liam Donaldson, was given in a memorandum on 18 January and published on 4 February. Both the Department of Health Press Release and the memorandum are available in the Library of the House.

### Bovine TB

**Mr. Drew:** To ask the Minister of Agriculture, Fisheries and Food (1) when he plans to renew support for research into bovine TB traces in badgers killed by road traffic accidents; [73216]

(2) in what form the results of research into bovine TB traces in badgers killed by road traffic accidents will be published; and when he expects such results to be available. [73217]

**Mr. Rooker:** The Krebs report and that of the Independent Scientific Group recommended a limited reintroduction of the Road Traffic Accident survey as part of a programme to establish the prevalence of TB among badgers. We are currently considering the implementation of these recommendations and an announcement, including details of data publication, will be made when a decision is reached.

## Novel Foods

**Mr. Yeo:** To ask the Minister of Agriculture, Fisheries and Food if he will list those matters that have been referred to the Standing Committee for Foodstuffs under Regulation (EC) No. 258/97 concerning novel foods and novel food ingredients. [69871]

**Mr. Nick Brown:** The following matters have been discussed at the Standing Committee for Foodstuffs under Regulation 258/97 since it came into force in May 1997:

Lactulose
Hemp extract
Soya and Maize labelling
Psyllium seed Husk
Sitostanal esters
Stevia rebaudiana
Erythritol
Phospholids
Genetically modified tomato products
Phytosterol esters
Olestra
High pressure processing
Linola
Criteria for accepting notifications under article 3(4) of regulation 258/97
Oilseed rape oil
Processed genetically modified maize
Interesterified fats
Genetic modification issues

**Mr. Yeo:** To ask the Minister of Agriculture, Fisheries and Food if he will list for each of the initial assessments in connection with the placing on the market of genetically modified novel foods or novel food ingredients, pursuant to Article 4 of Regulation (EC) No. 258/97, the comments or reasoned objections made by *(a)* himself, *(b)* other Member States and *(c)* the European Commission. [69874]

**Mr. Nick Brown** *[holding answer 8 February 1999]:* Initial assessments under EC Regulation 258/97 have been made for the following novel and GM foods: *Stevia rebaudiana*, phospholipids, chicory, and tomatoes (for processing).

The UK Advisory Committee for Novel Foods and Processes (ACNFP) concluded that there was insufficient information provided to be able to come to a view on the safety of the *Stevia rebaudiana*, chicory and phospholipids. Concern was also expressed about the lack of suitable labelling proposals for the latter two. The ACNFP concluded that the GM tomato products were as safe as processed products from non-GM tomatoes.

I am pressing the European Commission to develop clear rules on confidentiality to enable us to publish details of comments or reasoned objections made by other Member States relating to novel food applications.

## Winemaking Industry

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the current situation of the English winemaking industry. [73503]

**Mr. Morley:** In recent years the English and Welsh wine industry has been remarkably successful and innovatory, having made particular progress with the development and production of sparkling wine. English and Welsh wine is very much on the edge of the major wine producing area of Europe and because of this there are inevitable difficulties of climate, relatively low yields and other uncertainties. This has led to the cessation of production of some marginal vineyards in recent years. However, I am sure the industry can look to the future with confidence. My colleagues and I take every opportunity to promote its products.

## Air Miles

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food how many air miles have been earned by him and each of his ministers; and how he proposes to use them. [73330]

**Mr. Nick Brown:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend the Prime Minister on 12 January 1999, *Official Report*, column *141*.

Detailed information on any air miles earned by Ministers as a result of official travel is not recorded centrally.

## Ministerial Meetings (US Ministers)

**Mr. Matthew Taylor:** To ask the Minister of Agriculture, Fisheries and Food how many times Ministers in his Department have met their counterparts in the US Administration since 1 June 1998, indicating the dates and locations of each meeting, the Ministers involved, and the name of the US counterpart. [71982]

**Mr. Nick Brown:** I met my US counterpart, Mr. Dan Glickman the US Agriculture Secretary, on 22 January 1999 in Berlin for a formal bilateral meeting to discuss issues of mutual concerns.

## Cattle Tagging

**Mr. Swayne:** To ask the Minister of Agriculture, Fisheries and Food if he will make representations to the European Commission regarding new cattle tagging requirements to be implemented on 1 January 2000 in respect of the particular difficulty that these will present to commoners in the New Forest. [73009]

**Mr. Rooker:** Cattle need to be tagged early in their lives so they can be traced and it is in the farming industry's interest to ensure this happens. Currently cattle eartags must be applied within 30 days of the birth of an animal. For dairy animals, one of the eartags required must be applied within 36 hours.

The 30 day deadline will reduce to 20 days on 1 January 2000. If there are major practical difficulties with this next year, we will look at bringing these to the attention of the European Commission.

### Organic Farming

**Mr. Soley:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the level of financial support in the EU for organic farming. [72959]

**Mr. Morley:** Aid actually paid varies considerably between and within member States both in respect of levels of aid and types of production. EC Regulation 2078/92 sets out the limits on EU funding towards such aid.

Following the recommendation of the Select Committee on Agriculture and having taken views from consumers, environmentalists and farmers, we have announced plans to almost double the rate of aid available to farmers in England converting to organic practices. Subject to the approval of Parliament, the new rates will be introduced shortly.

### Fishing Vessels (Inspections)

**Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food how many fishing vessels were boarded by fisheries inspectors in the last year for which records are available; how many such actions resulted in legal proceedings for breach of regulations; and what was the nationality of the vessels concerned. [73282]

**Mr. Morley:** During 1998, the UK enforcement authorities boarded 4,189 fishing vessels at sea. Those boardings resulted in the masters and/or owners of 19 vessels being successfully prosecuted for breaches of fisheries regulations. The nationality of the vessels concerned were 8 UK, 5 Belgian, 5 French and 1 Irish. There are some cases which are still being processed and the numbers of prosecutions may therefore rise.

### Countryside Stewardship Scheme

**Ms Keeble:** To ask the Minister of Agriculture, Fisheries and Food how many applications made to the countryside stewardship scheme have been *(a)* approved and *(b)* funded in (i) 1996–97, (ii) 1997–98 and (iii) 1998–99. [73098]

**Mr. Morley:** The Ministry only approves applications for which funding is available. The number of applications approved in each year are as follows:

| *Financial years* | *Approved applications* |
|---|---|
| 1996–97 | 1,135 |
| 1997–98 | 1,172 |
| 1998–99 | 1,272 |

To date

### Ministerial Visits

**Mr. Gray:** To ask the Minister of Agriculture, Fisheries and Food if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71348]

**Mr. Nick Brown** *[holding answer 15 February 1999]:* I have visited the following parliamentary constituencies in an official capacity since my appointment as Minister of Agriculture, Fisheries and Food:

Battersea
Cardiff, Central
Cotswold
Dumfries
East Lothian
Edinburgh, Central
Exeter
Fermanagh and South Tyrone
Harrogate and Knaresborough
Hereford
Hexham
Kensington and Chelsea
Kingston and Surbiton
Lagan Valley
Livingston
Mid Ulster
Midlothian
Montgomeryshire
North Cornwall
North Norfolk
North-West Norfolk
Northavon
Oxford, East
Plymouth, Devonport
Plymouth, Sutton
Roxburgh and Berwickshire
South Down
South-East Cambridgeshire
South-West Devon
South-West Norfolk
Teignbridge
Tiverton and Honiton
Torridge and West Devon
Totnes
Truro and St. Austell
Upper Bann
Vale of York
Vauxhall
West Tyrone
Workington

### Departmental Policies

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food what systems he has in place to ensure that policies being developed by his Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72750]

**Mr. Morley** *[holding answer 24 February 1999]*: I refer the right hon. Member to the reply given by my hon. Friend the Parliamentary Under-Secretary of State for the Home Department in relation to departmental co-operation, on 24 February 1999, *Official Report*, column *311*. I can also confirm that MAFF's policies are subject to audit monitoring to prevent and detect fraud, both internal and external to the Department. In particular, MAFF applies controls to guard against fraud and irregularities in administering Common Agricultural Policy schemes. These controls are subject to regular audit under EU procedures.

# Written Answers to Questions

*Wednesday 3 March 1999*

## ENVIRONMENT, TRANSPORT AND THE REGIONS

### Railway Improvements

**Mrs. Dunwoody:** To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* new stations were opened and *(b)* miles of track were restored to use for passenger services in each of the years between 1985–86 and 1997–98. [73170]

**Dr. Reid:** The table shows the number of new stations opened in each of the years between 1985–86 and 1997–98. Statistics from 1994 onwards were supplied by Railtrack, which was established on 1 April 1994 and privatised on 20 May 1996.

| *Year* | *Stations opened* |
|---|---|
| 1985 | 19 |
| 1986 | 4 |
| 1987 | 6 |
| 1988 | 23 |
| 1989 | 15 |
| 1990 | 20 |
| 1991 | 6 |
| 1992 | 15 |
| 1993 | 14 |
| 1994 | 16 |
| 1995 | 10 |
| 1996 | 4 |
| 1997 | 3 |
| 1998 | 8 |

The British Railways Board has no central record of annual mileage of track restored to use for passenger services. Since 1994, Railtrack have restored 37 miles of track to passenger use.

### PCV Licences

**Ms Keeble:** To ask the Secretary of State for the Environment, Transport and the Regions what measures his Department has taken to facilitate speedier delivery of PCV licences via the DVLA in Swansea. [73096]

**Ms Glenda Jackson:** All applications for vocational (lorry and bus driver) licences are given high priority by the Driver and Vehicle Licensing Agency. The current service standard target is to deliver 95 per cent. of licences to applicants within 9 working days of receipt which includes postage time. The Agency is currently bettering this target by one day. The remaining applications—which are subject to conduct investigations by the Traffic Commissioners or medical consideration by the Agency's doctors—are normally cleared within 20 working days.

Applications can be submitted in multi-batches by training organisations and special provisions exist for licences to be collected from the Agency.

### Jubilee Line Extension

**Mr. Ottaway:** To ask the Secretary of State for the Environment, Transport and the Regions what is his current estimate of the total cost of constructing the Jubilee Line extension; and if he will make a statement on the changes since his previous estimate. [73001]

**Ms Glenda Jackson:** London Transport's current estimate of the total cost of constructing the Jubilee Line Extension is £3.2 billion. The estimate referred to in my response of 4 November 1998, *Official Report*, column 567, was based on a cost review undertaken in August 1998 before the completion date was revised and a three-phase opening strategy adopted.

### Local Government Expenditure

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list for each (1) unitary authority, (2) shire county, (3) shire district, (4) metropolitan district and (5) London borough council *(a)* the real terms percentage increase in standard spending assessment between 1997–98 and 1998–99, *(b)* the real terms percentage increase in Revenue Support Grant between 1997–98 and 1998–99, *(c)* the value of reduction grants received in 1998–99, *(d)* the real terms percentage increase in non-domestic rate income between 1997–98 and 1998–99 and *(e)* the real terms percentage increase in total external support between 1997–98 and 1998–99; [73643]

(2) if he will list for each (1) unitary authority, (2) shire county, (3) shire district, (4) metropolitan district and (5) London borough council *(a)* the real terms cash increase in standard spending assessment between 1997–98 and 1998–99, *(b)* the real terms cash increase in Revenue Support Grant between 1997–98 and 1998–99, *(c)* the real terms cash increase in non-domestic rate income between 1997–98 and 1998–99, and *(d)* the real terms cash increase in total external support between 1997–98 and 1998–99. [73644]

**Mr. Prescott:** The information requested has been placed in the Library.

The real terms percentage difference between the data for 1997–98 and 1998–99 has been deflated by the GDP deflator, and expressed in terms of the 1998–99 equivalent. "Total External Support" has been defined as the sum of Revenue Support Grant, income from Non-Domestic Rates and Damping Grants. The data used for 1997–98 refer to the RSG calculated using the Adjusted 1997–98 SSAs.

The 1997–98 SSAs have been adjusted for: Local Government Reorganisation on 1 April 1998; the Personal Social Services SSA have been adjusted to include the indicative Special Transitional Grant for Community Care; and the Education SSA have been adjusted to include the deduction for nursery vouchers.

No adjustments have been made for the changes detailed in The Local Government Finance Report (England) 1997/1998: Amending Report 1999.

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each (1) unitary authority, (2) shire county, (3) shire district, (4) metropolitan district and (5) London borough council *(a)* the real terms (i) percentage and (ii) cash

increase in standard spending assessment between 1998–99 and 1999–2000, *(b)* the real terms (i) percentage and (ii) cash increase in revenue support grant between 1998–99 and 1999–2000, *(c)* the value of reduction grants that will be received in 1999–2000, *(d)* the real terms (i) percentage and (ii) cash increase in non-domestic rate income between 1998–99 and 1999–2000 and *(e)* the real terms (i) percentage and (ii) cash increase in total external support between 1998–99 and 1999–2000. [73645]

**Mr. Prescott:** The information requested has been placed in the Library.

The real terms percentage difference between the data for 1998–99 and 1999–2000 has been deflated by the GDP deflator, and expressed in terms of the 1999–2000 equivalent.

"Total External Support" has been defined as the sum of Revenue Support Grant, income from Non-Domestic Rates and Damping Grants.

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list for each (1) unitary authority, (2) shire county, (3) shire district, (4) metropolitan district and (5) London borough council the real terms cash and percentage change between (A) 1997–98 and 1998–99 and (B) 1998–99 and 1999–2000 in (i) standard spending assessment and (ii) revenue support grant for *(a)* education services, *(b)* social services, *(c)* highways maintenance, *(d)* police services and *(e)* fire services; [73352]

(2) if he will list for each (1) unitary authority, (2) shire county, (3) shire district, (4) metropolitan district and (5) London borough council what percentage of the real terms cash change between (A) 1997–98 and 1998–99 and (B) 1998–99 and 1999–2000 in (i) standard spending assessment and (ii) revenue support grant has been ring-fenced for *(a)* education services, *(b)* social services, *(c)* highways maintenance, *(d)* police services and *(e)* fire services. [73353]

**Mr. Prescott:** A table showing the real terms cash change figures together with a table showing the real terms change figures expressed as a percentage of total standard spending assessment for the education block, the personal social services block, the highways maintenance block, the police block and the fire block have been placed in the library.

The 19897–98 SSAs have been adjusted for: Local Government Reorganisation on 1 April 1998: the Personal Social Services SSA have been adjusted to include the indicative Special Transitional Grant for Community Care: and the Education SSA have been adjusted to include the deduction for nursery vouchers.

No adjustments have been made for the changes detailed in The Local Government Finance Report (England) 1997–98: Amending Report 1999.

Although Standard Spending Assessments are determined for individual blocks of services, there is no obligation on authorities to adopt a similar pattern of spending; the SSAs are not ring-fenced.

Revenue Support Grant is a block grant which is not determined for individual services. It is not ring-fenced.

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each (1) unitary authority,(2) shire county, (3) shire district, (4) metropolitan district and (5) London borough council their proposed Band D council tax rates for 1999–2000. [73379]

**Mr. Prescott:** The information requested is not yet available. The tax setting legislation gives Shire County Councils until 1 March to set a budget and issue a precept on their billing authorities for the year ahead. The other authorities listed have until 11 March to set a budget and council tax rates. In both instances, the authorities are required to inform me of their decisions within 7 days of taking them. As a result, my department intends to publish a Statistical Bulletin in the week beginning 22 March giving the council tax rates at each band that have been set for 1999–2000.

### Hushkitted Aircraft

**Miss McIntosh:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received concerning the threat of retaliatory measures against Concorde flights from Britain to the US following the imposition of environmental measures to ban hush-kit aircraft from the 1 April 2002 in Europe. [73971]

**Ms Glenda Jackson:** We have received representation from British Airways. The European Union draft Regulation on Hushkitted aircraft, which has passed its second reading in the European parliament, has not yet been adopted by the Council of Ministers.

### Warcop to Appleby Railway Line

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions when the section of railway line from Warcop to Appleby in Cumbria was sold; to whom; and for what price. [73951]

**Dr. Reid:** The railway line from Warcop to Appleby was transferred to Sustrans for a nominal sum in May 1998 for use as a cycle path as part of the National Cycle Network. The transfer is subject to arrangements for shared use of the line with the Eden Valley Railway who are acquiring part of the trackbed from Sustrans.

### Paved Areas (Chewing Gum Removal)

**Mr. Martlew:** To ask the Secretary of State for the Environment, Transport and the Regions what is the estimated annual cost to local authorities for the removal of chewing gum from paved areas; and if he will make a statement. [73895]

**Mr. Meale:** Information on the cost to local authorities for the removal of chewing gum from paved areas is not collected centrally. The total cost of street cleansing for the local authorities in England 1997–98 was £342 million.

### Council Tax

**Mr. Ottaway:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each notifiable authority in England the band D council tax for 1999–2000 and the change over that for 1998–99 in *(a)* cash and *(b)* percentage terms. [73928]

**Ms Armstrong:** The information requested is not yet available. The tax setting legislation gives major precepting authorities until 1 March to set a budget and issue a precept on their billing authorities for the year ahead and other authorities until 11 March to set their budgets and council tax rates. In both instances, the authorities are required to inform the Secretary of State of their decisions within 7 days of taking them. As a result, my department intends to publish a Statistical Bulletin in the week beginning 22 March giving the council tax rates that have been set at each band for 1999–2000.

### Gas

**Mrs. Brinton:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with the Secretary of State for Trade and Industry over the potential for carbon emission reductions which could be achieved by extending until 2002 the powers of the Director General of Gas Supply to set standards of performance with regard to the promotion of the efficient use of gas. [74284]

**Mr. Meale:** Ministers in the Department of the Environment, Transport and the Regions and the Department of Trade and Industry regularly discuss matters in which both Departments have an interest, including energy efficiency. These discussions are informal and private.

### Energy Efficiency

**Mrs. Brinton:** To ask the Secretary of State for the Environment, Transport and the Regions what total level of investment in domestic energy efficiency he estimates will be required between now and 2010 in order to meet *(a)* the Kyoto 12.5 per cent. carbon dioxide reduction target and *(b)* a 20 per cent. target. [74288]

**Mr. Meale:** Our UK Climate Change Programme Consultation Paper discussed and invited comment on how the UK could meet its climate change objectives, including possible contributions from domestic energy efficiency. The Government are now considering responses and will develop and consult further on a new climate change programme for the UK in the light of this process.

### Social Housing

**Mr. Love:** To ask the Secretary of State for the Environment, Transport and the Regions what recognition will be given within planning projections for new housing over the next two decades to requirements for socially rented housing; and if he will make a statement. [74189]

**Mr. Raynsford:** The latest household projections published in 1995 identify the number of households expected to form over the period 1991–2016 but not the tenure of the housing they might occupy.

### Welsh Highland Railway

**Mr. Wigley:** To ask the Secretary of State for the Environment, Transport and the Regions on what date he received the report of the inspector into the application by the Ffestiniog Railway company to re-open the Welsh Highland Railway between Dinas and Porthmadog; and what was the average time taken by ministers to make a decision of such reports in the past three years. [74298]

**Ms Glenda Jackson:** The Inspector's report following the public inquiry into the Welsh Highland Railway was received on 22 April 1998. In those five Transport and Works Act cases where decisions have been taken by the Secretary of State in the last three years following a public inquiry, the average time has been between 12 and 13 months from receipt of the Inspector's report. Four reports are currently before the Secretary of State for determination in addition to that for the Welsh Highland Railway. These reports were received on 6 October 1997, 2 February 1998 (interim decision letter issued on 8 September 1998), 6 February 1998 and 23 February 1999.

### Housing Stock (Local Authorities)

**Mr. Loughton:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list those local authorities which have successfully completed a large-scale voluntary transfer of their housing stock to date. [74156]

**Mr. Raynsford** *[holding answer 2 March 1999]:* Seventy-seven local authorities have successfully completed eighty-four large scale voluntary transfers of all or part of their housing stock to date. A list of those authorities is set out in chronological order.

Chiltern DC
Sevenoaks DC
Newbury DC
Swale BC
Broadland DC
Bedford BC
Medina DC (now part of Isle of Wight Unitary Authority)
Rochester upon Medway CC
South Wight (now part of Isle of Wight Unitary Authority)
Mid Sussex DC
East Dorset DC
Tonbridge & Malling BC
Ryedale DC
South Bucks DC
Christchurch BC
Suffolk Coastal DC
Tunbridge Wells BC
London Borough of Bromley
Surrey Heath BC
Breckland DC
Rushmoor BC
North Wiltshire DC
Spelthorne BC
East Hampshire DC
Hastings BC
Eastleigh BC
Wyre BC

Walsall MBC
Manchester CC[1]
Stratford DC
West Wiltshire DC
Cotswold DC
South Staffordshire DC
Lichfield DC
South Oxfordshire DC
Eden DC
London Borough of Lambeth[1]
London Borough of Bexley
East Cambridgeshire DC
Hambleton DC
West Dorset DC
Havant BC
Epsom & Ewell BC
Hart DC
South Shropshire DC
Leominster DC[1]
South Ribble BC
Hertsmere BC
Penwith DC
North Dorset DC
Wychavon DC
Mid Bedfordshire DC
Thanet DC
Vale of White Horse DC
Cherwell DC
Basingstoke & Deane BC
Malvern Hills DC
Maldon DC
Royal Borough of Windsor & Maidenhead
Kennet DC
Congleton BC
Oldham Metropolitan Borough Council[1]
Liverpool City Council[1]
Kerrier DC
London Borough of Merton[1]
London Borough of Tower Hamlets[1]
West Somerset DC
London Borough of Hackney[1]
London Borough of Brent[1]
Basildon DC[1]
Stoke-on-Trent City Council[1]
Tewkesbury BC
Rother DC
Wirral BC[1]
Tameside Metropolitan Borough Council[1]
South Somerset DC
West Devon BC

[1] denotes partial transfer.

### French Transport Strikes

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the amount of compensation awarded to British transport companies affected as a result of French transport strikes; what proportion of overall claims have been settled; and what representations to the French Government he has made. [74437]

**Dr. Reid:** Some 1,200 British claims were made in respect of the 1996 French lorry drivers' strike. We understand that some 25 per cent. have so far received a favourable response. Precise figures are not available because claims were not dealt with centrally in France but were dealt with by Prefectures in the Departments in which blockades occurred. For the same reason, information about the amount of compensation paid is not available. We continue to work with the French authorities to secure the timely and fair consideration of claims.

### Train Operating Companies

**Mr. Baker:** To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received in respect of the performance of train operating companies. [72480]

**Ms Glenda Jackson:** Since January, my Department and the Office of Passenger Rail Franchising have received almost 400 representations on the performance of train operating companies.

### Red Routes (London)

**Mr. Corbyn:** To ask the Secretary of State for the Environment, Transport and the Regions what is the current mileage of red routes in each London borough; what was the figure for each of the last five years; and what is the anticipated figure for 1999–2000. [73764]

**Ms Glenda Jackson:** The red route network was designated by Statutory Instrument in 1992 (SI 1992/1372). The breakdown by borough is given in the table. Since 1992 the SI has been amended twice (SI 1995/1130 and SI 1997/1001) to make small changes to the network in Ealing, Haringey, Hackney, Hillingdon and Lewisham and to correct minor descriptive errors. The programme for the implementation of the red route measures is set out in the Traffic Director's Annual Report, a copy of which is in the Library.

*Red routes in London by borough*

| | 1992 | | 1995 | | 1997 | |
|---|---|---|---|---|---|---|
| | Miles | Kms | Miles | Kms | Miles | Kms |
| Barking and Dagenham | 4 | 6.4 | 4 | 6.4 | 4 | 6.4 |
| Barnet | 19.1 | 30.1 | 19.1 | 30.1 | 19.1 | 30.1 |
| Bexley | 8.6 | 13.8 | 8.6 | 13.8 | 8.6 | 13.8 |
| Brent | 3.4 | 5.5 | 3.4 | 5.5 | 3.4 | 5.5 |
| Bromley | 12 | 19.3 | 12 | 19.3 | 12 | 19.3 |
| Camden | 7.1 | 11.4 | 5.5 | 8.8 | 5.5 | 8.8 |
| City | 1.2 | 1.9 | 1.2 | 1.9 | 1.2 | 1.9 |
| Croydon | 13.2 | 21.2 | 13.2 | 21.2 | 13.2 | 21.2 |

*Red routes in London by borough*

| | 1992 | | 1995 | | 1997 | |
|---|---|---|---|---|---|---|
| | *Miles* | *Kms* | *Miles* | *Kms* | *Miles* | *Kms* |
| Ealing | 10.2 | 16.4 | 11.8 | 19 | 11.8 | 19 |
| Enfield | 9.2 | 14.8 | 9.2 | 14.8 | 9.2 | 14.8 |
| Greenwich | 15.8 | 25.4 | 15.8 | 25.4 | 15.8 | 25.4 |
| Hackney | 8.9 | 14.3 | 8.9 | 14.3 | 9.5 | 15.3 |
| Hammersmith and Fulham | 4.4 | 7.1 | 4.4 | 7.1 | 4.4 | 7.1 |
| Haringey | 7.6 | 12.2 | 7.6 | 12.2 | 6.1 | 9.8 |
| Harrow | 0 | 0 | 0 | 0 | 0 | 0 |
| Havering | 12 | 19.3 | 12 | 19.3 | 12 | 19.3 |
| Hillingdon | 8 | 12.9 | 10.8 | 17.3 | 10.8 | 17.3 |
| Hounslow | 17.7 | 28.5 | 18.3 | 29.4 | 18.3 | 29.4 |
| Islington | 8.1 | 13 | 8.1 | 13 | 8.1 | 13 |
| Kensington and Chelsea | 7.6 | 12.2 | 7.6 | 12.2 | 7.6 | 12.2 |
| Kingston | 6.2 | 10 | 6.2 | 10 | 6.2 | 10 |
| Lambeth | 15.9 | 25.6 | 15.9 | 25.6 | 15.9 | 25.6 |
| Lewisham | 12.2 | 19.6 | 12 | 19.3 | 12 | 19.3 |
| Merton | 4.3 | 6.9 | 4.3 | 6.9 | 4.3 | 6.9 |
| Newham | 9.5 | 15.3 | 9.5 | 15.3 | 9.5 | 15.3 |
| Redbridge | 11.3 | 18.2 | 11.3 | 18.2 | 11.3 | 18.2 |
| Richmond | 7.7 | 12.4 | 7.7 | 12.4 | 7.7 | 12.4 |
| Southwark | 9.3 | 15 | 9.3 | 15 | 9.3 | 15 |
| Sutton | 10.4 | 16.7 | 10.4 | 16.7 | 10.4 | 16.7 |
| Tower Hamlets | 12.2 | 19.6 | 12.2 | 19.6 | 12.2 | 19.6 |
| Waltham Forest | 6.5 | 10.5 | 6.5 | 10.5 | 6.5 | 10.5 |
| Wandsworth | 20.4 | 32.8 | 20.4 | 32.8 | 20.4 | 32.8 |
| Westminster | 10.6 | 17.1 | 10.9 | 17.5 | 10.9 | 17.5 |
| Total | 314.6 | 505.4 | 318.1 | 510.8 | 317.2 | 509.4 |

## Bus Lanes (London)

**Mr. Corbyn:** To ask the Secretary of State for the Environment, Transport and the Regions what is the length of bus lane for each London borough; what was the figure for each of the past five years; and what is the anticipated figure for 1999–2000. [73765]

**Ms Glenda Jackson:** I have placed the information requested in the Library.

## Cycle Lanes (London)

**Mr. Corbyn:** To ask the Secretary of State for the Environment, Transport and the Regions what is the current mileage of cycle lanes in London broken down by borough; what were the figures for *(a)* 1989–90 and *(b)* 1993–94; and what are the expected figures for 1999–2000. [73823]

**Ms Glenda Jackson:** The information requested on the length of cycle lanes for the years 1989–90 and 1993–94 is not available. This is before the work on the London Cycle Network commenced and therefore no central body existed to gather and co-ordinate the data. Approximately 190 miles of cycle network were in place when work started on the London Cycle Network in 1995–96; however, it is not known what proportion consisted of cycle lanes. The following table shows the existing lengths of the London Cycle Network on a borough-by-borough basis as at April 1998. The expected borough-by-borough figures for 1999–2000 are not yet available but it is anticipated that in total there will be 1,000 miles of the network in place by the end of this period.

*Length of London cycle network as at April 1998*

| *Authority* | *Mileage* |
|---|---|
| Barking and Dagenham | 13.7 |
| Barnet | 29.3 |
| Bexley | 4.5 |
| Brent | 12.5 |
| Bromley | 41.3 |
| Camden | 11.9 |
| City of London | 0.10 |
| Croydon | 30.4 |
| Ealing | 40.6 |
| Enfield | 8.6 |
| Greenwich | 26.6 |
| Hackney | 12.9 |
| Hammersmith and Fulham | 23.8 |
| Haringey | 13.3 |
| Harrow | 3.2 |
| Havering | 13.3 |
| Hillingdon | 29.0 |
| Hounslow | 33.7 |
| Islington | 11.9 |
| Kensington and Chelsea | 10.4 |
| Kingston Upon Thames | 30.8 |
| Lambeth | 7.8 |
| Lewisham | 9.3 |
| Merton | 21.7 |
| Newham | 14.1 |
| Redbridge | 18.5 |
| Richmond | 47.8 |
| Southwark | 25.5 |
| Sutton | 28.5 |
| Tower Hamlets | 14.9 |
| Waltham Forest | 30.6 |
| Wandsworth | 41.6 |
| Westminster | 19.4 |
| Total | 682.0 |

*Notes:*

1. There have been slight modifications to the network since 1997.
2. The Traffic Director for London and the Highways Agency will also be making important contributions, along the Priority (Red) Routes and some Trunk Roads, to the provisions for Cyclists in London.

### Strategic Rail Authority

**Mr. Jenkin:** To ask the Secretary of State for the Environment, Transport and the Regions when he will publish legislation to establish the proposed Strategic Rail Authority. [74419]

**Dr. Reid:** If legislative time becomes available, we will introduce a Bill to establish a Strategic Rail Authority this session. If time does not become available, then we will publish a draft Bill later this Session, for introduction as a priority at a subsequent opportunity.

### Montreal Conference

**Mr. Jenkin:** To ask the Secretary of State for the Environment, Transport and the Regions if he will consult the air transport *(a)* industry and *(b)* users prior to the Montreal Conference in May; and if he will make a statement on the position to be adopted by the Government at the Conference. [74412]

**Ms Glenda Jackson:** The International Civil Aviation Organisation will hold a Diplomatic Conference in May for the purpose of adopting a new convention intended to replace all previous instruments of the Warsaw Convention for International Carriage by Air. Officials from my Department have been involved in the development of the new convention and have formally consulted representatives of UK airlines, airline users and principal practitioners in international air law. The views received will be taken into account by the Government at the Conference.

### Rail Industry Subsidies

**Mr. Jenkin:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to change the subsidy arrangements for the United Kingdom rail industry. [74420]

**Dr. Reid:** We are determined to ensure that Railtrack has adequate incentives to perform effectively and efficiently, and to develop the network, meeting the needs of customers and funders. That could point to a proportion of Railtrack's access income being paid direct by the proposed Strategic Rail Authority, rather than via train operators. We have asked the Rail Regulator for a report on this matter.

Within the overall context of our plans for the railway, financial responsibility for those passenger services that both start and end in Scotland will be transferred to Scottish Ministers.

### Rail Summit

**Mr. Jenkin:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the outcome of the Rail Summit. [74418]

**Dr. Reid:** The Rail Summit was an important step towards our goal of creating within 10 years one of the best railway systems in the world. The passenger train operators and Railtrack share that aim and want to work together—and with government—to realise it.

At the Summit, the Government:

announced they were prepared to renegotiate existing franchises and specified the criteria against which applications would be judged;

introduced Sir Alastair Morton as the new chairman of the British Railways Board and head of the shadow Strategic Rail Authority;

launched the consultation exercise which will lead later in the year to the shadow SRA's strategic plan for the railway;

announced the start of work on a National Passengers Survey and on ways of measuring more accurately train operators' performance;

promised legislation to regulate the rolling stock leasing companies if they do not voluntarily restrict their market power.

The passenger train operators jointly promised that:

on average, train services will be more punctual next year than they are now;

by 2002, half the current rolling stock fleet will have been replaced or refurbished;

by April next year, all stations in Great Britain will have passenger information systems;

an additional £39m will be spent on measures to improve the security of passengers.

The industry has given a commitment to work to deliver real improvements which are measurable year on year. There will be a second Summit in spring next year to review progress and maintain the momentum which was created on 25 February.

### Radionuclide Transfer (Departmental Report)

**Mr. Alasdair Morgan:** To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of his Department's report "An Assessment of Artificial Radionuclide Transfer from Sellafield to South West Scotland" by Professor Murdoch Baxter, dated March 1989 (reference DOE/RW/89/127. [73824]

**Mr. Meale:** Yes.

### A21

**Mr. Norman:** To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will publish the evidence used by officials of his Department to conclude that the dualling of the A21 Tonbridge to Pembury road *(a)* will decrease peak time traffic delays by up to 3.5 minutes and *(b)* may affect the great crested newt; [74340]

(2) if he will place in the Library copies of the full cost-benefit analysis for the A21 Tonbridge to Pembury dualling proposal. [74341]

**Ms Glenda Jackson:** I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to the hon. Member.

*Letter from Lawrie Haynes to Mr. Archie Norman, dated 3 March 1999:*

The Minister for Transport, Glenda Jackson, has asked me to reply to you about the A21 Tonbridge to Pembury dualling proposals.

A copy of the full cost benefit analysis for the scheme is being placed in the House of Commons Library. This document was published at the time of the Public Inquiry in 1993 and includes the evidence used to conclude that the proposed dualling will decrease peak time traffic delays by up to 3.5 minutes.

A have asked for a copy of the Environmental Statement for the scheme to be sent to you. It was this document which noted that a pond occupied by great crested newts would be affected by the scheme. The document was published in 1992.

## CULTURE, MEDIA AND SPORT

### Disability Discrimination Act 1995

**Mr. Berry:** To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71271]

**Mr. Banks:** We are acting to ensure that the Department's policies meet the needs of disabled people and that we comply with our legal requirements. The Department already takes positive steps to make it easier to disabled people to participate in the arts, sport and leisure pursuits. We shall continue to do so, not only by complying fully with new duties in the Disability Discrimination Act but by aiming to exceed them where appropriate.

One of the Department's main objectives is to widen and improve access for disabled people and other groups by embedding consultation and consideration of their needs in mainstream policies, and by means of the funding agreements being negotiated with its sponsored bodies. This includes the need to ensure that our policies and their outcomes comply with the law. This complements the guidance "Policy Appraisal for Equal Treatment" which the Cabinet Office issued to all Government Departments in November 1998, and which was signed jointly by my right hon. Friends the Minister for Women, the Secretary of State for Education and Employment and the Home Secretary.

The Department's Management Board monitors the Department's performance and that of its sponsored bodies and will publish information on the progress being made in this area, as will other Government Departments.

### Millennium Dome

**Mr. Mitchell:** To ask the Secretary of State for Culture, Media and Sport (1) what provision has been made for the sale of *(a)* British and *(b)* other books at the Millennium Experience; [73087]

(2) what provision will be made inside the Millennium Dome for the sale of books. [64808]

**Janet Anderson:** The New Millennium Experience Company (NMEC) is in discussion with a number of publishers through its licensing agency about the production of a range of Millennium Experience books for all ages. These books will be sold through high street bookshops, retailers and through other distribution channels. As regards the Dome, the aim is to provide a range of special edition Millennium Experience books, and other printed material to meet visitor needs. These will be available through the NMEC's own retailing arrangements in the Dome.

### Creative Industries Task Force

**Mr. Soames:** To ask the Secretary of State for Culture, Media and Sport if he will list the members of the Creative Industries Task Force; on how many occasions since its establishment it has met; who was present at each meeting; what its work in progress is; and what conclusions it has reached to date. [72905]

**Janet Anderson:** The members of the Creative Industries Task Force are as follows:

Right hon. Chris Smith MP, Secretary of State for Culture, Media and Sport (Chairman)

*Ministerial and official representatives of:*

The Department of the Environment, Transport and the Regions
The Foreign and Commonwealth Office
The Department of Trade and Industry
HM Treasury
The Department for Education and Employment
The Minister for Women
The Scottish Office
The Welsh Office
The Northern Ireland Office
The British Council
The Office of Science and Technology
No. 10 Policy Unit
DCMS officials

*Industry advisers:*

Lord Alli—Planet 24
Richard Branson/Robert Devereux—Virgin Group Plc
Janice Hughes—Spectrum Strategy Consultants
Alan McGee—Creation Records
Gail Rebuck—Random House UK Ltd.
Eric Salama—WPP Group Plc
Paul Smith—Paul Smith Ltd.
Charles Allen —Granada Group
Prof. Stephen Heppell[1]—Ultralab
Lord Puttnam (until July 1998)

[1]Appointed January 1999.

The Creative Industries Task Force has met seven times since its establishment in June 1997. Alongside these seven meetings, there has been extensive contact with individual Task Force members about specific elements of the work programme. Those present at each meeting were as follows:

*First meeting—8 October 1997*

The right hon. Chris Smith MP
Geoffrey Robinson MP
Peter Mandelson MP
Richard Caborn MP
Derek Fatchett MP
Barbara Roche MP
Dr. Kim Howells MP
Joan Ruddock MP
Sam Galbraith MP
Tony Worthington MP
Sir Robert May
Waheed Alli
Richard Branson
Robert Devereux
Janice Hughes
Alan McGee

Lord Puttnam
Gail Rebuck
Eric Salama
Paul Smith
DCMS and other Government Departmental officials

*Second meeting—17 December 1997*
The right hon. Chris Smith MP
Geoffrey Robinson MP
The right hon. Derek Fatchett MP
Mark Fisher MP
Barbara Roche MP
Dr. Kim Howells MP
Sam Galbraith MP
Waheed Alli
Janice Hughes
Alan McGee
Lord Puttnam
Gail Rebuck
Paul Smith
DCMS and other Government Departmental officials

*Third meeting—18 February 1998*
The right hon. Chris Smith MP
Geoffrey Robinson MP
Richard Caborn MP
The right hon. Derek Fatchett MP
Mark Fisher MP
Dr. Kim Howells
Barbara Roche MP
Joan Ruddock MP
Sir Robert May
Dr. David Drewry
Waheed Alli
Robert Devereux
Janice Hughes
Gail Rebuck
Eric Salama
DCMS and other Government Departmental officials

*Fourth meeting—5 May 1998*
The right hon. Chris Smith MP
The right hon. Tom Clarke CBE MP
The right hon. Richard Caborn MP
The right hon. Derek Fatchett MP
Dr. Kim Howells
Sir Robert May
Waheed Alli
Robert Devereux
Janice Hughes
Gail Rebuck
Eric Salama
Dr. Ken Robinson, Chairman, the National Advisory Committee on Creative and Cultural Education
Stuart Till, Co-chair, the Film Policy Review Group
DCMS and other Government Departmental officials

*Fifth meeting—16 July 1998*
The right hon. Chris Smith MP
Geoffrey Robinson MP
The right hon. Richard Caborn MP
Dr. Kim Howells MP
Barbara Roche MP
Tony Worthington MP
Win Griffiths MP
Dr. David Drewry
Robert Devereux
Alan McGee
Lord Puttnam
Gail Rebuck
Eric Salama
Stephen Carter, J Walter Thompson
DCMS and other Government Departmental officials

*Sixth meeting—26 October 1998*
The right hon. Chris Smith MP
The right hon. Richard Caborn MP
George Mudie MP
Barbara Roche MP
Peter Hain MP
Janet Anderson MP
Sir Robert May
Lord Alli
Janice Hughes
Gail Rebuck
Eric Salama
Kevin Kane, Scottish Enterprise
DCMS and other Government Departmental officials

*Seventh meeting—14 December 1998*
The right hon. Chris Smith MP
The right hon. Richard Caborn MP
Barbara Roche MP
Kim Howells MP
Sir Robert May
Janice Hughes
Gail Rebuck
Eric Salama
Mathilda Joubert, the National Advisory Committee on Creative and Cultural Education
Michael Trickey, Arts Council of Wales
DCMS and other Government Departmental officials.

*Work on the Task Force*

The early work on the Creative Industries Task Force focused on mapping activity in the UK creative industries and assessing its economic value. The Task Force was responsible for the Creative Industries Mapping Document, which was published in November 1998. The Mapping Document has a practical application, besides providing a statistical analysis of the economic health of the creative industries.

The Creative Industries Task Force has now embarked on an ambitious work programme for the next 12–15 months, building on the findings in the Mapping Document. There are three key strands to the programme:

(a) a focus on generic issues which affect the creative industries such as the skills base, finance for creative ventures, export promotion and intellectual property. Sub-Groups, led by Task Force members, will look at these issues;

(b) an additional Sub-Group led by Richard Caborn will consider issues impacting on the creative industries at a regional level; and

(c) a series of short, generally industry-related, inquiries will be carried out.

### Cumbria Tourist Board

**Mr. Maclean:** To ask the Secretary of State for Culture, Media and Sport what plans he has to retain a separate Cumbria tourist board within the north-west region. [73642]

**Janet Anderson:** Cumbria Tourist Board, as are other regional tourist boards, is an independent commercial organisation and determines its own boundary. We wish to see the arrangements for all regional bodies continue on a basis which fosters close and co-operative working to support successful and sustainable development.

### Sports Institute

**Mr. Peter Bradley:** To ask the Secretary of State for Culture, Media and Sport what progress he has made on the establishment of the UK Sports Institute. [72101]

**Mr. Banks** *[holding answer 1 March 1999]:* I refer my hon. Friend to the reply my right hon. Friend the Secretary of State gave to my hon. Friend the Member for Hove (Mr. Caplin) on 1 March 1999, *Official Report*, columns *535–37*.

### Television Licences

**Mr. MacShane:** To ask the Secretary of State for Culture, Media and Sport if he will discuss with relevant departments a reduction of the cost of the BBC licence fee to pensioners dependent solely on the state pension. [74043]

**Janet Anderson** *[holding answer 2 March 1999]:* The independent review panel currently considering the future funding of the BBC has also been asked to examine the structure of the existing concessionary television licence scheme and whether a suitable alternative structure could be available. The panel has invited representations on a number of areas, including the concessionary arrangements, and will report to my right hon. Friend the Secretary of State by the end of July this years. There will then be a period of public consultation on the panel's recommendations. It would not be right for the Government to preempt the outcome of the review.

### Films (Lottery Funding)

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport if he will list those films which have received lottery funding to date indicating *(a)* how much lottery money each received, *(b)* their total budgets, *(c)* their release dates, *(d)* the number of screens on which they opened and *(e)* their takings to date. [74239]

**Janet Anderson** *[holding answer 2 March 1999]:* There are no data available centrally on the numbers of screens on which lottery-funded films opened and the record of takings of these films is not fully tracked. Some data are available and I have today placed that information together with the other data requested, in the Libraries of the House.

## CABINET OFFICE

### Ministerial Group on Older People

**Mrs. Gilroy:** To ask the Minister for the Cabinet Office, pursuant to his answer of 1 February 1999, *Official Report*, column *517*, which Ministers are members of the ministerial group on older people from the various departments he listed. [73694]

**Mr. Kilfoyle:** Membership of the group comprises those Ministers who have particular responsibilities for policy areas which affect older people. It includes me together with my right hon. and hon. Friends the Lord Privy Seal, the Minister of State, Department of Health, the hon. Member for Southampton, Itchen (Mr. Denham); the Minister of State, Department of Social Security; the Under-Secretary of State for Health, the hon. Member for Barrow and Furness (Mr. Hutton); the Minister for Transport in London; the Minister for London and Construction; the Minister of State, Home Office, the hon. Member for Brent, South (Mr. Boateng); the Economic Secretary; the Minister for Competition and Consumer Affairs; the Minister for the Arts; the Under-Secretary of State for Education and Employment, the hon. Member for Barking (Ms Hodge); the Minister of State, Lord Chancellor's Department; the Under-Secretary of State for Defence; the Under-Secretary of State for Northern Ireland; the Under-Secretary of State for Scotland, the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith); and the Under-Secretary of State for Wales, the hon. Member for Cardiff, Central (Mr. Jones).

Other Ministers with an interest in a particular subject may also attend meetings of the group from time to time.

### Civil Servants (Ethnic Origin)

**Mr. Vaz:** To ask the Minister for the Cabinet Office if he will provide a breakdown in *(a)* numerical and *(b)* percentage terms of the ethnic origin as of 1 May 1998 to 31 December 1998, of civil servants at each grade; and if he will further break down those of ethnic minority origin at each grade in (i) numerical and (ii) percentage terms into (1) Indian, (2) Pakistani, (3) Bangladeshi, (4) Chinese and (5) other and mixed Asian. [73695]

**Mr. Kilfoyle:** Provisional information at 1 October 1998, from Mandate, the Cabinet Office's personnel database, is set out in the table. It is not directly comparable to the information in the recently published *Equal Opportunities in the Civil Service Data Summary* which is based on staff in post at 1 April 1998. The table excludes staff in departments who do not provide data to Mandate. However, both the Data Summary and the table show that 5.7 per cent. of all staff were from ethnic minority groups.

*Ethnic origin of non-industrial Civil Servants[1] in post by responsibility level[2] at 1 October 1998[3]*

*Number*

| | *SCS* | *G6* | *G7* | *SEO* | *HEO* | *EO* | *AO* | *AA* | *Total*[4] |
|---|---|---|---|---|---|---|---|---|---|
| White | 2,731 | 3,757 | 13,739 | 17,771 | 39,786 | 82,502 | 136,851 | 51,828 | 349,713 |
| Ethnic minority | 48 | 107 | 356 | 406 | 1,123 | 4,445 | 10,624 | 4,117 | 21,237 |
| *of which:* | | | | | | | | | |
| Black | 10 | 24 | 66 | 74 | 341 | 1,644 | 4,244 | 1,588 | 7,998 |
| Asian | 32 | 65 | 218 | 258 | 606 | 2,381 | 5,704 | 2,329 | 11,595 |
| Indian | 16 | 31 | 108 | 102 | 275 | 1,192 | 3,036 | 1,177 | 5,938 |
| Pakistani | [5] | 12 | 24 | 24 | 48 | 222 | 642 | 356 | 1,329 |
| Bangladeshi | [5] | [5] | 5 | 8 | 12 | 51 | 224 | 102 | 405 |
| Asian-East African | [5] | [5] | 33 | 57 | 138 | 497 | 861 | 253 | 1,847 |
| Chinese | [5] | [5] | 18 | 23 | 36 | 107 | 189 | 77 | 455 |
| Other Asian | 6 | 15 | 30 | 44 | 97 | 312 | 752 | 364 | 1,621 |
| Other ethnic groups | 6 | 18 | 72 | 74 | 176 | 420 | 676 | 200 | 1,644 |
| Total[6] | 2,779 | 3,864 | 14,095 | 18,177 | 40,909 | 86,947 | 147,475 | 55,945 | 370,950 |

*Ethnic groups as a percentage of responsibility[1] level at 1 October*

*Percentage*

| | *SCS* | *G6* | *G7* | *SEO* | *HEO* | *EO* | *AO* | *AA* | *Total*[4] |
|---|---|---|---|---|---|---|---|---|---|
| White | 98.3 | 97.2 | 97.5 | 97.8 | 97.3 | 94.9 | 92.8 | 92.6 | 94.3 |
| Ethnic minority | 1.7 | 2.8 | 2.5 | 2.2 | 2.7 | 5.1 | 7.2 | 7.4 | 5.7 |
| *of which:* | | | | | | | | | |
| Black | 0.4 | 0.6 | 0.5 | 0.4 | 0.8 | 1.9 | 2.9 | 2.8 | 2.2 |
| Asian | 1.2 | 1.7 | 1.5 | 1.4 | 1.5 | 2.7 | 3.9 | 4.2 | 3.1 |
| Indian | 0.6 | 0.8 | 0.8 | 0.6 | 0.7 | 1.4 | 2.1 | 2.1 | 1.6 |
| Pakistani | [5] | 0.3 | 0.2 | 0.1 | 0.1 | 0.3 | 0.4 | 0.6 | 0.4 |
| Bangladeshi | [5] | [5] | 0.0 | 0.0 | 0.0 | 0.1 | 0.2 | 0.2 | 0.1 |
| Asian-East African | [5] | [5] | 0.2 | 0.3 | 0.3 | 0.6 | 0.6 | 0.5 | 0.5 |
| Chinese | [5] | [5] | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 |
| Other Asian | 0.2 | 0.4 | 0.2 | 0.2 | 0.2 | 0.4 | 0.5 | 0.7 | 0.4 |
| Other ethnic groups | 0.2 | 0.5 | 0.5 | 0.4 | 0.4 | 0.5 | 0.5 | 0.4 | 0.4 |
| Total[6] | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 |

[1] Excludes staff in Departments who do not provide data to Mandate.
[2] Responsibility levels are an approximate assignment of personnel to a level of seniority broadly equivalent to the former service wide grades. As departments restructure grades, it is increasingly difficult to assign certain posts to a precise responsibility level. This accounts for apparent fluctuations in the numbers and percentages at some levels.
[3] Information at 1 October 1998 is provisional and may be amended.
[4] Total includes staff with unknown responsibility level.
[5] Staff who responded to departmental surveys on ethnic origin.
Less than 5 in group and less than 0.2 per cent. of responsibility level.
*Source:*
Cabinet Office—Mandate

## Next Steps Report 1998

**Mr. Martyn Jones:** To ask the Minister for the Cabinet Office if he will make a statement on the 1998 Next Steps report. [75077]

**Dr. Jack Cunningham:** The Government have today published the 1998 Next Steps Report, Cm 4273, which has been laid in both Houses. This Report brings together performance and trend data on 136 executive agencies and two departments operating on Next Steps lines.

The Report shows that overall nearly 76 per cent. of targets were achieved and that, where comparisons can be made with previous years, performance against targets has improved in 52 per cent. of cases.

With the introduction of Public Service Agreements (PSAs), Government have set out in precise and quantified form what improvements it is seeking to achieve over the next 3 years. Agencies will have a very important part to play in helping Ministers deliver those results. Agencies' objectives and targets are being redefined to ensure that they reflect the Government's new objectives and priorities. The degree of challenge which is built in to the PSA targets will help to ensure that agency targets are themselves set at a sufficiently stretching level, encouraging agencies to be innovative and enterprising in tackling improvement.

The Government will be publishing before Easter a White Paper on "Modernising Government" which will set out a vision for the future of public services. One of its main themes will be the need to increase co-operation across traditional bureaucratic boundaries so that public services can be delivered more cost-effectively and be better tuned to the needs of the user. Agencies, as the main service delivery arm of the Civil Service, will have a vital role to play in fostering this growth in co-operative solutions.

It is essential that continuous pressure be applied to improve individual agency performance but this must be seen increasingly within the context of contribution to broader goals.

## INTERNATIONAL DEVELOPMENT

### Debt Relief

**Miss Geraldine Smith:** To ask the Secretary of State for International Development what recent discussions she has had with non-Governmental organisations about the relief of developing countries' debt. [74030]

**Clare Short:** In February, I met the directors of the voluntary organisations which comprise the British Overseas Aid Group, (BOAG)—ActionAid, Oxfam, the Catholic Fund for Overseas Development (CAFOD), Christian Aid and Save the Children Fund—to discuss debt. In December, I also met BOND, which represents the smaller NGOs. We agreed that poverty reduction remains our central concern, and that we need to develop and strengthen the link between debt relief and poverty reduction. The UK is pressing for this issue to be considered during the fundamental review of the Heavily Indebted Poor Countries (HIPC) Initiative, which is now underway. The World Bank and the International Monetary Fund are holding a consultation meeting, including NGOs, in London on 5 March.

### Genetically Modified Food

**Mr. Dafis:** To ask the Secretary of State for International Development if she will make a statement on her Department's role in drawing up the recent joint ministerial written statement on genetically modified food. [74280]

**Clare Short:** My Department was not involved in drawing up the recent joint ministerial written statement on genetically modified food which focused on concerns within UK and Europe.

We will be publishing a paper later this month on our work relating to genetically modified organisms and how we propose to assist developing countries to strengthen their capacity to handle these important issues.

**Mr. Dafis:** To ask the Secretary of State for International Development what research has been *(a)* carried out and *(b)* commissioned by her Department into the economic impact of the growing of genetically modified crops on small-scale farmers in developing countries. [74283]

**Clare Short:** My Department has not carried out any research into the economic impact of growing genetically modified crops on small-scale farmers in developing countries. However we have commissioned relevant studies from University of Birmingham and the International Crops Research Institute for the Semi-Arid Tropics, to assess the environmental and social risks of introducing new or transgenic plant types into the traditional pigeon pea seed production systems of small-scale farmers in India and, from University of Swansea, to undertake social and economic assessments of the potential impact of genetically male tilapia and transgenic tilapia on fish farming in Philippines.

The results of these studies will be published.

### Biotechnological Inventions

**Joan Ruddock:** To ask the Secretary of State for International Development what assessment she has made of the likely impact on *(a)* indigenous and *(b)* local communities in developing countries of EU Patent Directive COM (95) 661 as it relates to intellectual property rights in genetic resources. [74494]

**Clare Short:** The European Directive on the Legal Protection of Biological Inventions (98/44/EC) addresses which biotechnological inventions can be patented in Europe and does not affect national patent laws elsewhere.

In reaching a Common Position by the Council of Ministers in February 1998, the UK made a statement noting that there had been no consideration as to whether the provisions of the Directive would be appropriate for other countries outside the European Union, in particular developing countries.

### Southern Africa

**Mr. Jim Murphy:** To ask the Secretary of State for International Development if she will list the financial aid from her Department and its predecessor in each of the past 10 years to Southern Africa for *(a)* education and *(b)* health projects. [73912]

**Clare Short:** The Department for International Development (DFID) does not provide financial aid in the form of budgetary support to governments in Southern Africa. Our partnerships in this region fund technical co-operation to build local capacity and make effective use of national resources.

DFID's contribution to education and health over the last ten years in Southern Africa is as follows:

*Total DFID bilateral programme to Southern African countries*

*£000*

| | *Botswana* | *Lesotho* | *Namibia* | *South Africa* | *Swaziland* | *Total* |
|---|---|---|---|---|---|---|
| 1987–88 | 7,302 | 3,993 | 1,421 | 3,109 | 2,487 | 18,312 |
| 1988–89 | 6,886 | 5,356 | 2,129 | 5,040 | 3,099 | 22,510 |
| 1989–90 | 7,113 | 5,497 | 2,056 | 5,423 | 2,764 | 22,853 |
| 1990–91 | 6,916 | 5,859 | 1,706 | 8,093 | 2,733 | 25,307 |
| 1991–92 | 8,963 | 6,454 | 2,366 | 9,325 | 2,943 | 30,051 |
| 1992–93 | 7,199 | 7,194 | 3,637 | 11,558 | 3,296 | 32,884 |
| 1993–94 | 6,123 | 5,379 | 2,979 | 14,504 | 3,087 | 32,072 |
| 1994–95 | 5,247 | 5,124 | 3,569 | 15,631 | 2,574 | 32,145 |
| 1995–96 | 4,005 | 6,600 | 4,148 | 16,865 | 2,086 | 33,704 |
| 1996–97 | 4,247 | 3,911 | 4,092 | 18,133 | 2,733 | 33,116 |
| 1997–98 | 4,115 | 4,985 | 4,482 | 24,889 | 3,447 | 41,918 |

*Education sector expenditure*

£000

| | Botswana | Lesotho | Namibia | South Africa | Swaziland | Total |
|---|---|---|---|---|---|---|
| 1987–88 | 1,420 | 345 | 285 | 130 | 593 | 2,772 |
| 1988–89 | 1,578 | 654 | 387 | 292 | 462 | 3,373 |
| 1989–90 | 1,732 | 669 | 346 | 2,530 | 488 | 5,765 |
| 1990–91 | 1,713 | 939 | 679 | 3,769 | 582 | 7,681 |
| 1991–92 | 1,982 | 1,219 | 1,197 | 4,269 | 663 | 9,330 |
| 1992–93 | 2,203 | 1,112 | 1,433 | 6,466 | 589 | 11,803 |
| 1993–94 | 1,933 | 785 | 1,141 | 5,557 | 416 | 9,832 |
| 1994–95 | 1,183 | 616 | 1,838 | 5,103 | 362 | 9,101 |
| 1995–96 | 707 | 715 | 1,553 | 4,231 | 183 | 7,390 |
| 1996–97 | 830 | 978 | 1,514 | 1,850 | 228 | 5,399 |
| 1997–98 | [1]645 | [1]560 | [1]1,675 | [1]4,872 | [1]300 | [1]8,052 |

*Health and population sector expenditure*

£000

| | Botswana | Lesotho | Namibia | South Africa | Swaziland | Total |
|---|---|---|---|---|---|---|
| 1987–88 | 90 | 53 | 0 | 0 | 55 | 198 |
| 1988–89 | 195 | 73 | 0 | 467 | 71 | 806 |
| 1989–90 | 290 | 303 | 88 | 1,033 | 143 | 1,857 |
| 1990–91 | 380 | 553 | 585 | 1,452 | 167 | 3,137 |
| 1991–92 | 224 | 323 | 242 | 630 | 207 | 1,625 |
| 1992–93 | 182 | 230 | 409 | 1,229 | 200 | 2,250 |
| 1993–94 | 50 | 114 | 511 | 1,263 | 122 | 2,060 |
| 1994–95 | −6 | 6 | 338 | 2,297 | 41 | 2,677 |
| 1995–96 | −5 | 16 | 254 | 1,482 | 19 | 1,766 |
| 1996–97 | 0 | 26 | 728 | 4,043 | 78 | 4,875 |
| 1997–98 | [1]1 | [1]261 | [1]536 | [1]3,712 | [1]2 | [1]4,512 |

[1] Provisional

## PHARE and TACIS Programmes

**Mrs. Gillan:** To ask the Secretary of State for International Development if she will make a statement on the future of *(a)* the PHARE programme and *(b)* the TACIS programme. [73278]

**Clare Short** *[holding answer 25 February 1999]: (a)* The European Commission has started consultations on new guidelines for the PHARE programme from 2000. We will be seeking to ensure the programme responds to the priority needs of countries preparing for accession to the European Union, addresses the quality of the transition process so that benefits are sustainable and brings benefits to all levels of society, includes effective measures to strengthen institutions and promote better public administration and draws from previous experience in ensuring funds are efficiently and effectively used.

*(b)* The current Tacis Regulation expires at the end of this year, and a draft Regulation for the period 2000–06 is now under consideration. The draft is broadly acceptable, but it contains a number of new initiatives on which we are seeking clarification.

## Debt Repayment

**Mr. Rowe:** To ask the Secretary of State for International Development how much debt each of the 10 most highly-indebted countries repaid in each of the last three years. [73618]

**Ms Hewitt:** I have been asked to reply.

The table shows (£millions) debt repayments received by the UK in the last three years from the 10 countries identified by the IMF as potentially eligible for assistance under its Heavily Indebted Poor Countries (HIPC) initiative that have the highest absolute levels of debt.

£ million

| Country | 1996–97 | 1997–98 | 1998/February 1999 |
|---|---|---|---|
| Angola | 0 | 0 | 0 |
| Cameroon | 0.14 | 1.70 | 1.13 |
| Cote d'Ivoire | 0.43 | 0.11 | 0.26 |
| DR Congo | 0 | 0 | 0 |
| Ethiopia | 0.15 | 0.44 | 0.56 |
| Kenya | 6.04 | 8.00 | 11.58 |
| Sudan | 0 | 0 | 0 |
| Tanzania | 24.00 | 4.00 | 8.17 |
| Vietnam | 1.05 | 0.73 | 0.85 |
| Zambia | 0 | 1.84 | 1.00 |

*Source:*
ECGD 1 March 1999

# SCOTLAND

## Ministerial Expenditure

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland what estimate he has made of expenditure on *(a)* ministerial pay, *(b)* ministerial domestic transport and *(c)* other ministerial expenses in (i) 1996–97, (ii) 1997–98, (iii) 1998–99 and (iv) 1999–2000; and if he will make a statement. [69263]

**Mr. Dewar** *[holding answer 8 February 1999]:* The table shows expenditure on Ministerial pay. The table also shows total non-pay expenditure for Ministerial offices. The amounts include travel and subsistence, office services and general administration costs for both

Ministers and the staff of their offices. It is not possible to disaggregate these amounts into the categories requested. Expenditure for 1999–2000 cannot be forecast at present since this will depend on decisions about the number of Scottish Ministers who form the incoming devolved administration and about the future structure of the office of the Secretary of State for Scotland.

£

| | *Ministerial pay* | *Ministerial offices non-pay* |
|---|---|---|
| 1996–97 | 181,917 | 934,305 |
| 1997–98 | 213,431 | 1,075,115 |
| 1998–99[1] | 220,600 | 1,207,000 |

[1] Estimate

### Psychiatric Nurses

**Sir Alastair Goodlad:** To ask the Secretary of State for Scotland how many community psychiatric nurses there were in Scotland in each of the last three years. [73229]

**Mr. Galbraith:** The information is set out in the table.

*Community psychiatric nurses employed in the NHS in Scotland. Headcount and Whole Time Equivalent: at 30 September*

| | *Community psychiatric nurse* |
|---|---|
| *Number* | |
| 1996 | 468 |
| 1997 | 507 |
| 1998[1] | 518 |
| *WTE* | |
| 1996 | 449.3 |
| 1997 | 484.6 |
| 1998[1] | 493.9 |

[1] Provisional

*Source:*
National Manpower Statistics from payroll Information and Statistics Division, NHS in Scotland

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Schizophrenia

**Sir Alastair Goodlad:** To ask the Secretary of State for Scotland how many people with a main diagnosis of schizophrenia psychoses were admitted for a hospital stay more than once during the last year in Scotland. [73233]

**Mr. Galbraith:** The number of individual patients with a main diagnosis of schizophrenia psychoses admitted to mental illness hospitals and psychiatric units in Scotland during the year ending 31 March 1996 was 2,482, of which 675 were admitted more than once.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Departmental Spending

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland if he will give a breakdown of spending planned on other public services as set out in his answer of 17 July 1998, *Official Report*, columns *336–40*, in *(a)* 1998–99, *(b)* 1999–2000, *(c)* 2000–01, *(d)* 2001–02 and *(e)* 2002–03; and if he will make a statement. [74338]

**Mr. Dewar:** A detailed breakdown of the figures for 1998–99 to 2001–02 was placed in the library of the House of Commons on 10 November 1998.

### Roads Expenditure

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland what are his estimates of planned expenditure on Scottish roads for each of the years *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03; if he will list for each of these years every project costing over £2 million over its project life; and if he will make a statement. [74241]

**Mr. Macdonald:** Expenditure on local roads is the responsibility of local authorities and details are not held centrally. The planned net expenditure on motorways and trunk roads in Scotland in 2000–01 and 2001–02, the latest year for which expenditure has been agreed, is £175.8 million and £186.2 million respectively. Our priorities are to maintain and repair the existing network and to meet the costs of projects contractually committed or announced. Project costs exceed £2 million on the A720, the M6, the A7 (Hawick Relief Road) and the A90 (Inchmichael Interchange). Further projects may be announced later.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Scottish Enterprise

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland what are the causes of the increase in planned expenditure by Scottish Enterprise between 2000–01 and 2001–02; and if he will make a statement. [74243]

**Mr. Dewar:** The increase in the planned expenditure by Scottish Enterprise between 2000–01 and 2001–02 primarily reflects the phased introduction of a number of new training initiatives announced by the Government last year as part of the New Deal and a re-instatement of provision for the delayed Hyundai project.

From 1 July the funding of Scottish Enterprise will be a matter for the Scottish Parliament.

## HOME DEPARTMENT

### Brit Awards

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will list those ministers in his Department who were present at the recent Brit awards in an official capacity; and who or what organisation was acting as their sponsor or host. [73492]

**Mr. Straw:** The Minister of State, Home Office, my hon. Friend the Member for Brent, South (Mr. Boateng), attended the Brit Awards Ceremony on 23 February, as guest of the Director General of the British Phonographic

Industry Ltd., the representative body of the British Record Industry.

### Single Currency

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will list the subject areas within his Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73665]

**Mr. Straw:** The Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter eight of the Treasury's Outline National Changeover Plan provides further information. Copies of the Plan are available in the Library.

### Emergency Services (Integration)

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will make a statement on progress towards integration of fire, police and ambulance control rooms. [73500]

**Mr. George Howarth:** I refer the right hon. Member to the reply which my right hon. Friend the Chief Secretary to the Treasury gave to my hon. Friend the Member for Preseli Pembrokeshire (Ms Lawrence) on 13 January 1999, *Official Report*, columns *193–96*. £7.8 million has been provided to the Department of Health under the Invest to Save Budget for pilot joint call handling centres.

### Police (Kingston-upon-Thames)

**Mr. Ottaway:** To ask the Secretary of State for the Home Department how many serving police officers there were in the London Borough of Kingston-upon-Thames *(a)* on 1 May 1997 and *(b)* at the latest available date. [73927]

**Kate Hoey:** The Commissioner of the Metropolitan Police tells me that he is unable to give the information in the form requested, as records are not broken down by the number of officers policing the London Borough of Kingston-upon-Thames. The nearest figures that can be provided are those for Kingston Division, which polices the London Borough of Kingston-upon-Thames together with half of the Borough of Elmbridge.

The relevant statistics are recorded within the Metropolitan police, twice yearly, at 1 January and 1 July. The number of serving police officers in Kingston Division on 1 July 1997 was 355. As at 1 March 1999, the number was 336.7.

### Electoral Procedures

**Mr. Love:** To ask the Secretary of State for the Home Department what issues are being considered by the Departmental working party on electoral procedures; when it will report to ministers; what account it has taken of the recent report from the Select Committee on Home Affairs (HC 768) of Session 1997–98; and if he will make a statement. [74314]

**Mr. George Howarth:** My working party on electoral procedures is currently considering a wide range of issues, under the following broad headings:

maximising electoral registration and voter participation;

access by the disabled and homeless to the electoral process;

rolling electoral registration;

publication and sale of the electoral register;

anonymous electoral registration;

absent voting arrangements;

polling station and count venue issues (including location, mobile and early polling stations, and security);

automated voting/counting;

days and times of polling;

use of official poll cards, and publicity for elections; civics education and the electoral process; and the role of an electoral commission.

The Government have welcomed the report of the Home Affairs Select Committee inquiry into electoral law and administration as a valuable contribution to the continuing debate about improving participation in our electoral and democratic processes. The Committee acknowledged that my working party is the correct forum within which to take forward consideration of its proposals, conclusions and recommendations; and accepted that it would be difficult to give a full response while my working party continued to meet. I now anticipate that the final report of the working party will be published this summer, and that the Committee will receive its detailed response at around the same time.

### Human Rights

**Mr. Derek Twigg:** To ask the Secretary of State for the Home Department when the Government expects to announce the outcome of its review of international human rights instruments. [75118]

**Mr. Straw:** I am placing in the Library a summary of the conclusions of the review.

On 27 January, I signed the Sixth Protocol to the European Convention on Human Rights. We shall also ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, without any reservation to preserve the use of the death penalty in wartime.

We shall ratify International Labour Organisation Convention 111 on discrimination in employment.

We intend to ratify the Seventh Protocol to the European Convention on Human Rights (ECHR) as soon as Parliament removes inconsistencies in our family law provisions. We will seek a suitable opportunity to propose those changes. We are also considering whether legislation is necessary to enable the United Kingdom to ratify the Fourth Protocol to the ECHR.

We shall look again at the rights of individual petition under the International Covenant on Civil and Political Rights, the United Nationals Convention Against Torture and the Union Nations Convention on the Elimination of

Racial Discrimination once the Human Rights Act has been fully implemented. We have looked closely at the merits of adopting these additional rights, but have also taken in account the impact on the vital work of preparing for and implementing the Human Rights Act 1998. This is a major piece of legislation that demonstrates our commitment to the advancement of human rights.

### Fire Service College

**Ms Corston:** To ask the Secretary of State for the Home Department what plans he has for reviewing the future role of the Fire Service College. [75119]

**Mr. Straw:** The Government are committed to securing best value for money through regular and systematic reviews of the services which its agencies provide and how these are delivered.

In view of the continuing poor financial performance as a trading fund of the Fire Service College at Moreton in Marsh, I have decided to commission an immediate prior options review. This will consider the College's present and future role in helping meet the requirements for central training in the fire service. The review will evaluate the performance of the Agency and will also re-appraise the prior options considered before the College was established as a trading fund, taking account of developments since that time. Should Ministers agree that agency status remains the most appropriate option, the review will bring forward recommendations for future development and funding including any necessary revisions to the College's Framework Document.

The review will be conducted by officials from the man Home Office working, among others, with Her Majesty's Fire Service Inspectorate. Views are welcomed from all interested parties. The review is expected to report in the summer.

### Police Protection

**Mr. Maclean:** To ask the Secretary of State for the Home Department what is the annual cost of providing full police protection to an individual whose life has been threatened. [74477]

**Mr. Straw:** It is not the practice to publish this information as it provides an indication of the level of protection being provided.

### Asylum Seekers

**Mr. Gerrard:** To ask the Secretary of State for the Home Department if he will list the countries currently considered to be in upheaval for the purpose of determining asylum claims. [73889]

**Mr. Mike O'Brien:** There is no country or territory currently subject to a declaration of upheaval under the Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1996. Declarations were made in respect of Sierra Leone on 1 July 1997 and the Democratic Republic of Congo on 17 May 1998. These expired after three months.

The purpose of such declarations is to ensure that people who find themselves in the United Kingdom at the point when there is a change of circumstances in their home country, of the kind envisaged in the Regulations, are not disadvantaged in terms of access to income support and related benefits if they make an in-country asylum application with reasonable promptness. Three months is the period considered to be reasonable for this purpose. A declaration of upheaval does not, in itself, carry any implication for the determination of asylum applications from the country or territory concerned. The need for this procedure would cease to exist under the scheme of support for asylum seekers contained in Park VI of the Immigration and Asylum Bill.

**Mr. Stinchcombe:** To ask the Secretary of State for the Home Department how many asylum seekers under the age of 18 years are currently detained. [73782]

**Mr. Mike O'Brien:** At 14.00 on 1 March 1999 there were 2 people who are 17 years of age in detention; awaiting removal to Belgium in the near future. Another person in detention is claiming to be 17 years old but his age is in dispute.

**Mr. Stinchcombe:** To ask the Secretary of State for the Home Department (1) if he will make a statement on the criteria for the detention of asylum seekers in Her Majesty's prisons; [73778]

(2) what are the criteria for the administrative detention of asylum seekers who have not been *(a)* tried or *(b)* convicted of a criminal offence. [73779]

**Mr. Mike O'Brien:** No one is detained solely because they are an asylum seeker. Detention is authorised only in accordance with powers set out in the Immigration Act 1971 as they apply to inadmissible passengers, illegal entrants or stowaways, people subject to deportation action or on grounds of national security.

The principle criterion for detention is whether a person will comply with conditions attached to the grant of temporary admission or release. So far as possible, people are detained in discrete accommodation in Immigration Service Detention Centres or designated prison accommodation at Haslar or Rochester. But there are a few held in other establishments for reasons of geography, security or control.

The exceptions may be those convicted prisoners subject to deportation action who may continue to be held in prisons at the conclusion of their sentence awaiting the activation of the deportation order.

**Mr. Stinchcombe:** To ask the Secretary of State for the Home Department how many asylum seekers have been detained for over six months *(a)* in Her Majesty's prisons and *(b)* elsewhere. [73780]

**Mr. Mike O'Brien:** The available information relates to the snapshot of asylum seekers detained solely under Immigration Act powers as at 29 January 1999 for in-country applicants and 1 February 1999 for port applicants. 116 such persons were recorded as having been detained continuously for at least six months. The breakdown between those detained in prisons and those in other places of detention is available only at disproportionate cost.

**Mr. Wigley:** To ask the Secretary of State for the Home Department what is the position of Her Majesty's Government with regard to the provisions of Article 22 of the UN Convention on the Rights of the Child on protection for children seeking asylum. [74307]

**Mr. Mike O'Brien:** The effect of Article 22 of the United Nation Convention on the Rights of the Child is to confer on refugee and asylum seeking children all the rights set out in that Convention. The comprehensive provision in United Kingdom law for the care and protection of children applies in full to children who have been recognised as refugees in this country and to those who have sought asylum here, but whose claim has not been determined. Although the United Kingdom has entered a reservation which makes it clear that nothing in the Convention is interpreted as affecting the operation of our immigration and nationality legislation, our law is entirely consistent with the thrust of the Convention.

## Stephen Lawrence Inquiry Report

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will list the *(a)* names and *(b)* job titles of his Department's officials who read the Macpherson report prior to the oral statement of 26 February 1999, *Official Report*, columns 660–70, by the Minister of State. [74449]

**Mr. Straw:** In relation to the period before the publication of the Report, it would not be in the interests of the investigation now under way of the leak of parts of the Report to give these details. After publication, the Report was widely available, including on the Internet, and would have been seen by a large number of Home Office officials.

**Mr. Peter Bottomley:** To ask the Secretary of State for the Home Department (1) what response he made to the Metropolitan Police following their alerting of the Stephen Lawrence Inquiry to the unintended publication of sensitive information; [74421]

(2) when *(a)* he and *(b)* ministers in his Department learned of the inclusion of sensitive information in the Stephen Lawrence Inquiry report; [74422]

(3) if he was first contacted by *(a)* the Metropolitan Police or *(b)* the Stephen Lawrence Inquiry as to the existence of information intended to be kept in confidence which was contained in the Stephen Lawrence Inquiry report before the report was published. [74417]

**Mr. Straw:** Appendix 11 of the report into the Stephen Lawrence Inquiry contained detailed information which should have been kept in confidence. The Home Office was alerted to that at about 10.45am on 25 February by the Inquiry staff. They had been contacted by the Metropolitan Police. We immediately stopped further distribution of the Appendices volume. The Metropolitan Police urgently carried out risk assessments on those individuals affected and appropriate protection measures have been put in place. The police have established a 24 hour incident room in Eltham Police Station and Home Office liaison officer is posted there to assist local Members of Parliament.

**Mr. Peter Bottomley:** To ask the Secretary of State for the Home Department if he will make a statement on his Department's policy in alerting independent judicial inquiries to the existence of information, which is intended to be kept in confidence, in a report which is to be published. [74423]

**Mr. Grieve:** To ask the Secretary of State for the Home Department (1) what powers he had to inform the Stephen Lawrence Inquiry of the existence of the names and addresses of informants in Appendix 11 prior to publication of the inquiry report; [74424]

(2) if he will make a statement on his powers in respect of removing the names and addresses prior to publication of the informants listed in Appendix 11 of the Stephen Lawrence report. [74425]

**Mr. Straw:** The responsibility for determining the content of the report of a judicial inquiry, including any decision to publish supporting material by way of appendices, falls to the Chairman and members of the Inquiry. My Department can advise, when requested, whether material should be withheld on security or other grounds.

In the case of the Stephen Lawrence Inquiry, I undertook at the outset to publish the report of the Inquiry in full. Sir William Macpherson of Cluny has already said that he takes full responsibility for the original mistaken inclusion of an unredacted version of Appendix 11 in the report. Like Sir William, I am very sorry that the mistake was made. The copies of the report which are now on sale do not contain the original Appendix 11.

**Mr. Butterfill:** To ask the Secretary of State for the Home Department what steps he took upon receipt of the report of the Stephen Lawrence Inquiry to ensure *(a)* the security of witnesses and *(b)* that any future (i) investigations and (ii) prosecutions would not be prejudiced by its publication. [74416]

**Mr. Straw:** The Inquiry was an independent judicial inquiry established under the Police Act. The contents of the Report were entirely a matter for the Inquiry, as its chairman has made clear.

**Mr. Forth:** To ask the Secretary of State for the Home Department when the final report on the Lawrence Inquiry was first received by his Department. [74413]

**Mr. Straw:** Sir William Macpherson delivered the Report to me on the evening of Monday 15 February.

**Mr. Forth:** To ask the Secretary of State for the Home Department which officials in his Department were *(a)* responsible for liaising with the Lawrence Inquiry and *(b)* seconded to the Inquiry. [74415]

**Mr. Straw:** The Secretary to the Stephen Lawrence Inquiry on secondment from the Home Office, was Stephen Wells. Further details of the staffing of the Inquiry secretariat are given in paragraphs 3.28 and 3.30 of the Report.

Responsibility in the Home Office for liaison with the Inquiry rested within the Operational Policing Policy Unit. The Head of Unit, as listed in the Civil Service Year Book, is Paul Pugh. He has been assisted by Patricia McFarlane who has responsibility for Police Community Relations within the Operational Policing Policy Unit. Other officials have assisted as part of their normal responsibilities.

**Mr. Forth:** To ask the Secretary of State for the Home Department if he will list the *(a)* Ministers and *(b)* officials in his Department who read the report of the Lawrence Inquiry between the time it was first received by his Department and its publication. [74414]

**Mr. Straw:** It would not be in the interests of the investigation now under way into the leak of parts of the Report to give these details.

**Mr. Grieve:** To ask the Secretary of State for the Home Department if he will make a statement on his duties in respect of public interest immunity on the protection of the identity of informants in criminal investigations *(a)* in general and *(b)* in the case of informants named in Appendix 11 of the Stephen Lawrence report. [74426]

**Mr. Straw:** The question of public interest immunity arises in litigation, where it operates in appropriate circumstances to override the normal obligations of disclosure between the parties to the litigation. It does not arise outside legal proceedings.

The right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), as Attorney-General, informed the House of the new approach to public interest immunity of the Government then in office in a statement made on 18 December 1996. My right hon. and learned Friend the Member for Aberavon (Mr. Morris) informed the House on 11 July 1997, *Official Report*, column 616, that the present Government would follow the same approach to public interest immunity. Under that approach the question of public interest immunity is considered on an individual case basis. Public interest immunity is asserted by the Government only where Ministers believe that disclosure of the information in question would cause real damage to the public interest.

I do not normally have a role in criminal investigations or prosecutions, which fall to the police and the Crown Prosecution Service respectively. The assertion of public interest immunity in a prosecution would normally be the responsibility of the Crown Prosecution Service.

**Mr. Grieve:** To ask the Secretary of State for the Home Department for what reasons his Department received a copy of the Stephen Lawrence report prior to its publication. [74427]

**Mr. Straw:** Sir William Macpherson delivered the Report to me so that my Department could arrange its printing and presentation to Parliament.

**Mr. Maclean:** To ask the Secretary of State for the Home Department (1) what procedures the Macpherson Inquiry team used to vet all documents submitted prior to publication of their report; [74480]

(2) how many documents were not published by the Macpherson Inquiry on the basis of their sensitivity; [74478]

(3) what criteria the Macpherson Inquiry adopted to determine which documents should be published and which should not; [74476]

(4) how many documents submitted to the Macpherson Inquiry were not published, and how many pages the documents contained. [74479]

**Mr. Straw:** I understand from the Inquiry that the seven documents taken from the evidence which were included for publication in the Appendices to the Report were chosen on the basis that they were subject to discussion in the body of the Report and that they had a wider general interest. The documents were approved and proof read by the Chairman, his Advisers and his administrative staff. All these documents had been in the public domain, in either complete or redacted form during the public hearings of the Inquiry.

The Inquiry received about 30,000 documents containing a total of over 80,000 pages for Part 1 of its work. Many of these documents were duplicates because copies were submitted by more than one part to the Inquiry. About one third of the total was distributed to the parties of the Inquiry, subject to any redactions which the Inquiry considered necessary. Any redactions were agreed between the party submitting the document, the Inquiry's legal team and the Metropolitan police where necessary. This was done where confidentiality was clearly an issue or on the basis of a risk assessment.

**Mr. Maclean:** To ask the Secretary of State for the Home Department from which divisions of his Department he received submissions on the Macpherson report prior to the oral statement by the Minister of State on 26 February 1999, *Official Report*, columns 660–61. [74483]

**Mr. Straw:** It is not the practice to discuss the advice given to Ministers by officials.

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will list the *(a)* written and *(b)* oral contacts (i) he and (ii) his officials had with the Macpherson inquiry team from its inception to the receipt of the report by his Department. [74482]

**Mr. Straw:** My officials had numerous contacts with the Inquiry team throughout the relevant period, including in relation to the provision of Home Office evidence to the Inquiry. As for myself, I met Sir William Macpherson on several occasions, notably at the start and the end of the inquiry process.

**Mr. Maclean:** To ask the Secretary of State for the Home Department what steps he will take to ensure the removal of sensitive parts of the Macpherson report appendices from the Internet. [74485]

**Mr. Straw:** The full report from the Stephen Lawrence Inquiry and its appendices appeared on The Stationery Office's Official Publications website on the day the report was published. The entire volume containing all the appendices was immediately removed when the Home Office was alerted to the publication of sensitive material in Appendix 11 on 25 February.

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will meet the costs of *(a)* relocation and *(b)* changing identity for those informants who were named by the Macpherson report. [74487]

**Mr. Straw:** Witness protection in London is the responsibility of the Metropolitan Police. I will be discussing the costs of this operation with the Metropolitan Police Commissioner.

**Mr. Maclean:** To ask the Secretary of State for the Home Department what external legal advice he has taken on the liability of his Department for civil damages in the event of claims from informants whose names were published by the Macpherson Inquiry. [74486]

**Mr. Straw:** I shall continue to obtain Counsel's opinion as and when necessary for the effective functioning of the Department.

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will list the *(a)* written and *(b)* oral contacts (i) he and (ii) his officials had with the Macpherson Inquiry team between receipt of the Inquiry Report in his Department and the oral statement by the Minister of State on 26 February 1999, *Official Report*, columns 660–61. [74481]

**Mr. Straw:** I met the Inquiry team on 15 February to take receipt of their Report. My officials had numerous contacts with the Inquiry team after that date to discuss the arrangements for publication. I spoke to Sir William Macpherson on 25 February to discuss with him the background to the contents of Appendix 11.

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will list the *(a)* names and *(b)* job titles of his Department's officials who (i) were seconded to the Macpherson Inquiry, (ii) assisted the Inquiry and (iii) monitored the progress of the Inquiry for his Department, indicating the dates they were engaged for each of the above purposes. [74484]

**Mr. Straw:** The Secretary to the Stephen Lawrence Inquiry, on secondment from the Home Office, was Stephen Wells. Further details of the staffing of the Inquiry secretariat are given in paragraphs 3.28 and 3.30 of the Report.

Responsibility in the Home Office for liaison with the Inquiry rested within the Operational Policing Policy Unit. The Head of Unit is Paul Pugh. He has been assisted by Patricia McFarlane who has responsibility for Police Community Relations within the Operational Policing Policy Unit. Mr. Pugh gave oral evidence to the Inquiry on behalf of the Home Office. Other officials have assisted as part of their normal responsibilities.

**Mr. Maclean:** To ask the Secretary of State for the Home Department what reports he has received to date from the permanent secretary in his Department on the leaking of the Macpherson report. [74475]

**Mr. Straw:** The permanent secretary will inform me of the outcome of the leak investigation in due course; I will inform the House of its conclusions.

### Schoolchildren (Sexual Assault)

**Mr. Randall:** To ask the Secretary of State for the Home Department how many successful prosecutions there have been for sexual assault of pupils in each of the last 10 years by *(a)* primary school teachers, *(b)* secondary school teachers and *(c)* support staff in local authority schools. [73381]

**Ms Estelle Morris:** I have been asked to reply.

The information requested is not available. However, my Department's statistical record shows that the number of people barred from or restricted in their employment in the education service in each of the last 3 years as a result of a conviction or a caution for a sexual offence relating to children was:

1996: 99
1997: 71
1998: 52

## NORTHERN IRELAND

### Teachers

**Mr. Moss:** To ask the Secretary of State for Northern Ireland (1) how many (i) full and (ii) part-time teachers there were in *(a)* schools and *(b)* further education colleges in Northern Ireland in each of the past five years; and what percentage of each had a postgraduate certificate in education; [71410]

(2) how many (i) full and (ii) part-time teachers with no teaching qualifications there were in *(a)* schools and *(b)* further education colleges in Northern Ireland in each of the past five years. [71409]

**Mr. McFall:** The number of teachers holding the Post Graduate Certificate of Education (PGCE) or with no qualifications is not readily available and could be obtained only at disproportionate cost.

The total number of full-time teachers in schools and full and part-time teachers in Further Education colleges is as follows:

| | *(a) Schools* | *(b) Further Education colleges* | |
|---|---|---|---|
| | *(i) Full-time* | *(i) Full-time* | *(ii) Part-time* |
| 1994–95 | 19,730 | 2,171 | 3,205 |
| 1995–96 | 20,125 | 2,156 | 3,154 |
| 1996–97 | 20,642 | 2,144 | 2,780 |
| 1997–98 | 20,510 | 2,064 | 2,647 |
| 1998–99 | — | 1,974 | 2,867 |

— Figures on school teachers for 1998–99 are not yet available

### Pupil Funding

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how much funding has been provided per pupil in each type of school in Northern Ireland in each of the past five years; and what the planned funding levels are for the next three years. [71411]

**Mr. McFall:** The table details the funding per pupil based on financial allocations made to schools under Local Management of Schools formula funding arrangements:

£

| | *Nursery schools* | *Primary schools* | *Secondary schools* | *Controlled grammar (excluding prep depts)* |
|---|---|---|---|---|
| 1994–95 | 1,832 | 1,369 | 2,241 | 2,156 |
| 1995–96 | 1,888 | 1,407 | 2,281 | 2,192 |
| 1996–97 | 1,925 | 1,475 | 2,340 | 2,246 |
| 1997–98 | 2,026 | 1,519 | 2,381 | 2,286 |
| 1998–99 | 2,071 | 1,560 | 2,457 | 2,358 |

£

| | *Grant maintained integrated primary schools* | *Grant maintained integrated secondary schools* | *Voluntary grammar schools (excluding prep depts)* |
|---|---|---|---|
| 1994–95 | 1,667 | 2,524 | 2,211 |
| 1995–96 | 1,683 | 2,772 | 2,323 |
| 1996–97 | 1,738 | 2,929 | 2,394 |
| 1997–98 | 1,700 | 2,856 | 2,437 |
| 1998–99 | 1,745 | 2,894 | 2,541 |

Detailed information on the planned funding levels for the next three years is not yet available.

### Prisoner Early Releases

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how many persons given early release from prison under the Good Friday Agreement have been arrested or had their licences revoked. [71556]

**Mr. Ingram:** One person released under the Sentences Act has been arrested and charges with an offence but not in breach of licence conditions. He is remanded in custody till 25 March 1999.

### Educational and Library Boards (Funding)

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how many education and library boards in Northern Ireland have *(a)* requested and *(b)* received additional funding in order to reduce class sizes to under 30 pupils in the past year. [71403]

**Mr. McFall:** *(a)* Requests for additional funding are initiated by individual schools.

*(b)* All 5 educational and library boards have received additional funding to enable them to respond to such requests.

### Tourism and Commerce

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what plans she has to promote Northern Ireland *(a)* tourism and *(b)* commerce through the Internet. [72955]

**Mr. Ingram:** The Northern Ireland Tourist Board (NITB), the Industrial Development Board (IDB), the Local Enterprise Development Unit (LEDU) and the Industrial Research and Technology Unit (IRTU) all have a web sites on the internet designed to promote Northern Ireland tourism or commerce.

*Tourism*

NITB's web-site (www.ni.tourism.com) contains detailed regional and product information. NITB is also working with new regional tourist organisations in Northern Ireland to develop a coherent approach to the development of their web-sites.

*Commerce*

IDB's web-site (WWW.idbni.co.uk) promotes NI as a prime business location for new inward investment and covers all aspects of IDB's operations. IDB is currently in discussions with the 26 district councils in NI to provide a hyperlink from their sites to the IDB site to further enhance investment and trade opportunities.

IRTU's site on the NI Public Service Web (www.nics.gov.uk/irtu) provides information on the Unit's R&D support programmes.

LEDU also maintain a site (www.ict.co.uk) and plan to exploit to the full ICT (Integrated Computer Technologies) as a key source of competitive advantage to small firms in Northern Ireland, which will benefit them commercially. This would be beneficial by way of making it easier to enter new markets and competing internationally.

### Digital Broadcasting

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how many schools in Northern Ireland currently have facilities for receiving digital broadcasting services; and what estimate she has made of how many will have that capability by the end of *(a)* 2000, *(b)* 2001 and *(c)* 2002. [72920]

**Mr. McFall:** Information on the amount of equipment capable of receiving digital broadcasting service which schools have brought, or plan to buy, within their delegated budgets is not available, and could only be obtained at disproportionate cost.

### Illegal Drugs

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how many visitors to prisons in Northern Ireland were found to be in possession of illegal drugs in each of the last five years; and how many were referred to the police. [72913]

**Mr. Ingram:** Visitors can be refused access to prisons because of suspected possession of drugs. The information required is therefore not available in the exact format requested. The table shows the number refused access on suspicion of possession and those subsequently referred to the police. Central monitoring commenced on 1 April 1996.

| *Financial year* | *Visitors suspected of possession* | *Visitors referred to police* |
|---|---|---|
| 1996–97 | 18 | 10 |
| 1997–98 | 30 | 20 |
| 1998–99 | 7 | 5 |

to 31 December 1998

### Education Action Zones

**Mr. Moss:** To ask the Secretary of State for Northern Ireland what plans she has to introduce education action zones in Northern Ireland. [72919]

**Mr. McFall:** I have no plans to introduce Education Action Zones in Northern Ireland. Alternative measures, including the School Support Programme, are already in place to help to raise standards in schools serving areas of social and economic deprivation. Following the Comprehensive Spending Review, additional resources are being made available to bring an additional 30 schools into the School Support Programme each year, and to provide extra support to other schools in socially disadvantaged areas.

## LORD CHANCELLOR'S DEPARTMENT

### Press Releases

**Mr. Don Foster:** To ask the Minister of State, Lord Chancellor's Department how many press releases have been issued by his Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71451]

**Mr. Hoon** *[holding answer 16 February 1999]:* The number of press releases issued by my Department its agencies and non-departmental bodies in the specified period is as follows. Agencies and non-departmental bodies which have not issued press releases during this period are not listed.

| | *1990* | *1991* | *1992* | *1993* | *1994* | *1995* | *1996* | *1997* | *1998* |
|---|---|---|---|---|---|---|---|---|---|
| Lord Chancellor's Department and Court Service | 200 | 240 | 329 | 305 | 253 | 303 | 352 | 335 | 382 |
| Advisory Committee on Legal Education and Conduct (ACLEC) | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| Children Act Advisory Committee | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 0 |
| Council on Tribunals | 0 | 0 | 0 | 0 | 2 | 1 | 0 | 2 | 1 |
| Judicial Studies Board | 0 | 1 | 1 | 0 | 2 | 0 | 2 | 3 | 3 |
| Land Registry | 9 | 5 | 12 | 14 | 16 | 13 | 16 | 18 | 26 |
| Law Commission | 7 | 13 | 8 | 15 | 17 | 26 | 24 | 18 | 26 |
| Legal Aid Board | 12 | 15 | 4 | 6 | 6 | 3 | 8 | 9 | 10 |
| Legal Services Ombudsman | 0 | 0 | 2 | 1 | 2 | 0 | 0 | 1 | 2 |
| Magistrates' Courts Service Inspectorate | 0 | 0 | 0 | 0 | 4 | 18 | 27 | 33 | 16 |
| Northern Ireland Court Service | 0 | 0 | 0 | 0 | 0 | 5 | 12 | 20 | 24 |
| Public Record Office | 3 | 3 | 3 | 3 | 3 | 3 | 4 | 6 | 13 |

### Office for the Supervision of Solicitors

**Mr. Amess:** To ask the Minister of State, Lord Chancellor's Department what discussions he has had with the Legal Services Ombudsman on the performance of the Office for the Supervision of Solicitors. [73884]

**Mr. Hoon:** The Lord Chancellor and I meet the Legal Services Ombudsman each year to discuss the main findings and recommendations of her annual report. Our next meeting with her is scheduled for June 1999. Our officials have more frequent contact with her, and they keep us informed of developments in the complaints handling procedures of the legal professional bodies in general, and of the Office for the Supervision of Solicitors in particular.

### Access to Justice Bill

**Mr. Garnier:** To ask the Minister of State, Lord Chancellor's Department if he will list the media interviews connected with their official duties which he and the Lord Chancellor have given since the introduction of the Access to Justice Bill [Lords]. [73886]

**Mr. Hoon:** The Lord Chancellor and I have given press conferences, briefings and interviews on several different issues since the introduction of the Access to Justice Bill on 2 December 1998. The media organisations involved are listed:

BBC On-Line
BBC Radio 4—Law in Action
BBC Radio 4—The World Tonight
BBC Radio 4—Today Programme
BBC Radio 4—Woman's Hour
BBC Radio Wales
BBC Westminster
Channel 4
Daily Mail
Daily Telegraph
The Economist
Express
Financial Times
GMTV
The Guardian
Independent
ITN
Law Society Gazette
The Lawyer
Legal Action
Legal Week
Litigation Funding Newsletter
New Zealand Herald
News Direct
Press Association
Radio 5 Live!
Radio Nottingham
Sky News
Solicitors' Journal
The Times.

### "Working for Justice"

**Mr. Garnier:** To ask the Minister of State, Lord Chancellor's Department, pursuant to his answer to the hon. Member for Norwich, North (Dr. Gibson) of 16 February 1999, *Official Report*, columns *723–24*, what was the cost to his Department of preparing, publishing and distributing *(a)* the booklet entitled "Working for Justice: a Guide to the Lord Chancellor's Department" and *(b)* the publication entitled "Modernising Justice: A Summary of the Government's Proposal". [73885]

**Mr. Hoon:** The cost to the Lord Chancellor's Department of preparing, publishing and distributing the following publications in England and Welsh versions was as follows:

*(a)* "Working for Justice: A Guide to the Lord Chancellor's Department": £38,300;

*(b)* "Modernising Justice: A Summary of the Government's Proposals": £22,800.

### Elected Authorities (Northern Ireland) Act 1969

**Mr. McNamara:** To ask the Minister of State, Lord Chancellor's Department how many applications have been made to the High Court under the Elected Authorities (Northern Ireland) Act 1989, section 7, for a determination that a person has acted in breach of the terms of a declaration against terrorism made by him under section 4 of the Act for each year since the passing of the Act; how any determinations have been made; and against whom. [73822]

**Mr. Hoon:** There have been no applications made to the High Court under the Elected Authorities (Northern Ireland) Act 1989, section 7, for a determination that a

person has acted in breach of the terms of a declaration against terrorism made by him under section 4 of the Act since the passing of the Act.

## TRADE AND INDUSTRY

### Genetically Modified Foods

**Mr. Redwood:** To ask the Secretary of State for Trade and Industry (1) which companies have made representations to his Department in favour of the commercial exploitation of genetically modified foods; [70437]

(2) how many representations his Department has received in favour of the commercial exploitation of genetically modified foods. [70438]

**Mr. Byers** *[holding answer 11 February 1999]:* Regulatory responsibility for genetically modified food rests with MAFF. The DTI has not received any specific representations in favour of the commercial exploitation of GM foods.

### International Market Council

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry if he will list the issues for discussion before the Internal Market Council on 25 February, indicating the position he proposes to take on each issue. [72744]

**Mr. Wilson** *[holding answer 24 February 1999]:* Every six months, at the beginning of an EU Presidency, the Minister of State, Foreign and Commonwealth Office, my right Friend the Member for Gateshead, East and Washington, West (Ms Quin), outlines to the House meetings expected during that Presidency. Every month, she gives the House details of the items expected at meetings of the Council of Minsters during that month. After each meeting of the Internal Market Council, my right hon. Friend the Secretary of State for Trade and Industry reports back to the European Scrutiny Committee on the business conducted at the Council. He will be reporting back on the 25 February Council in the coming days. The Government have recently extended arrangements for scrutinising Council business to include the Second and Third Pillars of the Treaty on European Union, as well as the First Pillar. The Government will continue to promote the interests of the United Kingdom at all meetings of the Council of Ministers. However, it has not been the practice of successive Administrations to indicate the position that Ministers propose to take in advance of Council.

### Post Office Employees

**Mr. Pound:** To ask the Secretary of State for Trade and Industry if an employee of the Post Office on a short-term contract must serve a specified amount of time before being granted a long-term contract. [73244]

**Mr. Ian McCartney:** I understand from the Post Office that there is no specified time period which short-term contract staff must serve before being granted permanent employment. Recruitment of permanent staff is undertaken in accordance with the needs of the business. Short-term contract staff may apply for such posts under the normal selection procedures applying to the recruitment of permanent staff.

### Single Currency

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry if he will list the subject areas within his Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73675]

**Mr. Wilson:** The Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter eight of the Treasury's Outline National Changeover Plan provides further information. Copies of the plan are available in the Library of the House.

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry what plans he has to issue information from his Department to help the public make an informed decision when they vote on the single currency. [73580]

**Mr. Wilson:** Any plans by the Government to issue information during a referendum campaign on whether or not the UK should join the single currency would be made in light of the Government's response to the recommendations from the Neill Committee on the conduct of referendums. The Government will announce their conclusion on those recommendations when my right hon. Friend the Home Secretary publishes a White Paper and draft Bill before the summer recess.

### Nuclear Waste Reprocessing

**Mr. Edwards:** To ask the Secretary of State for Trade and Industry if mixed oxide fuel and the materials which will be returned to BNFL's customers abroad after reprocessing are capable of being modified more easily than spent fuel for use in nuclear weapons. [73560]

**Mr. Battle** *[holding answer 26 February 1999]:* Plutonium can be recovered from either spent fuel or from fresh Mixed Oxide fuel (MOX) only through a difficult chemical separation process requiring complex and highly specialised plant, equipment and skills. It is technically difficult to produce nuclear weapons using weapons grade material. It would be even more difficult to use reactor grade plutonium to produce a reliable weapon giving a predictable yield.

The other materials recovered from reprocessing are Low Enriched Uranium and waste. Low Enriched Uranium cannot be used directly to construct nuclear weapons. While safeguards and physical protection measures continue to be applied to it, it is of limited sensitivity to proliferation. Waste contains only traces of plutonium and cannot be used to construct nuclear weapons.

### Cosmetics

**Mr. Baker:** To ask the Secretary of State for Trade and Industry (1) what labelling requirements apply in respect of the use of genetically modified ingredients in cosmetics; [73405]

(2) what controls exist over the use of genetically modified *(a)* maize and *(b)* soya in skin-care and cosmetics, with particular regard to the presence of antibiotics originating from marker genes. [73406]

**Dr. Howells** *[holding answers 1 March 1999]:* The safety of cosmetic products is controlled by the Cosmetic Products (Safety) Regulations 1996, and all cosmetic ingredients have to be given on the label. All cosmetics are required to be safe under normal use. No specific controls exist for ingredients which may be derived from a genetically modified plant source and there are no specific requirements for manufacturers to mention this on the product label. However, the Regulations specifically prohibit the use of antibiotics.

**Mr. Baker:** To ask the Secretary of State for Trade and Industry what assessment he has made of the health implications of the use of *(a)* genetically modified soya and *(b)* genetically modified maize in cosmetic products, with particular regard to the presence of antibiotics originating from marker genes. [73404]

**Dr. Howells** *[holding answer 1 March 1999]:* The safety of cosmetic products is controlled by the Cosmetic Products (Safety) Regulations 1996, as amended. The Regulations specifically prohibit the use of antibiotics, but no overall assessment has been made of the health implications of ingredients which may be derived from a genetically modified plant source.

### Mobile Telephones

**Mrs. May:** To ask the Secretary of State for Trade and Industry what plans he has to encourage mobile telephone network operators to provide short messaging services across networks. [73808]

**Mr. Wills** *[holding answer 1 March 1999]:* The introduction, by licence modification, of mobile number portability has provided an additional spur to the introduction of Short Messaging Services (SMS) interworking between domestic operators. I understand that arrangements are expected to be concluded shortly between all four network operators and that it is now only a case of working on the implementation, specifically technical protocols. The Government are confident that additional benefits, in terms of new inter-network services, will be conferred on consumers through the introduction of mobile number portability.

With regard to international SMS interworking, it is dependent on the capability of the roamed network. UK subscribers already have access to short messaging services when in many overseas countries and discussions are ongoing within the GSM community to ensure that network interworking is secured more widely, particularly in Europe and Asia.

### Biotechnology

**Mr. Chope:** To ask the Secretary of State for Trade and Industry when he expects to publish the conclusions of the review of the United Kingdom framework for overseeing developments in biotechnology. [74144]

**Dr. Jack Cunningham** *[holding answer 2 March 1999]:* I am replying because of my responsibility for Co-ordinating Government Policy on biotechnology and genetic modification.

On 17 December 1998, *Official Report*, columns *644–45*, I announced a review of the framework for overseeing developments in biotechnology and genetic modification.

Ministers will consider this review, in parallel with the emerging conclusion of the Government's public consultation on developments in the biosciences, and expect to make a formal announcement on the outcome in Spring 1999.

### Domestic Electrical Goods

**Mr. Chope:** To ask the Secretary of State for Trade and Industry (1) if he will place in the Library a copy of the data collected by his Department on the prices of the goods subject to the Restriction on Agreements and Conducts (Specified Domestic Electrical Goods) Order 1998 *(a)* before and *(b)* after commencement of the Order; [74135]

(2) in what respects average unit prices for each of the categories of electrical goods subject to the Restriction on Agreements and Conduct (Specified Domestic Electrical Goods) Order 1998 have altered in each of the last five years in *(a)* cash terms and *(b)* real terms. [74137]

**Dr. Howells:** My Department does not collect this information.

However, information published in the Office for National Statistics Business Monitor MM23 shows that retail prices of audio-visual equipment have fallen on average by 7 per cent. per year over the five years to 1998, retail prices for electrical appliances have fallen by 2½ per cent. per year and retail prices for toys, photographic and sports goods have fallen by ½ per cent. per year, compared with an average rise of 3 per cent. per year for all items index.

It is the responsibility of the Director General of Fair Trading to keep under review commercial activities in the UK and monitor compliance with Orders made under UK competition legislation. The Restriction on Agreements and Conduct (Specified Domestic Electrical Goods) Order 1998 has so far been in force for only six months.

### Plutonium Shipments

**Mr. Llew Smith:** To ask the Secretary of State for Trade and Industry what kind of container will be used for the planned shipment by sea of plutonium MOX fuel from Sellafield to Japan; which company has manufactured the container; and what safety and security tests have been carried out on the container. [72961]

**Ms Glenda Jackson:** I have been asked to reply.

Containers for the carriage of MOX fuel are expected to meet the standards for Type B packages as laid down in UK regulations, which are based on the recommendations of the International Atomic Energy Agency, a copy of which is in the Commons Library. No containers, as yet, have been approved by the UK for this transport.

### General Affairs Council

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry if he will list the issues for discussion before

the General Affairs Council on 22 and 23 February indicating the position he proposes to take on each issue. [72742]

**Ms Quin** *[holding answer 24 February 1999]:* I have been asked to reply.

Every six months, at the beginning of an EU Presidency, I outline to the House meetings expected during the Presidency. Every month, I give the House details of the items expected at meetings of the Council of Ministers during the month. After each meeting of the General Affairs Council, I report back to the European Scrutiny Committee on the business conducted at the General Affairs Council meeting. The Government have recently extended arrangements for scrutinising Council business to include the Second and Third Pillars of the Treaty on European Union, as well as the First Pillar. The Government will continue to promote the interests of the United Kingdom at all meetings of the Council of Ministers. However, it has not been the practice of successive Administrations to indicate the position that Ministers propose to take in advance of Council.

## PRIME MINISTER

### Internal Market

**Mr. Maclean:** To ask the Prime Minister, pursuant to his answer of 15 February 1999, *Official Report*, column *522*, what proportion of the reforms under the Simpler Legislation for the Internal Market programme were criticised by his Government. [72626]

**The Prime Minister:** Initiation of reviews under the Simpler Legislation for the Internal Market (SLIM) process is a matter for the European Commission, taking into account suggestions from the Member States.

The United Kingdom has fully participated in SLIM, being represented on at least one team in each phase, and submitting position papers with our views to all except one of the other teams. Specific recommendations for reform are put forward by each SLIM team as a whole.

### Sierra Leone

**Mrs. Gillan:** To ask the Prime Minister when he or his officials, his special advisers or Parliamentary Private Secretary first had access to a copy of the report on Sierra Leone as agreed by the Foreign Affairs Committee. [73632]

**Mr. Wilshire:** To ask the Prime Minister when *(a)* he, *(b)* his officials, *(c)* his advisers and *(d)* his PPS were first made aware of certain key conclusions of the Foreign Affairs Committee on Sierra Leone. [73703]

**The Prime Minister** *[holding answer 26 February 1999]:* I refer the hon. Members to the reply I gave to the hon. Member for Spelthorne (Mr. Wilshire) on 23 February 1999, *Official Report*, column *231*.

**Sir Brian Mawhinney:** To ask the Prime Minister on what day and at what time *(a)* he and *(b)* officials working in No. 10 Downing street were informed that the Foreign and Commonwealth Office had received a leaked copy of the draft Foreign Affairs Committee report on Sierra Leone. [74155]

**Mr. Wilshire:** To ask the Prime Minister when he knew that a copy of the draft report of the Foreign Affairs Committee's Sierra Leone inquiry had been sent to the Foreign and Commonwealth Office in the second week of January. [73573]

**The Prime Minister** *[holding answers 26 February and 2 March 1999]:* Officials in No. 10 were informed on the evening of Monday 22 February. I was informed the following day.

### National Changeover Plan

**Mr. Mitchell:** To ask the Prime Minister what compensation will be available to businesses which invest for euro membership as part of the National Changeover plan if the electorate votes against membership. [74166]

**The Prime Minister:** The outline National Changeover Plan is a first step in planning how the United Kingdom would make the changeover to the single currency. A further plan will be published in around a year's time. British businesses must now focus on the impact of the euro on their business strategies and decide for themselves how they should handle it and what preparations to make. Any investment will ultimately be a commercial decision for businesses themselves.

**Mr. Mitchell:** To ask the Prime Minister what is his estimate of the amount of public expenditure which will arise in connection with the National Changeover plan for euro membership which will be incurred before a referendum on joining. [74167]

**The Prime Minister:** The cost of euro preparations would depend on the detailed approach that the UK took to the changeover. As I set out in my statement to the House on 23 February 1999, *Official Report*, columns 179-96, further work on the changeover will be carried out over the next year. Prior to a referendum the key departments involved are Inland Revenue, Customs and Excise and the Department for Social Security, where preparations may cost some tens of millions of pounds.

### Beef Ban

**Mr. Hayes:** To ask the Prime Minister, pursuant to his oral answer of 24 February 1999, *Official Report*, column 386, on the lifting of the beef ban, on what date European Commission inspectors were invited to visit the relevant abattoirs; and when he expects *(a)* the visits to take place and *(b)* the final stages of the lifting of the ban to begin. [74154]

**The Prime Minister** *[holding answer 2 March 1999]:* Officials from the Ministry of Agriculture, Fisheries and Food held discussions with Commission officials in January and February this year on the content, practical arrangements and possible dates for an inspection visit. The inspection will also cover the arrangements for Date Based Export Schemes in meat plants and we are in close contact with their industry in ensuring premises are ready for inspection. We expect to confirm a date very shortly. After the visit, the Commission will produce their report and set a date for exports to resume. We will be encouraging them to act as quickly as possible, but the timetable for those final stages is a matter for the Commission.

### School Education Spending

**Mr. Hayes:** To ask the Prime Minister, pursuant to his oral answer of 24 February 1999, *Official Report*, column 382, on school education spending, if he will make a statement on spending on school education in Scotland *(a)* in the current financial year and *(b)* in 1997–98. [74152]

**The Prime Minister** *[holding answer 2 March 1999]:* Education authorities in Scotland are budgeting to spend £2.438 billion in the current financial year, whereas they budgeted to spend £2.349 billion in the previous financial year. The budgeted figure is normally exceeded in practice. The provisional outturn for 1997–98 is £2.375 billion.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Art Markets

**Mr. Hayes:** To ask the Prime Minister, pursuant to his oral answer of 24 February 1999, *Official Report*, column 382, concerning the EU Directive on the art markets, if he will list the conditions necessary to permit the United Kingdom to agree the Directive. [74151]

**The Prime Minister** *[holding answer 2 March 1999]:* At the 25 February Internal Market Council the Presidency noted there was a broad consensus in favour of the proposal but, in view of the difficulties of some member states, it noted there were some remaining issues to be settled. It therefore asked the Committee of Permanent Representatives to take forward this work with the aim of reaching early agreement. We shall be working with our EU partners on ways in which the impact of the Directive on the United Kingdom can be reduced. I appreciate their willingness to continue intensive examination of these concerns. I cannot, of course, say in advance of that examination, what might be acceptable, though we will ensure we get the best possible deal.

### EU Reports and Recommendations

**Mr. Maclean:** To ask the Prime Minister if he will deposit in the Library a list of reports and recommendations submitted since 1 May 1997 by working groups operating at European Community level, indicating the status of follow-through activities. [74445]

**The Prime Minister:** Council working groups make reports and recommendations on legislative proposals from the Commission, which are then passed to the Council of Ministers for final decision. The working group reports are not normally published, but the legislation, once enacted, is published in the *Official Journal* and is also available on the CELEX database. This has been the standard practice for many years.

### Engagements

**Sir Peter Tapsell:** To ask the Prime Minister if he will list his official engagements for Wednesday 3 March. [73763]

**The Prime Minister:** Today I have had meetings with Ministerial colleagues and others. I was also briefed on the hideous murders of eight tourists in Uganda.

Our High Commission in Uganda is seeking to establish the facts and we are obviously in close consultation with the Ugandan authorities.

Four of the dead: Joanne Cotton, Martin Friend, Mark Lindgren and Steven Roberts, were British, and the thoughts of the whole House will be with their friends and families, to whom we pledge to do all in our power to bring their killers to justice.

## DEFENCE

### Uranium (Health Tests)

**Lorna Fitzsimons:** To ask the Secretary of State for Defence what progress has been made to collate the information his Department has about mechanisms which could be used to test for the presence of uranium in the human body. [69803]

**Mr. Doug Henderson:** I expect to publish a detailed paper setting out the Ministry of Defence's position concerning the testing of UK Gulf veterans for the presence of depleted uranium later this month.

### Armed Forces Personnel (Foreign Nationals)

**Mr. Hancock:** To ask the Secretary of State for Defence how many foreign nationals are currently serving in the UK armed forces; and which countries they come from. [72954]

**Mr. Spellar:** The following table shows the recorded number of foreign nationals serving in the Army at January 1999:

| *Nationality* | *Army* |
|---|---|
| Total | 448 |
| Australian | 64 |
| Canadian | 64 |
| New Zealander | 55 |
| Zimbabwean | 41 |
| South African | 41 |
| Jamaican | 27 |
| Fijian | 19 |
| Indian | 13 |
| St. Helenian | 12 |
| Maltese | 10 |
| Trinidadian | 7 |
| Kenyan | 6 |
| Barbadian | 5 |
| Ghanaian | 5 |
| Pakistani | 5 |
| German | 5 |
| Others | 69 |

The 'Others' category amalgamates all nationalities in the Army which have fewer than five people in the individual categories.

There are also 244 Irish Nationals serving in the Army.

The table shows the recorded number of foreign nationals serving in the Royal Air Force at February 1999.

| Nationality | Royal Air Force |
|---|---|
| Total | 327 |
| Canadian | 41 |
| Australian | 37 |
| New Zealander | 32 |
| Indian | 26 |
| Pakistani | 26 |
| Jamaican | 23 |
| Kenyan | 20 |
| Zimbabwean | 16 |
| German | 12 |
| American | 11 |
| Maltese | 9 |
| Barbadian | 8 |
| Malaysian | 6 |
| Others | 60 |

The 'Others' category amalgamates all nationalities in the RAF which have fewer than five people in the individual categories.

There are also 155 Irish nationals serving in the RAF.

Information on the number of foreign nationals serving in the Naval Service is not held centrally and could be provided only at disproportionate cost.

### Meteorological Office Report 1997–98

**Mr. Hancock:** To ask the Secretary of State for Defence on what date the Meteorological Office published its report for 1997–98; and what was the cost of production of the report. [72990]

**Mr. Spellar:** This is a matter for the Chief Executive of the Meteorological Office. I have asked the Chief Executive to write to the hon. Member.

*Letter from Peter Ewins to Mr. Mike Hancock, dated 3 March 1999:*

I am replying to your Question to the Secretary of State for Defence about the issue date and production costs of the Meteorological Office's Annual Report for 1997–98. This matter falls within my area of responsibility as Chief Executive of the Met. Office.

Our 1997–98 Annual Report and Accounts was published on 19 August 1998 and some 1400 copies were distributed externally to customers, suppliers and other interested organisations. The cost of production was just under £37K, broken down as follows:

Printing: £14.6K

Photographic: £0.5K

Staff costs: £21.8K.

You may be interested to know that the Report was actually laid before the House on 14 July 1998.

### Medical Supply Agency

**Mr. Hancock:** To ask the Secretary of State for Defence when he expects to set targets for the Medical Supply Agency for 1999–2000. [72989]

**Mr. Doug Henderson:** It is my intention to set key targets for this Agency in April this year.

### Aircraft Accidents

**Mr. Hancock:** To ask the Secretary of State for Defence (1) how many aircraft the RAF has lost in accidents in each of the last five years; and what was the cost of the aircraft; [72935]

(2) how many aircraft the *(a)* Army and *(b)* Royal Navy have lost in accidents in each of the last five years; and what was the cost of the aircraft; [73786]

(3) how many *(a)* Army and *(b)* RAF personnel have been killed in aircraft accidents in each of the last five years; [73791]

(4) what was the attributed cause of each *(a)* RAF and *(b)* Royal Navy aircraft crash in the last five years. [73787]

**Mr. Spellar:** I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

## WALES

### Education Funding

9. **Mr. Flynn:** To ask the Secretary of State for Wales if he will make a statement on the cash and percentage increase in funding for education in Wales in 1999–2000. [72461]

**Mr. Michael:** I have announced an extra £133 million for education and training in 1999–2000. This represents an increase of 7.1 per cent. on 1998–99. The main elements are £70.2 million in the local government revenue settlement, £23.5 million for further education and £15.5 million for higher education. This gives a sound basis for the Assembly when it takes over education responsibilities following the transfer of functions.

### Roads (Signing)

10. **Mr. Fabricant:** To ask the Secretary of State for Wales what steps he is taking to promote clear signing on roads. [72463]

**Mr. Hain:** Monolingual traffic signs for use on roads in the UK are prescribed in the Traffic Signs Regulations and General Directions 1994. In order to ensure that bilingual traffic signs are designed to the same national standards, the Department has produced a full set of drawings which have been issued to all local authorities in Wales.

Following the transfer of functions the issue of bilingual traffic signs will be a matter for the National Assembly.

### Concessionary Bus Fares Scheme

11. **Mr. Donald Anderson:** To ask the Secretary of State for Wales what representations he has received on his announcement of the half-price concessionary bus fares scheme. [72464]

**Mr. Hain:** The Government's commitment to introduce a statutory minimum standard travel concessions scheme for pensioners on buses has been very warmly welcomed throughout Wales. I am delighted to have been able to ensure that from April all unitary authorities in Wales will be in a position voluntarily to meet the proposed minimum, which is a maximum of £5 for a bus pass, and a discount of at least 50 per cent. on fares. I am keen to go further, and in consultation with the Welsh Local Government Association (WLGA) and bus operators will be drawing up plans to move to free concessionary travel for pensioners

on buses over the next two to three years. I intend to make this concession available to visiting as well as resident pensioners.

Following the transfer of functions, the National Assembly for Wales will be responsible for overseeing the administration of concessionary fares schemes by local authorities in Wales.

### Manufacturing Jobs

12. **Mr. Barry Jones:** To ask the Secretary of State for Wales what representations he has received on the number of manufacturing jobs lost in Wales in the last year; and if he will make a statement. [72465]

**Mr. Hain:** We have not received any, but support for the manufacturing sector in Wales remains a priority.

### Secretary of State (Devolution)

13. **Mr. Paterson:** To ask the Secretary of State for Wales what representations he has received on the role of the Secretary of State after devolution. [72466]

**Mr. Michael:** None.

I have replied to a parliamentary question from the hon. Member for Ribble Valley (Mr. Evans), 4 February 1999, *Official Report*, column 749, and Welsh Office officials have provided oral and written evidence to the Select Committee for Welsh Affairs.

### Rural Bus Services

14. **Mr. John Smith:** To ask the Secretary of State for Wales if he will make a statement on the future of rural bus services in Wales. [72468]

**Mr. Hain:** The future for bus services in rural Wales is brighter now than for many years. In the current financial year £2.25 million has been made available to local authorities in Wales under the Bus Subsidy Grant Scheme to boost rural bus services, increasing to at least £3 million in 1999–2000. In addition, local authorities will be free to decide whether to spend a further £2 million on either rural or urban bus services.

This new money will secure 16 million bus kilometres next year, and allow authorities to increase by more than 60 per cent. the provision of socially necessary bus services compared with 1997–98. It will help to increase accessibility and mobility in the countryside, and to overcome problems of social exclusion.

Following the transfer of functions, the National Assembly for Wales will be responsible for determining the future of the Welsh Bus Subsidy Grant Scheme.

### National Assembly

15. **Mr. Flight:** To ask the Secretary of State for Wales what plans the Government have to devolve further powers from Westminster to the National Assembly. [72469]

**Mr. Michael:** The Government have no plans to devolve further substantive existing powers to the Assembly, beyond those set out in the draft Transfer of Functions Order which was approved by the House on 24 February. In future, new legislation which gives powers to Secretaries of State in respect of England will need to specify what powers are to be given to the Assembly in respect of Wales.

24. **Mr. Loughton:** To ask the Secretary of State for Wales if he will make a statement on the criteria under which candidates for the National Assembly can be disqualified. [72478]

**Mr. Michael:** Section 12 of the Government of Wales Act 1998 specifies persons and classes of person who may not also be members of the National Assembly for Wales.

The draft Order-in-Council laid on 10 February proposes further disqualifying offices and employments taking account both of conflicts of interest which Assembly members might experience and the need to ensure that the impartiality of bodies exercising quasi-judicial functions is not being compromised.

### Market Towns

16. **Mr. Llwyd:** To ask the Secretary of State for Wales what proposals he has to provide economic assistance to market towns in Wales; and if he will make a statement. [72470]

**Mr. Hain:** The Government are committed to developing rural communities throughout Wales. Enhancing the economies of market towns is integral to this process.

The WDA's Market Town Initiative assists local communities to influence the future of their towns in the face of economic change. Some £900,000 is being made available over a three year period to the ten participating towns in Mid-Wales and the Agency is currently assessing the possibility of extending the Initiative throughout Wales. Local authorities also have a key role to play through delegated resources such as Strategic Development Scheme and Local Authority Rural Scheme monies.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Trade Mission

17. **Mrs. Laing:** To ask the Secretary of State for Wales what plans he has for a trade mission to the United States of America. [72471]

**Mr. Michael:** The United States does not feature on the current Welsh Office trade mission programme. I shall be visiting the US on an inward investment mission later this month.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Areas of Outstanding Natural Beauty

18. **Mr. Caton:** To ask the Secretary of State for Wales if he will make a statement on the management of Areas of Outstanding Natural Beauty in Wales. [72472]

**Mr. Jon Owen Jones:** My right hon. Friend recently received advice from the Countryside Council for Wales and hopes to make decisions on the future management and funding of Welsh areas of outstanding natural beauty in the light of this advice.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Nurses (Recruitment)

19. **Mr. Ian Bruce:** To ask the Secretary of State for Wales what plans he has to advertise to recruit more nurses in Wales. [72473]

**Mr. Jon Owen Jones:** Advertisements were placed in Welsh national papers on 3 February. Advertisements in the Welsh language are due to be placed in Welsh language papers on 24 and 25 February. Wales does not have a recruitment problem for pre-registration nurse training and our campaign will concentrate on attracting returners to the NHS in Wales. Officials wrote to Trusts on 12 February to ascertain their individual needs.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Bro Taf Health Authority

20. **Mr. Lansley:** To ask the Secretary of State for Wales what additional resources are being made available to the Bro Taf health authority following the outbreak of meningitis. [72474]

**Mr. Jon Owen Jones:** No additional funding has been sought by, or provided to Bro Taf Health Authority. Each Health Authority receives an element of discretionary funding in its annual resource allocation which is for the Health Authority to spend according to their priorities in their area.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Mineral Planning Guidance

21. **Mr. Rowlands:** To ask the Secretary of State for Wales how many representations he has received on the mineral planning guidance consultation document (MPG3); and if he will make a statement. [72475]

**Mr. Jon Owen Jones:** My right hon. Friend and I have received over 40 representations which are currently being considered. In future, responsibility for planning and mineral planning policy in Wales will be a function for the National Assembly.

### Local Health Groups

22. **Mr. Rogers:** To ask the Secretary of State for Wales what progress has been made in establishing local health groups in Wales. [72476]

**Mr. Jon Owen Jones:** Good progress has been made by all Health Authorities in establishing Local Health Groups (LHGs).

The majority of appointments to LHG Boards are complete and early meetings have been positive. Arrangements are in hand to appoint staff. Shadow LHG Boards and Executive Committees have begun to identify key work priorities, and are taking steps to address their specific training and development needs.

All 22 LHGs are on course to be operational as sub committees of Health Authorities by 1 April, as planned.

Following the transfer of functions, this issue will be a function for the National Assembly.

26. **Mr. Win Griffiths:** To ask the Secretary of State for Wales if he will make a statement about the progress that has been made by each health authority in establishing local health groups. [72481]

**Mr. Jon Owen Jones:** Each of the five Health Authorities in Wales has reported making good progress in establishing Local Health Groups (LHGs).

The majority of appointments to LHG Boards are complete and early meetings have been positive. Arrangements are in hand to appoint staff. Shadow LHG Boards and Executive Committees have begun to identify key work priorities, and are taking steps to address their specific training and development needs.

All 22 LHGs are on course to be operational as sub committees of Health Authorities by 1 April, as planned.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Road Haulage Industry

23. **Mrs. Ann Winterton:** To ask the Secretary of State for Wales what assessment his Department has made of the contribution of the road haulage industry to employment in rural Wales. [72477]

**Mr. Hain:** The road haulage industry plays a vital role in the Welsh economy, in terms of both the distribution of goods and the employment opportunities it provides in both urban and rural areas. The Autumn 1998 Labour Force Survey, conducted by the Office for National Statistics, showed that there were around 13,000 people in employment in the industry throughout Wales.

Following the transfer of functions, the National Assembly for Wales will take an extremely close interest in employment issues within Wales.

### Cattle Subsidies (Application Forms)

25. **Mr. Edwards:** To ask the Secretary of State for Wales what plans he has to review the application forms for sheep annual premium, suckler cow premium and over thirty months scheme to prevent farmers being penalised for inadvertently making mistakes. [72479]

**Mr. Jon Owen Jones:** My right hon. Friend announced in December that £16 million would be invested over the next three years in the Welsh Office's Agricultural Offices to revolutionise the service provided to farmers and speed up the payment process. As part of this we will be reviewing data collection processes. Welsh officials are working closely with producers and their representatives to find out precisely what improvements will deliver most benefit to farmers whilst retaining the necessary controls over expenditure.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Police Authorities (Funding)

27. **Mr. Forth:** To ask the Secretary of State for Wales what plans he has to increase the funding allocations to police authorities. [72482]

**Mr. Jon Owen Jones:** Details of standard spending assessments for Welsh police authorities for 1999–2000 are included in the Local Government Finance Report (Wales) 1999–2000 (HC 203). The report was debated and approved by the House of Commons on 11 February 1999. These represent an increase of £6.7 million or 3.9 per cent. over the current year.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Police grant is the responsibility of my right hon. Friend the Home Secretary. The allocations for 1999–2000 are set out in the Police Grant Report (England and Wales) 1999–2000 which was approved by the House of Commons on 4 February.

### Social and Economic Inequalities

**Mr. Llew Smith:** To ask the Secretary of State for Wales what studies of social and economic inequalities in Wales have been conducted or commissioned by his Department since May 1997. [69588]

**Mr. Jon Owen Jones:** The Department has drawn upon expertise and ongoing research through the Social Exclusion Advisory Panel and other sources.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Psychiatric Nurses

**Sir Alastair Goodlad:** To ask the Secretary of State for Wales how many community psychiatric nurses there were in Wales in each of the last three years. [73228]

**Mr. Jon Owen Jones:** The information is given in the following table.

*Nurses employed by the NHS in Wales in the area of community psychiatry as at 30 September*

| | *1996* | | *1997* | | *1998* | |
|---|---|---|---|---|---|---|
| | *Number* | *Wte* | *Number* | *Wte* | *Number* | *Wte* |
| Manager | 6 | 6 | 11 | 11 | 10 | 10 |
| 1st level nurse | 509 | 491 | 557 | 528 | 541 | 508 |
| 2nd level nurse | 23 | 21 | 19 | 18 | 14 | 13 |
| Nursing auxiliary/assistant | 201 | 175 | 275 | 180 | 218 | 176 |
| Total | 739 | 693 | 862 | 738 | 738 | 707 |

*Note:*

The figures above may underestimate the actual position as some non-medical staff (1.5 per cent. in 1996, 0.3 per cent. and 0.2 per cent. in 1998) did not have a valid occupation code and have not, therefore, been assigned centrally to a staff group or grade.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Schizophrenia

**Sir Alastair Goodlad:** To ask the Secretary of State for Wales how many people discharged from hospital following a main diagnosis of schizophrenia psychoses and subsequently taken to hospital by the police under the Mental Health Acts in Wales were refused admission in the last year for which figures are available. [73235]

**Mr. Jon Owen Jones:** The information requested is not held centrally.

Following the transfer of functions, this issue will be a matter for the National Assembly.

**Sir Alastair Goodlad:** To ask the Secretary of State for Wales how many people with a main diagnosis of schizophrenia psychoses were admitted for a hospital stay more than once during the last year in Wales. [73234]

**Mr. Jon Owen Jones:** In 1998 there were 1,521 hospital spells in NHS hospitals in Wales where the person had a primary diagnosis of schizophrenia psychoses. Reliable estimates of the number of people who were re-admitted are not available.

Following the transfer of functions, this issue will be a matter for the National Assembly.

**Sir Alastair Goodlad:** To ask the Secretary of State for Wales if he will list the admission by diagnosis and order of admissions indicating the percentage changes over the previous year in numbers and rates per 100,000 population of patients suffering from schizophrenia psychoses in Wales in the last year for which figures are available. [73370]

**Mr. Jon Owen Jones:** The number and rates of discharges from Welsh NHS trusts for the two latest years, 1997 and 1998, are shown in the following table. Information is given for discharges, rather than admissions, as discharge information is more complete. Reliable information on order of admission is not available. The figures represent only those patients admitted to hospital as inpatients or day-cases and will therefore not be an overall picture of all patients suffering from schizophrenia in Wales.

*Patients discharged from Welsh Trusts with a primary diagnosis of Schizophrenia*

| Diagnosis | 1997 | | 1998 | | Percentage change 1997–98 | |
|---|---|---|---|---|---|---|
| | Number | Rate | Number | Rate | Number | Rate |
| Paranoid Schizophrenia | 825 | 28.2 | 885 | 30.2 | 7.3 | 7.0 |
| Hebephrenic Schizophrenia | 58 | 2.0 | 56 | 1.9 | −3.4 | −3.7 |
| Catatonic Schizophrenia | 6 | 0.2 | 9 | 0.3 | 50.0 | 49.6 |
| Undifferentiated Schizophrenia | 39 | 1.3 | 39 | 1.3 | 0.0 | −0.2 |
| Post-Schizophrenia Depression | 3 | 0.1 | 6 | 0.2 | 100.0 | 99.5 |
| Residual Schizophrenia | 329 | 11.2 | 246 | 8.4 | −25.2 | −25.4 |
| Simple Schizophrenia | 37 | 1.3 | 29 | 1.0 | −21.6 | −21.8 |
| Other Schizophrenia | 42 | 1.4 | 27 | 0.9 | −35.7 | −35.9 |
| Schizophrenia, unspecified | 476 | 16.3 | 416 | 14.2 | −12.6 | −12.8 |
| Total | 1,815 | 62.0 | 1,713 | 58.4 | −5.6 | −5.8 |

[1] Rates are expressed per 100,000 population

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Assembly Election

**Mr. Swayne:** To ask the Secretary of State for Wales what arrangements he has made to measure the effectiveness of his Department's media campaign to encourage people to vote in the Assembly election. [73006]

**Mr. Michael:** We have set in place evaluation research which involves two telephone surveys of the general public in Wales, wave 1 took place in January 1999 and wave 2 is planned for May 1999. It has been designed to measure shifts in attitudes along key variables identified by the campaign messages (as identified by the agency Howell Henry Chaldecott Lury). The sample is 1,500 members of the general public constructed to be representative of the five EC regions and in terms of sex, age, social class and the proportion of the population who are Welsh speaking.

**Mr. Swayne:** To ask the Secretary of State for Wales if he will list the companies which tendered for the contract to publicise the Assembly elections. [73007]

**Mr. Michael:** The following agencies tendered for the contract (a) Howell Henry Chaldecott Lury in partnership with Bell Pottinger Good Relations (b) Wight Collins Rutherford Scott in partnership with Golley Slater (c) Ogilvy and Mather in partnership with Mark Williams Associates (d) Euro RSCG Wnek Gosper in partnership with the Petersen Partnership.

All the above agencies were approved and endorsed by the government's Advisory Committee on Advertising. Bids (a) and (c) were shortlisted for presentations to the Secretary of State for Wales.

### Single Currency

**Mr. Maclean:** To ask the Secretary of State for Wales what plans he has to issue information from his Department to help the public make an informed decision when they vote on the single currency. [73584]

**Mr. Michael:** Any plans by the Government to issue information during a referendum campaign on whether or not the UK should join the single currency would be made in the light of the Government's response to the recommendations from the Neill Committee on the conduct of referendums. The Government will announce their conclusions on those recommendations when my right hon. Friend the Home Secretary publishes a White Paper and draft Bill before summer recess.

**Mr. Maclean:** To ask the Secretary of State for Wales if he will list the subject areas within his Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73672]

**Mr. Michael:** The Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter eight of the Treasury's Outline National Changeover Plan provides further information. Copies of the Plan are available in the House Library.

### Special Educational Needs

**Mr. Wigley:** To ask the Secretary of State for Wales what are his arrangements for monitoring the implementation of his Department's guidance on best practice in providing education for *(a)* those with learning difficulties and *(b)* children with autism spectrum disorders. [73647]

**Mr. Hain:** Local authorities and schools are responsible for ensuring that their respective duties for the provision of education to children with special educational needs (SEN), including children with learning difficulties associated with autistic spectrum disorders, are discharged in accordance with the legislation and the associated guidance issued by the Department, principally the 'Code of Practice on the Identification and Assessment of SEN' [ISBN 0 85522 444 4].

Schools are subject to inspection by The Office of Her Majesty's Chief Inspector of Schools in Wales (OHMCI) which is responsible for evaluating and reporting on standards in each school to the Secretary of State. Inspections include an assessment of the provision being made for pupils with SEN, having regard to guidance issued by the Department.

In 1996, OHMCI published a report entitled 'The Implementation of the SEN Code of Practice in Primary Schools in Wales' following a survey in primary schools during the two years following the introduction of the Code in 1994. A copy of its report was placed in the

Library of the House. More recently, OHMCI has carried out a survey of the National Curriculum in special schools. Its report will be published later this year.

'Shaping the Future for Special Education—An Action Programme for Wales', published in January, explained that from September this year LEAs will be required to publish details of their SEN policies in their Education Strategic Plans. As part of the new arrangements for delegating funding to schools from 1 April, LEAs will publish notional funding figures for each school for the SEN provision they are expected to make within their delegated budgets; and publish details of the funding for SEN support services which the LEA will provide centrally. These arrangements will help to improve transparency and accountability. A copy of the 'Action Programme' can be obtained from the Library of the House.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Autism

**Mr. Wigley:** To ask the Secretary of State for Wales what are the arrangements within the National Health Service in Wales for *(a)* the identification of individuals with autism-spectrum disorders and *(b)* the primary health care post-diagnosis offered to individuals and their families. [73629]

**Mr. Jon Owen Jones:** Primary care professionals are trained to watch out for the warning signs of this condition and to refer suspected cases to specialists in the secondary care sector. Post-diagnosis, the primary care team has a managing and co-ordinating role with other agencies in supporting autistic children and their families.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Sustainable Development

**Mr. Wigley:** To ask the Secretary of State for Wales if he will undertake the necessary preliminary work for the establishment by the National Assembly of a cross-cutting committee on sustainable development. [73777]

**Mr. Michael:** The promotion of sustainable development is a key priority for this Government and I am paving the way for the Welsh Assembly to play a leading and innovative role in this area of activity. Last month I hosted a National Conference on Sustainable Development. Its main purpose was to put together recommendations as to how the National Assembly for Wales should meet its duty under section 121 of the Government of Wales Act 1998 to make a scheme setting out how it proposes, in the exercise of its functions, to promote sustainable development. A report of the Conference is being produced which I hope will be of value to the Assembly.

Section 121 provides that the Assembly may not delegate the function of making, remaking or revising the scheme. Thus this task cannot be delegated to a committee but must be agreed by the whole Assembly.

When I addressed the National Conference on Sustainable Development and elsewhere I have made clear my view that the Assembly's sustainable development duty can best be achieved by each of the subject committees having responsibility for integrating sustainable development into its area of responsibility. I would expect to task one Assembly Secretary with the role of "Champion" for sustainable development as a core part of his or her portfolio.

### Inward Investment Projects

**Mr. Barry Jones:** To ask the Secretary of State for Wales if he will list the inward investment projects his Department has announced in the past 12 months, giving the location, the expected cash investment and expected number of jobs to be created; and if he will make a statement. [74183]

**Mr. Hain:** During the last twelve months, Welsh Office Ministers have announced or welcomed the following projects, the vast majority of which are inward investment projects. A total of 25 companies bringing over 6,000 jobs is involved.

| *Company* | *Location* | *Costs (£ million)* | *Jobs* |
|---|---|---|---|
| Air International | Blaina | 10 | 100 |
| Autokuhler | Tonyrefail | 3 | 50 |
| Bank One | Cardiff | — | 1,000 |
| Cartoinvest | Flintshire | 18 | 140 |
| Cross Chemicals | Llangefni | 4 | 72 |
| Radun Controls | Aberdare | 0.65 | 50 |
| Engineered Plastic Comps | Ebbw Vale | 2 | 72 |
| Firstplus | Cardiff | 10 | 500 |
| Gyrus | Cardiff | 2.5 | 150 |
| Leaveland Shoe | Pembroke Dock | — | 154 |
| Legal and General | Cardiff | — | 1,050 |
| Moeller | Cwmfelinfach | 4 | 100 |
| O P Chocolate | Merthyr | 1.5 | 50 |
| PHS Group | Caerphilly | — | 80 |
| Tokai Rika | St. Asaph | 6 | 154 |
| Traxdata | Dinas Isaf | 5.8 | 171 |
| Ethnic Cuisine | Llansamlet | — | 60 |
| Karavale Enterprises | Cwmbran | 10 | 380 |
| International Rectifier | Penllergaer | 30 | 539 |
| Wall Colmonoy | Pontardawe | 2 | 70 |
| Toprak Ceramics | Deeside | 38 | 430 |
| International Telemedicine | Cardiff | 0.95 | 70 |
| Tomoe Valve | Newport | — | 100 |
| Cymru Country Chickens | Llangefni | 10 | 250 |
| Grundig Satellite | Llantrisant | 4 | 215 |
| Total | | 162.40 | 6,007 |

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Industry

**Mr. Barry Jones:** To ask the Secretary of State for Wales when he last met the WDA to consider the prospects for industry; and if he will make a statement. [74181]

**Mr. Hain:** Since his appointment, my right hon. Friend the Secretary of State has met with the Chairman of the WDA and other representatives of the Agency on a number of occasions, and will continue to do so, to discuss a wide range of issues concerning the work of the Agency and the Welsh economy. The most recent meeting with the Chairman was on 24 February.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Concordats

**Mr. Syms:** To ask the Secretary of State for Wales what plans he has to publish concordats negotiated between the Government and the National Assembly for Wales. [72462]

**Mr. Michael:** Concordats will set out the working arrangements between the National Assembly for Wales and the Government and it will be for the Assembly and the lead Department in the UK Government formally to publish concordats when they have been adopted.

### Matching Funding

**Mr. Dafis:** To ask the Secretary of State for Wales what recent discussions he has had with the Chancellor of the Exchequer on matching funds for financial reserves allocated to the National Assembly for Wales from EU structural funds. [72467]

**Mr. Hain:** I refer the hon. Member to the answer given by my right hon. Friend to the hon. Member for Ynys Môn (Mr. Jones), on 3 March 1999, *Official Report*, columns 1063-64.

Following the transfer of functions, this issue will be a matter for the National Assembly.

## AGRICULTURE, FISHERIES AND FOOD

### Meat Inspection

**Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food what is the average cost of meat inspection per animal in *(a)* large, *(b)* medium sized and *(c)* small abattoirs. [68129]

**Mr. Rooker:** The Meat Hygiene Service (MHS) charges for meat inspection and hygiene supervision are calculated on a "per hour" basis. As a consequence the MHS does not routinely calculate throughput based charges for individual abattoirs. The Agency did, however, carry out a one-off exercise to calculate unit costs for 1996–97. This exercise illustrated the difficulties in the calculation of unit costs. The MHS had reservations about whether the data accurately reflected the actual unit costs of any particular plant. This was due to a number of factors including the difficulty of gathering all relevant data for the exercise and the assumption made during the calculations.

In addition, there are several reasons why unit costs may vary from plant to plant, notably differences in structure, differences in efficiency or operation and the application of the MHS charging policy at each premises, for example whether travel time is incurred. The data produced from the exercise are therefore open to wide interpretation and unsuitable for publication.

### Fishing Industry Initiatives

**Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 21 January 1999, *Official Report*, column *573*, on fishing industry initiatives, which organisations within the British fishing industry put forward proposals for *(a)* the introduction of fixed quota allocation, *(b)* the limiting to registration and licensing of fishing vessels to the declaration of maximum continuous or permanently devoted engine power, *(c)* restrictive licensing for scallop dredging and *(d)* measures to assist the replacement or introduction of pelagic freezer trawlers. [68151]

**Mr. Morley:** As I explained in the answer which I gave the hon. Member on 21 January 1999, *Official Report*, column *574*, changes in a number of areas were prompted by concerns put forward from within the fishing industry, in some instances from fishermen themselves and in others from their representatives, and arose in the wide range of contacts I have with the industry. The measures on fixed quota allocations, scallop dredging licensing and pelagic freezer trawlers were the subject of public consultations and details of the responses are available from the Ministry's Library. The measures to link the registration and licensing of fishing vessels to the declaration of maximum continuous or permanently derated engine power, which are necessary to comply with EU obligations, were foreshadowed in the statement I made to the House on 17 December 1997, *Official Report*, column 228, and were discussed with industry as part of the review of fishing vessel licensing.

### Genetically Modified Foods

**Mr. Llew Smith:** To ask the Minister of Agriculture, Fisheries and Food what studies have been *(a)* commissioned by and *(b)* undertaken within his Department in respect of the specific safety of genetically modified food for consumption by (i) pregnant women and (ii) children in their first year. [72525]

**Mr. Rooker:** My Department has not commissioned the specific research referred to. However, in assessing GM foods approved for sale in the UK, the Advisory Committee on Novel Foods and Processes considers the safety of *all* consumers from the youngest to the oldest, including pregnant women. The Committee has concluded that GM foods already approved for sale in the UK are as safe as their conventional counterparts for all sectors of the population.

**Joan Ruddock:** To ask the Minister of Agriculture, Fisheries and Food if he will give details of the United Kingdom testing regime which was applied to determine safety for human consumption of the genetically modified foods currently on sale in the United Kingdom; what changes have been made to the testing regime; and what plans he has to change the testing regime. [72946]

**Mr. Rooker:** All the genetically modified foods which are currently on sale were rigorously assessed for safety by the Advisory Committee on Novel Foods and Processes under a voluntary scheme which was in operation prior to the introduction of the Novel Food Regulations in May 1997. Details of the regime operating at that time are contained in the ACNFP Annual Report for 1994, which can be found in the Library of the House. These foods have also been assessed by equivalent bodies in all other Member States.

Since May 1997, all novel food assessments have been carried out by the ACNFP in accordance with guidance produced by the European Commission Scientific for Food, which applies to all member states. A copy of this guidance, which does not differ in any significant way from the regime operated under the voluntary scheme, may also be found in the Library of the House.

I have no plans to ask for any changes to be made to the EC testing regime at this time.

**Mr. Drew:** To ask the Minister of Agriculture, Fisheries and Food when genetically modified *(a)* tomato purée, *(b)* rennet for vegetarian cheese, *(c)* soya and *(d)* maize were first licensed; and for how long each licence lasts. [73263]

**Mr. Rooker:** Ministers first cleared these products for food use on the following dates.

GM Tomato puree (paste) February 1995;

chymosin for vegetarian cheese (produced from a GM micro-organism) May 1991;

GM soya February 1995;

GM maize May 1996.

These safety clearances apply on an indefinite basis but can be withdrawn at any time if this is judged, in the light of new information, to be necessary in order to protect human health.

### Biotechnology

**Mr. Baker:** To ask the Minister of Agriculture, Fisheries and Food how much money his Department has spent supporting the research and development of agricultural biotechnology since 1 May 1997. [72071]

**Mr. Rooker** *[holding answer 23 February 1999]:* The Ministry spent £24 million on research on agricultural biotechnology in the 1997–98 financial year. Commitments to date for the 1998–99 financial year amount to just over £22 million.

### Forestry

**Ms Walley:** To ask the Minister of Agriculture, Fisheries and Food what steps he plans to take, and on what timetable, to implement the results of the review of existing measures for protecting ancient semi-natural woodlands as set out in the Forestry Commission's England Forestry Strategy; and if he will make a statement. [72909]

**Mr. Morley:** We are currently considering the terms of reference and timetable for the review. In the meantime, we are planning to introduce arrangements requiring local planning authorities to consult the Forestry Commission over planning applications affecting ancient semi-natural woodlands and ancient replanted woodlands.

### Thames Chase Community Forest

**Mrs. Laing:** To ask the Minister of Agriculture, Fisheries and Food what progress has been made on soil testing to ascertain which trees would grow in the proposed Thames Chase Community Forest. [73616]

**Mr. Morley:** With a few exceptions, the soils in the Thames Chase Community Forest do not restrict the range of trees which will grow there and so soil testing is not necessary. The Forestry Commission has, however, carried out soil tests in the Thames Chase area as part of its national research programme to determine how different tree species grow on former industrial sites, landfills and similar areas.

**Mrs. Laing:** To ask the Minister of Agriculture, Fisheries and Food what progress has been made in discovering which species of trees were growing in Essex in each of the last 10 centuries in connection with the establishment of the Thames Chase Community Forest. [73617]

**Mr. Morley:** We have not undertaken any specific work to discover which species of trees were growing in Essex in each of the last 10 centuries. Advice on species which are ecologically appropriate to individual areas is available from a wide variety of sources, including the UK Forestry Standard which we published last year.

### Rabbits

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food if he will list the research reports on rabbits he has received since May 1997 and the research studies currently in progress; and if he will make a statement on *(a)* the use which he intends to make of the research and *(b)* the main conclusions of the studies. [73322]

**Mr. Rooker:** A list of research reports received since May 1997, together with their main conclusions and the use that will be made of the results, is as follows:

1. Irreversible immunocontraception for the control of wild rabbits—University of Sheffield.

   The contractor was unsuccessful in developing a fully effective technique. Further development is being undertaken as part of the project "Antigen delivery systems for the control of wild rabbits".

2. Developing humane, environmentally acceptable and cost-effective methods of rabbit control—Central Science Laboratory (CSL).

   An effective multi-capture cage has been developed. A manufacturer will be undertaking small-scale trials this winter to assess the efficacy of the cage. If these are successful, negotiations on a licence for commercial exploitation may commence.

   An advisory leaflet for farmers on the cause of rabbit fending was produced.

   A safer and more cost-effective method of fumigating rabbit burrows, which is also safer for operators and the environment, has been developed. The method is currently being discussed with industry with regard to commercial exploitation.

3. Modelling rabbit populations and designing integrated control packages—CSL.

   An existing mathematical model addressing the optimisation of control techniques was refined. The model was field tested and was found to be accurate except where myxomatosis was prevalent; at these locations, populations surviving after control were generally less than predicted by the model. The results from this project are being combined with those from the project "Predicting damage to crops by rabbits" under the new project "Developing a rabbit management expert system".

4. Predicting damage to crops by rabbits—CSL.

   Results from crop preference trials involving winter wheat, winter barley, oats, rye, triticale, oilseed rape and spring barley showed that triticale and spring barley were least grazed. Comparing losses of winter wheat and spring barley suggests that at densities of rabbits greater than 10 per hectare (a fairly light infestation) it would be more profitable to grow spring barley. At levels below 10 per hectare, it is possible to grow winter wheat profitably.

   "No choice" feeding trials using constant numbers of rabbits gave estimates of financial losses of £2.40 per rabbit per hectare for both grass and spring barley.

   The results from this project should be regarded as interim. They are currently being refined in the project "Developing a rabbit management expert system".

The following research projects are in progress:

Developing a visual scaring device to deter rabbits.

Developing a method for assessing the size of rabbit populations.

Developing a rabbit management expert system.

Rabbit behaviour and population dynamics at fenced hot-spots.

The impact of viral haemorrhagic disease on wild rabbit populations.

Antigen delivery systems for the control of fertility in rabbits.

Reversion of arable land to grass and Calluna health-rabbit grazing aspects.

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food what has been his Department's expenditure on research on rabbits since May 1997. [73323]

**Mr. Rooker:** The Ministry's expenditure on research on rabbits for the period 1 May 1997 to 28 February 1999 was about £523,000.

### Zimbabwe

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food what official visits he, his Ministers or officials have paid to Zimbabwe since May 1997; who they met; and what was discussed. [73466]

**Mr. Rooker:** The only official visit by Ministers or officials in the Department to Zimbabwe since May 1997 was made by a Principal Plant Health and Seeds Inspector who attended a COLEACP quality workshop in Harare on 20–22 October 1997 as a plant health expert. The aim of the workshop was to improve the quality of ACP horticultural products for export. The Inspector met a number of UK importers, Zimbabwe officials from their Ministry of Agriculture and Zimbabwe exporters.

COLEACP is a liaison committee based in Paris and promotes the export of fruit, vegetables and flowers from African, Caribbean and Pacific countries.

### Calf Processing Aid Scheme

**Mr. Fitzpatrick:** To ask the Minister of Agriculture, Fisheries and Food how many calves were slaughtered under the Calf Processing Aid Scheme in *(a)* 1996, *(b)* 1997, *(c)* 1998 and *(d)* to date in 1999; and how much has been paid out under the scheme in each of the above years. [73489]

**Mr. Rooker:** The information requested is as follows:

| | *Calves slaughtered* | *Payments to operators (£ million)* |
|---|---|---|
| 1996 | 370,550 | 38.3 |
| 1997 | 600,558 | 54.3 |
| 1998 | 658,650 | 51.9 |
| 1999[1] | 71,179 | 4.4 |

[1] To 22 February 1999

*Note:*

The number of calves is the number on which premium was paid in the relevant year

### Parliamentary Questions

**Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food when he expects to reply to the hon. Member for Ludlow's questions (ref. 68151 and 68129) tabled on 25 January 1999. [73622]

**Mr. Morley:** My hon. Friend the Minister of State and I have today replied to the questions tabled by the hon. Member for Ludlow on 25 January (ref. 68129 and 68151).

### Bombay Duck

**Mr. Steen:** To ask the Minister of Agriculture, Fisheries and Food what representations he has had requesting Her Majesty's Government to ask the European Union to reconsider its decision to allow the import of Bombay Duck into the EU only if it has been processed in a recognised EU establishment; and if he will make a statement. [73655]

**Mr. Rooker** *[holding answer 1 March 1999]:* My Department has received a small number of inquiries concerning Bombay Duck. None of these have resulted in Her Majesty's Government approaching the European Union about the current import conditions for this product. The need for all fishery products, including Bombay Duck, to originate from approved establishments is a key aspect of the conditions applying to EU imports from third countries. These measures have been established to protect public health.

### Genetically Modified Fish

**Mr. Loughton:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received regarding the genetic modification of Norwegian salmon imported into the UK. [74048]

**Mr. Rooker** *[holding answer 2 March 1999]:* None.

### Fruit and Vegetable Exports

**Sir Richard Body:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the role of his Department in assisting the Commission to prepare EU document 98/1457. [73790]

**Mr. Rooker:** Commission Regulation 1457/98 is a routine measure to control the quantities of fruit and vegetable exported with the benefit of export refunds, and the expenditure on such refunds, in order to ensure compliance with WTO commitments. The powers under which the Regulation was made were the subject of the opinion of all Member States. The operation of the system is a matter for Commission competence.

### Beef Exports

**Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food how many abattoirs are dedicated to beef export. [R] [73797]

**Mr. Rooker:** One abattoir in Northern Ireland is dedicated to slaughtering cattle for export under the Export Certified Herds Scheme. The Date-based Export Scheme is not yet operational. The Commission must carry out an inspection of our procedures before setting a date on which exports may resume. We do not intend to approve plants for export until the Commission inspectors have reported on their findings.

### Pigmeat

**Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food what progress he is making in monitoring the

compliance of British retailers with their undertaking to sell only pork and pigmeat products derived from pigs produced in the United Kingdom. [R] [73795]

**Mr. Rooker:** British retailers have given no such undertaking to the Government. I assume the hon. Member is referring to the undertakings given by the major supermarkets in respect of sourcing own label fresh pork, bacon, and other products from stall and tether and MBM free systems, and not labelling as British products produced or packed in this country using imported fresh pork. The British Retail Consortium is to survey its members to see how far they have got in meeting these undertakings, and I look forward to seeing the results of that survey.

**Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food if he will invoke EU Treaty Article 36 to prevent the importation of pigmeat which does not meet the same standards of production as required in the United Kingdom. [R] [73793]

**Mr. Rooker:** No; it is not possible to use Article 36 of the Treaty to impose higher UK standards on imports where EU law has been harmonised as it has been in the case of welfare standards for pigs. Furthermore, the UK ban on the use of Meat and Bone Meal (MBM) is not in place because there is a known risk to the health or life of humans or animals (a stipulation of Article 36) in feeding MBM to pigs. The MBM ban is in place to address the specific risk that, if pig or poultry feed were to contain MBM, there would be a real risk of contamination (accidental or deliberate) of ruminant feed with pig or poultry feed.

**Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of whether the volume of pigmeat imported into the United Kingdom is consistent with the number of pigs produced in other countries without sow stalls and tethers and without feed containing MMB. [R] [73796]

**Mr. Rooker:** I have made no such assessment.

### BSE

**Liz Blackman:** To ask the Minister of Agriculture, Fisheries and Food if he will make available the latest progress report prepared by his Department on bovine spongiform encephalopathy. [75017]

**Mr. Nick Brown:** A further Progress Report on BSE in Great Britain was placed in the Library of the House today.

The Report outlines the measures which have been taken to protect public health since June 1998, including legislation on the slaughter of sheep and goats suspected of having transmissible spongiform encephalopathies, notifications to the British Cattle Movement Service, cattle identification and the compulsory cull of offspring of BSE cases supporting the Date-based Export Scheme for UK beef. It summarises the results of action to enforce existing public health measures, and reports the launch of the Cattle Tracing System. An update on the number of cases of nvCJD is included.

There is also a section on the protection of animal health covering controls on animal feed.

The epidemiology section shows that the epidemic of BSE in the UK continues to decline. The number of clinically suspect cases of BSE reported in Great Britain has continued to fall and for 1998 was 23.5 per cent. less than for 1997 and 60 per cent. less than for 1996. A continued improvement is expected for the future. The section shows that 63 per cent. of UK herds with adult breeding cattle have never had a case of BSE. Furthermore 84 per cent. of beef suckler herds have never had a case of BSE. Reported incidence also shows that herds with more than four cases of BSE account for almost three quarters of all BSE cases, but represent less than one eighth of all herds.

The section on the European perspective reports the EU Commission's agreement to the Date-based Export Scheme for lifting the EU export ban for UK beef from cattle born after 1 August 1996. It also covers the resumption of beef exports from Northern Ireland, permitted for meat from export certified herds.

## FOREIGN AND COMMONWEALTH AFFAIRS

### Single Currency

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to issue information from his Department to help the public make an informed decision when they vote on the single currency. [73591]

**Ms Quin:** Any plans by the Government to issue information during a referendum campaign on whether or not the UK should join the single currency would be made in light of the Government's response to the recommendations from the Neill Committee on the conduct of referendums. The Government will announce their conclusions on those recommendations when my right hon. Friend the Home Secretary publishes a White Paper and draft Bill before the summer recess.

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the subject areas within his Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73663]

**Ms Quin:** The Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter eight of the Treasury's Outline National Changeover Plan provides further information. Copies of the Plan are available in the House Library.

### Karura Forest, Kenya

**Ms Abbott:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Karura Forest of Kenya. [74032]

**Mr. Tony Lloyd:** I refer my hon. Friend to my answer on 24 February 1999, *Official Report*, column *322*, and the answer the Minister of State, Foreign and Commonwealth Office, my right hon. Friend the Member for Leeds, Central (Mr. Fatchett), gave on 1 March 1999, column *603*.

### Turkey

**Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the present position in respect of the Loizidou *v.* Turkey case under consideration by the Committee of Ministers of the Council of Europe. [74318]

**Ms Quin:** The case of Loizidou *v.* Turkey was last considered in the Committee of Ministers on 9 February, and will next be considered there on 30 March.

Responsibility for implementing the judgment lies with Turkey. Turkey has confirmed its wish to uphold the authority of the European Court of Human Rights, but has informed the Committee of the difficulties which, in its view, flow from the judgment. We have made clear to Turkey the need to respect the Court's judgment. We have reminded Turkey in the Committee of Ministers of their responsibilities in this respect, most recently on 9 February, and will continue to do so.

**Mr. Love:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made to the Government of Turkey following the arrest of Mr. Öcalan; what assurances have been received regarding due process and legal representation; what representations he has made regarding the possible use of the death penalty; and if he will make a statement. [74191]

**Ms Quin:** We raised the subject of PKK leader Abdullah Öcalan's trial with the Turkish State Minister responsible for Human Rights on 17 February. We welcome the assurances of Prime Minister Ecevit that Mr. Öcalan will receive a fair trial and that his physical safety will be assured. With EU partners we have urged that Mr. Öcalan have access to legal counsel of his choice, and underlined our strict opposition to the use of the death penalty. We have also requested attendance at the trial by members of the British Embassy in Ankara.

### Western Sahara

**Mr. Love:** To ask the Secretary of State for Foreign and Commonwealth Affairs what contact his Department has with the Polisario Front; and if he will make a statement on progress towards a settlement in the Western Sahara. [74200]

**Mr. Fatchett:** Foreign Office officials in both London and New York hold regular meetings with representatives of the Polisario Front; they have also visited the Polisario camps in Tindouf.

In late 1998 the UN Secretary-General introduced a package of proposals intended to speed up the referendum process. These were accepted in full by the Polisario, Algeria and Mauritania, but Morocco sought clarification on several issues. Since then Morocco has signed the Status of Forces Agreement and has agreed to formalise the presence of UNHCR in the Western Sahara. The mandate for MINURSO has been extended until the end of March 1999 to allow for further discussions between the UN and the Moroccan authorities on the remaining outstanding issues.

### Eritrea and Ethiopia

**Mrs. Ray Michie:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on *(a)* the recent unrest in Eritrea and Ethiopia and *(b)* the violation of the air moratorium. [74278]

**Mr. Tony Lloyd:** Fighting between Ethiopia and Eritrea resumed on 6 February, with subsequent violation of the US brokered air moratorium of June 1998.

A full scale Ethiopian attack on the disputed town of Badume was reported in the week beginning 22 February. The Ethiopian Government spokesperson announced on 28 February that their forces had captured Badume. Recent reports suggest that Ethiopian forces have now established defensive positions around Badume: within Eritrean territory.

Eritrea accepted the Organisation of African Unity Framework Agreement on 27 February: Ethiopia accepted the proposals in November. The Security Council welcomed this in a Presidential statement the same day. We are urgently considering with our international partners how to support the OAU in obtaining a cessation of hostilities and full implementation of their proposals.

**Mrs. Ray Michie:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Ethiopian Government on their policy of mass deportation of Eritreans, and Ethiopians of Eritrean descent. [74279]

**Mr. Tony Lloyd:** I, our Ambassador in Ethiopia, and officials in London have consistently told the Ethiopian government that we expect them to uphold their international human rights obligations, including in respect to the deportations of Eritrean citizens or Eritreans by descent, as a result of its border conflict with Eritrea.

I raised the matter of human rights in Ethiopia when I met the Ethiopian Foreign Minister in Addis Ababa on 26 February. He assured me that the Ethiopians want a constructive dialogue with us on human rights. I shall pursue this assurance vigorously.

**Mrs. Ray Michie:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to appoint a British ambassador to Eritrea. [74277]

**Mr. Tony Lloyd:** Our Ambassador to Ethiopia is accredited as non-resident Ambassador to Eritrea.

**Mrs. Ray Michie:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the proposal that a neutral force should administer disputed territory on the border between Eritrea and Ethiopia. [74276]

**Mr. Tony Lloyd:** The Organisation of African Unity (OAU) in its Framework Proposals of 7 November included a recommendation that United Nations supported OAU military observers should supervise the redeployment of Ethiopian and Eritrean forces in Badume and assist the restored civil administration in that area.

The UN Security Council has not yet discussed the issue of international peacekeeping on the Ethiopia/Eritrea border. But we are ready to consider support for a greater UN/OAU role, and other measures to promote a lasting peace.

### European Union Countries (GNP)

**Mr. Mitchell:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the latest figures for GNP per capita for each EU member state. [74168]

**Ms Quin:** A number of different organisations calculate GNP. For EU purposes the European Commission's figures are generally used. The European Commission's report of 7 October 1998 called "Financing the European Union", a copy of which was deposited on 26 October (Batch list 121) provides information for every year since 1982. For 1997 the GNP per head of population at current market prices was:

| *Countries* | £ | *Euro* |
|---|---|---|
| Belgium | 14,860 | (21,315) |
| Denmark | 18,100 | (25,963) |
| Germany | 15,614 | (22,397) |
| Greece | 7,022 | (10,073) |
| Spain | 8,251 | (11,835) |
| France | 14,477 | (20,766) |
| Ireland | 10,526 | (15,098) |
| Italy | 12,144 | (17,420) |
| Luxembourg | 24,549 | (35,214) |
| The Netherlands | 14,233 | (20,416) |
| Austria | 15,652 | (22,451) |
| Portugal | 6,148 | (8,819) |
| Finland | 13,811 | (19,811) |
| Sweden | 15,044 | (21,579) |
| United Kingdom | 13,411 | (19,236) |

The report also shows at Annex 8, Table 9, GNP per head of population at Purchasing Power Standards, compared with the EU average.

### Public Record Office Files

**Mr. Matthew Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons the Public Record Office files FCO 8/710, FCO 8/711 and FCO 8/712 are closed; and if he will consider opening these files to the public. [74247]

**Mr. Tony Lloyd:** These files were retained beyond their due opening date of 1 January 1999 to allow time for completion of the review process. The files have now been cleared for release and will be opened at the Public Record Office by the end of March.

### Civil Service Code (Complaints)

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all complaints made by officials in his Department under the Civil Service Code from 1 May 1997 to date, together with the reasons given for such complaints. [74332]

**Mr. Robin Cook** *[holding answer 2 March 1999]:* No member of staff has raised with the Department a complaint under the Civil Service or Diplomatic Service Codes of Ethics since 1 May 1997.

## SOCIAL SECURITY

### Pensioners

**Mr. Webb:** To ask the Secretary of State for Social Security if he will estimate the proportion of pensioners who will be on *(a)* income support and *(b)* other means-tested benefits in (i) 2000, (ii) 2010, (iii) 2020, (iv) 2030, (v) 2040 and (vi) 2050 on the basis of (1) unchanged policies, (2) unchanged policies except for an income guarantee linked to earnings and (3) full implementation of his proposed pensions reforms. [71180]

**Mr. Timms:** The information is not available in the form requested. Such information as is available is in the table.

*Proportion of pensioners receiving income support*

| | *2000* | *2025* | *2050* |
|---|---|---|---|
| Income support linked to prices | 1 in 5 | 1 in 10 | 1 in 10[1] |
| Income guarantee linked to earnings | 1 in 5 | 1 in 5 | 1 in 3 |
| Full implementation of proposals | 1 in 5 | 1 in 5 | 1 in 4 |

*Notes:*

1. [1] assumes no change between 2025 and 2050.
2. Projections to the year 2050 are subject to a high degree of uncertainty, given the number of assumptions that need to be made in making these estimates. Some of those who will be pensioners in 2050 have yet to begin work, and most are in their 20s and 30s.
3. Estimates have been made by extrapolating estimates from the PENSIM model but these can only give a very broad indication of the likely order of magnitude of figures so far into the future. The projections can be applied to estimates of the proportion of pensioners on Income Support, but not to other income-related benefits (such as Housing Benefit and Council Tax Benefit) as projections for these benefits would require many more assumptions to be made and would be surrounded by an unacceptable level of uncertainty.
4. It is our policy that the Minimum Income Guarantee will be increased in line with average earnings over time and as resources permit. For illustration, the first line shows the estimated effect of increasing Income Support only in line with prices over time.

### Benefits Agency

**Audrey Wise:** To ask the Secretary of State for Social Security how many people were employed by the Benefits Agency on the last day for which a figure is available. [73626]

**Angela Eagle:** Staffing of the Benefits Agency is a matter for the Chief Executive, Peter Mathison. He will write to my hon. Friend.

*Letter from Peter Mathison to Audrey Wise, dated 2 March 1999:*

The Secretary of Social Security has asked me to reply to your recent Parliamentary Question asking how many staff were employed by the Benefits Agency on the last day for which a figure is available.

As at 31 January 1999, the Benefits Agency had a total of 74307 staff in post. In addition, there were 3934 staff employed on casual contracts.

I hope that this is helpful.

### All Work Test

**Dr. Gibson:** To ask the Secretary of State for Social Security how many people in the Norwich, North constituency failed the All Work Test in the period 1995 to 1998. [73378]

**Mr. Bayley:** The administration of Incapacity Benefit is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

*Letter from Peter Mathison to Dr. Ian Gibson, dated 2 March 1999:*

The Secretary of State for Social Security has asked me to reply to your Parliamentary Question asking how many people in the Norwich North constituency failed the All Work Test in the period 1995 to 1998.

The information is not available in the format you requested. The Benefits Agency (BA) does not hold information by Parliamentary constituency. The information provided below relates to the Agency's Norwich District.

*Customers failing All Work Test 1995–98*

| | *Norwich District* | *Nationally* |
|---|---|---|
| 1995–96 | 292 | 66,367 |
| 1996–97 | 683 | 112,046 |
| 1997–98 | n/a | 104,339 |

Information about those failing the All Work Test has not been available by BA Districts since 1997/98. The information supplied is taken from cases recorded on the Incapacity Benefit computer system.

I hope that this is helpful.

### Minimum Income Guarantee

**Mr. Ennis:** To ask the Secretary of State for Social Security if he will estimate how many pensioners in the Barnsley, East and Mexborough constituency will be eligible for the Minimum Income Guarantee. [73376]

**Mr. Timms:** The information is not available in the form requested. Such information as is available is as follows.

As at August 1998 (the latest date for which information is available) there were approximately 17,000 pensioners in receipt of Income Support in the Barnsley and Doncaster local authority district. There were 1.65 million pensioners in receipt of Income Support across the country as a whole at the same date. Whilst we do not know the precise effect in each Local Authority area, across the country as a whole, in addition to existing Income Support recipients, we expect around 65,000 pensions will be newly eligible for the Minimum Income Guarantee as a result of the above-inflation increase in the income support rates in April.

*Notes:*

1. Figures are rounded to the nearest hundred and are based on a 5 per cent. sample size.

2. "Pensioners" for the purposes of this question are defined as single people aged 60 or over, or couples where one or both partners is aged 60 or over.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Social Security what official visits he, his ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73453]

**Mr. Timms:** None.

### Widows' Benefit

**Mr. Cox:** To ask the Secretary of State for Social Security how many women qualify for widows' benefit payments. [73753]

**Angela Eagle:** The number of women receiving Widows' Benefits payments at 15 January 1999 was 266,100.

The number of claims to lump sum Widows' Payment in the year ending March 1998 was 45,000.

*Notes:*

1. Estimates for Widows' Payment relates to claims made; a small number of claims may not be awarded a payment. Estimates for the ongoing weekly benefits relate to actual awards.

2. A proportion of those who received Widows' Payment will also have qualified for ongoing benefit.

3. Ongoing weekly benefit information provided by a 5 per cent. sample taken from the Pensions Strategy Computer System.

4. Figures for ongoing weekly benefits include GB and overseas cases, and include women aged over 60.

5. Widows' Payment information provided by Benefit Agency's Central data Unit.

### Supported Housing

**Mr. Love:** To ask the Secretary of State for Social Security how many responses have been received to the consultation document on supported housing; what the timetable is for completion of the consideration of responses and publication of the new arrangements; and if he will make a statement. [74190]

**Angela Eagle:** We have received 522 responses to the consultation document "Supporting People: A new policy and funding framework for support services". We are currently considering comments made by stakeholders on the proposals, and these will help inform our decisions on the way forward. An announcement will be made shortly.

### CSA Computer System

**Mr. Rendel:** To ask the Secretary of State for Social Security what percentage of data held on the current CSA computer system has been identified as being of poor quality as a result of the implementation of the data assurance strategy. [74226]

**Angela Eagle:** The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

*Letter from Mrs. Faith Boardman to Mr. David Rendel, dated 2 March 1999:*

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency Computer System.

We recognise that it is essential to have accurate data before it is transferred onto a new computer system. We have therefore endorsed and are implementing a Data Assurance strategy designed to identify poor quality data held on the current system and to recommend action to improve it.

We have identified 24 areas of the Child Support Computer System to investigate the quality of information held. Early indications show that only a fairly small percentage of the data used in the specific areas investigated could be classed as poor quality.

Until the investigation of all the 24 areas have been completed in November 1999 it is not possible to say what percentage of data held on the current computer system is of poor quality.

It has always been our intention to have discussions with AFFINITY on the best ways to migrate cases from the current Child Support Computer System to ensure the integrity of the new system.

I hope this is helpful.

### Benefits (Personal Advisers)

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security (1) what the estimated average salary for personal advisers will be under the Single Gateway to Benefit; [73992]

(2) what the average cost of employing a personal adviser is under *(a)* the Single Gateway to Benefit and *(b)* the New Deal for Lone Parents, including training, office space, employers' national insurance contributions and other overheads. [73986]

**Angela Eagle** *[holding answer 2 March 1999]:* For the Single Gateway, the personal adviser role has been graded at Executive Officer or equivalent in the Employment Service, the Benefits Agency and in Local Authorities. A personal adviser's salary will reflect the pay rate for the job within their employing agency. Their position on that scale will depend on how long they have been in the grade, their levels of performance in previous years and their location. Their average salary (excluding ERNIC; superannuation and other costs) is estimated to range between just over £16,000 and just under £18,000. We do not yet know the total average costs, including ERNIC, training etc—one of the reasons for piloting the proposals is to determine the total cost of employing personal advisers.

The average salary for personal advisers working on the New Deal for Lone Parents (including ERNIC and superannuation) is estimated at £20,783. The average cost of training, including travel and subsistence, is £4,337 per adviser. New Deal for Lone Parent advisers occupy existing space in Jobcentres and are considered part of the Employment Service's core business: no extra costs are incurred.

### New Deal and Single Gateway

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what is the average time allocated for an interview with a personal adviser under *(a)* the New Deal for Lone Parents and *(b)* the Single Gateway to benefit. [74349]

**Angela Eagle:** Under the New Deal for Lone Parents, the average time allowed for an interview with a personal adviser is one hour.

Due to the diverse nature of the caseload and the individual requirements of clients, the length of time required to conduct an interview under the Single Gateway will vary from case to case. One of the reasons for piloting the Single Gateway is to gain an understanding of the average time needed to conduct meaningful interviews.

### Child Support Agency

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security when he expects to publish details of the next phase of the reform of the Child Support Agency. [74344]

**Angela Eagle:** We are currently considering responses to the Green Paper "Children First: a new approach to child support" and will bring forward our final proposals for reform in due course.

### Habitual Residence Test

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what plans he has to change the habitual residence test following the European Court of Justice's judgment in the case C-90/97. [74350]

**Angela Eagle:** We are reviewing the operation of the habitual residence test and will bring forward our proposals for its future once we have considered the implications of the judgment of the European Court of Justice in Mr. Swaddling's case.

### New Deal (Lone Parents)

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what is the total number of personal advisers currently working in the New Deal for Lone Parents. [74348]

**Angela Eagle:** 814 personal advisers (full-time equivalent) are currently employed on the New Deal for Lone Parents. Twelve more advisers are undergoing training and nine further appointments are due to be made shortly.

### Register of Members' Interests

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what advice his Minister of State received from the department's permanent secretary regarding his shares declared in the Register of Members' Interests. [74391]

**Mr. Darling:** I am satisfied that there has been no conflict of interest between my hon. Friend the Minister of State's shareholding and his Ministerial responsibilities. To avoid any suggestion of a possible perceived conflict in future my hon. Friend the Minister of State will, however, be taking further steps in accordance with the Ministerial Code. Responsibility is firmly that of the Ministers concerned, and any advice to them is personal.

### Decision-making and Appeals

**Mr. Caplin:** To ask the Secretary of State for Social Security when he will lay regulations under the decision making and appeals provision of the Social Security Act 1998; and if he will make a statement. [74676]

**Angela Eagle** *[pursuant to his reply, 2 March 1999, c. 708–09]:* Last year in the Social Security Act we laid the foundations for a new system for handling decisions and appeals in benefits, child support and vaccine damage claims. My right hon. Friends the Lord Chancellor and the Secretary of State for Social Security will be laying the main Regulations, which will provide the detailed legal framework for this new system, tomorrow.

The new system for handling decisions and appeals is a major step to modernise the delivery of Social Security and child support as part of the Government's programme for welfare reform. The current system needs to change. It is confusing for claimants and staff. Putting mistakes right is complicated and claimants often have to appeal,

even when a mistake is obvious to all concerned. Appeals take far too long to be cleared—on average seven months—even where they have no prospect of success. These delays are unacceptable.

The changes we are making will enable the Benefits Agency, Child Support Agency and Employment Service to provide a more helpful and accessible service to the public.

Under the new system, decisions will continue to be based on the facts and the law, with a right of appeal to an independent tribunal. There will be clearer, simpler decisions and a programme to develop simpler communications for the public. There will be new arrangements for handling disputes, so mistakes are put right more easily without having to go to appeal. There will be one type of appeal tribunal, rather than five, with one unified set of rules and three, two or one member tribunals according to the issues raised by the appeal. Appeals, which have no prospect of success, will be resolved more quickly.

The new arrangements will come into operation during the second half of this year. They will apply to child support from the beginning of June. For benefits they will be introduced in stages between July and November, to help maintain service to the public while the new arrangements start to operate.

The Independent Tribunal Service will be replaced by The Appeals Service, which will encompass both the administration of appeals and the appeal tribunals. The administration of appeals will be undertaken from April 2000 by a new executive agency of this Department. My right hon. Friend the Secretary of State will set targets for the Agency, which will be published and reported on annually. The President of appeal tribunals and the panel members who hear appeals will be appointed by my right hon. Friend the Lord Chancellor and remain independent of this Department.

Benefit claimants and child support clients will receive full information about what the new system means for them as the changes come into effect.

### Benefit Fraud

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security how many SPOTLIGHTS on benefit cheats have been carried out since May 1997. [73993]

**Mr. Timms** *[holding answer 2 March 1999]:* We have incorporated many of the approaches and techniques of "spotlight" into a programme of anti-fraud drives involving the Benefits Agency, local authorities, the Police and other agencies which target specific areas of fraud and abuse. Since May 1997 there have been no anti-fraud campaigns under the specific banner of "spotlight on benefit cheats". However, we have put more resources into the fight against fraud with the result that £1.9 billion has been detected in 1997–98 compared with £1.5 billion in 1996–97. As well as detecting fraud, we have tightened the checking of new Income Support claims so as to prevent fraud from entering the system from the outset. This will save an estimated £200 million in the current year.

## TREASURY

### Beer Duty

**Mr. Maude:** To ask the Chancellor of the Exchequer what representations he has received regarding progressive beer duty; and if he will make a statement. [67946]

**Mrs. Roche:** I have received representations about progressive beer duty from the Independent Family Brewers of Britain and the Society of Independent Brewers. Customs and Excise keep the structure of beer under constant review.

### Tax Credits

**Mr. Gibb:** To ask the Chancellor of the Exchequer if decisions of the Inland Revenue General and Special Commissioners with regard to working families tax credit and disabled person's tax credit will be published. [67985]

**Dawn Primarolo** *[holding answer 1 March 1999]:* Most appeals in relation to Working Families Tax Credit will be dealt with by the Unified Appeals Tribunals. Appeals relating to employers will be to the General and Special Commissioners and these will be subject to the same reporting considerations as other tax appeals coming before the Commissioners.

### Working Families Tax Credit

**Mr. Gordon Prentice:** To ask the Chancellor of the Exchequer what representations he has received from *(a)* the right hon. Member for Berwick-upon-Tweed (Mr. Beith) and *(b)* other Liberal Democrat hon. Members concerning the working families tax credit. [68336]

**Dawn Primarolo** *[holding answer 1 March 1999]:* Treasury Ministers have received numerous representations on the subject of the Working Families Tax Credit from hon. Members and other interested parties.

**Mr. Hancock:** To ask the Chancellor of the Exchequer (1) what research his Department has commissioned on the national impact of the proposed working families tax credit on poorer income groups; [69851]

(2) what research his Department has commissioned on the impact of the proposed working families tax credit on poorer income groups. [70215]

**Dawn Primarolo:** The Government have carried out extensive work on all aspects of WFTC and its implementation.

### Agenda 2000

**Mr. David Heath:** To ask the Chancellor of the Exchequer if he will make a statement on the relationship between the calculation of the British rebate under the Fontainebleau Agreement and the proposed system of co-financing of the Common Agricultural Policy in the Agenda 2000 proposals. [71647]

**Ms Hewitt:** Co-financing is one of the ideas explored in the Commission's Own Resources Report, but no legislative proposal has been formally tabled. The value of the rebate depends on the difference between the UK's contributions to the EC Budget and EC spending in this country.

### 714 Certificates

**Mr. Cotter:** To ask the Chancellor of the Exchequer how many of each type of 714 certificate have been issued in each of the last three years. [74134]

**Dawn Primarolo:** The number of certificates issued in the last three years are as follows:

Year ended 31 January 1999: 141,234

Year ended 31 January 1998: 237,995

Year ended 31 January 1997: 171,424.

These figures include certificates issued to replace documents which have been lost or damaged. Certificates generally have a life of up to three years, so many certificate holders will have applied for just one certificate in this three year period.

### Construction Industry Scheme

**Mr. Cotter:** To ask the Chancellor of the Exchequer what representations he has received concerning the construction industry scheme. [74133]

**Dawn Primarolo:** The Inland Revenue has consulted widely and at length with the construction industry and other representative bodies, including the construction industry unions and the Federation of Small Businesses. Broadly, the representatives welcome the new scheme, which is designed to reduce the level of tax evasion in the construction industry. Naturally, concerns have been raised by those subcontractors who may not qualify for gross payment certificates under the new rules. I refer the hon. Member to the answer I gave to the hon. Member for Cheltenham (Mr. Jones) on 26 January 1999, *Official Report*, column *223*, explaining the steps we have taken to address these concerns.

### Office of Fair Trading Report

**Mr. Love:** To ask the Chancellor of the Exchequer what action he is planning as a result of the Office of Fair Trading report on vulnerable consumers and financial services; and if he will make a statement. [74174]

**Ms Hewitt:** The Director General's report is being studied by the policy action team on access to financial services, set up following the Social Exclusion Unit's report "Bringing Britain together".

### South Korea

**Mr. Davidson:** To ask the Chancellor of the Exchequer what steps he is taking to ensure that IMF support for South Korea is not used to subsidise South Korean shipyards. [74011]

**Ms Hewitt:** The UK strongly supports Korea's IMF programme, the benefits of which are now being felt as that country begins to move out of recession. A revived Korean economy will provide increased opportunities for UK exporters.

There is no evidence that IMF support for South Korea has been used to subsidise the Korean shipbuilding industry. As a member of the World Trade Organisation, South Korea is bound by internationally agreed rules on the use of industrial subsidies. Furthermore, as part of its IMF programme, Korea has ceased the practice of trade-related subsidies. However, the UK remains watchful for unfair trade practices throughout the world.

### Banking/Credit Union Taskforce

**Mr. Love:** To ask the Chancellor of the Exchequer what consultation he has had with the Banking/Credit Union Taskforce following receipt of their interim report; what advice he has given regarding the focus for the final report; what is the timetable for publication; and if he will make a statement. [74177]

**Ms Hewitt:** I see the taskforce Chairman from time to time, to discuss progress. I expect the final report, due in the summer, to deal with the issues set out in the remit announced on 28 July 1998.

### Euro

**Mr. Mitchell:** To ask the Chancellor of the Exchequer if he will make a statement on the method of setting exchange rates on entry to the euro for those who joined in January and how the rate will be decided for the pound in the event of sterling being replaced by the euro. [74124]

**Ms Hewitt:** The rate at which sterling would enter the single currency would need to be consistent with economic fundamentals in the UK and compatible with sustainable convergence between the UK and the euro-area. This was the basis for the decision on the conversion rates of currencies which joined the single currency in January 1999.

**Mr. Mitchell:** To ask the Chancellor of the Exchequer if he proposes to maintain relative stability between sterling and the euro for a fixed period before the national changeover plan comes into operation. [74120]

**Ms Hewitt:** The Government's policy is for a stable and competitive exchange-rate over the medium term. The Government's fiscal and monetary policy framework will help to deliver the macroeconomic stability needed for a stable exchange rate.

### European Union

**Mr. Mitchell:** To ask the Chancellor of the Exchequer if he will list the gross and net *(a)* payments to and *(b)* receipts from the European Union per capita in respect of each member state in each of the last three years. [74119]

**Ms Hewitt:** The European Commission document "Financing the European Union—Commission Report on the Operation of the Own Resources System" contains information on the net contributions of Member States for the years 1992–97 inclusive, and gives this figure in Mecus (million ecus) and as a percentage of GNP. This report has been deposited in the Commons Library.

### Public Trust Office

**Mrs. May:** To ask the Chancellor of the Exchequer what assessment his Department has made of the impact of the abolition of dividend tax credits on the investment income of the Public Trust Office with particular reference to funds held for disabled children arising from compensation awards. [73807]

**Dawn Primarolo** *[holding answer 1 March 1999]:* The Government withdrew payable credits to remove a bias in the tax system against the retention of profits for investment. It is for the Public Trust Office to review the investments under its management and to make investment decisions in the interests of the beneficiaries in question.

### Minimum Wage

**Mr. Trickett:** To ask the Chancellor of the Exchequer (1) what is his estimate of the number of people living in *(a)* Wakefield District and *(b)* West Yorkshire who will benefit from the introduction of a minimum wage; and what proportion of the employed population in each area this number represents; [74042]

(2) what is his estimate of the number of people who will benefit from the introduction of a minimum wage, living in the Hemsworth constituency; and what proportion of the employed population this represents. [74038]

**Ms Hewitt:** The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

*Letter from Tim Holt to Mr. Jon Trickett, dated 3 March 1999:*

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary questions on the number of people who will benefit from the introduction of the proposed national minimum wage (NMW).

The precise information you request is unavailable. The New Earnings Survey (NES) collects information for the employee's work address, and so can only provide estimates for those who work, not live, in a particular area. The NES also provides estimates of the percentage of those earning below specified earnings thresholds, rather than numbers, because appropriate grossing factors for NES sample are not available at very detailed levels of disaggregation. The release of NES data is restricted to figures which are derived from a sufficiently large sample and which have an acceptable level of accuracy. Accordingly, no estimates for the parliamentary constituency of Hemsworth can be given.

The available information, from the 1998 NES, is provided in the table below. It provides an historical position against the 1998 values of the proposed NMW, and makes no judgment on whether its introduction will have any effect on the number of jobs.

*Employees, whose pay for the survey period was unaffected by absence. Hourly pay excluding overtime and shift pay (£), April 1998:*

| | *Percentage aged 18 to 21 on all rates earning less than £2.90* | *Percentage aged 22 and over on adult rates earning less than £3.50* |
|---|---|---|
| Hemsworth | '— | '— |
| Wakefield Local Authority | '— | 5.5 |
| West Yorkshire | 4.4 | 4.5 |

' Denotes that a reliable estimate is not available

### Building Industry Sub-contractors (Tax Owed)

**Mr. Viggers:** To ask the Chancellor of the Exchequer what plans he has to enable sub-contractors in the building industry earning less than £30,000 a year to spread the payments of tax owed in relation to different years after 1 April. [74395]

**Dawn Primarolo:** Building workers, as any other taxpayers, are expected to make proper arrangements to ensure their tax payments are made on time. Under existing arrangements, any person who has difficulty in making a tax payment can contact the Collector of Taxes to see whether it may be paid in instalments. Those arrangements will continue to apply to sub-contractors following the introduction of the new scheme.

### Individual Savings Accounts

**Mr. Loughton:** To ask the Chancellor of the Exchequer (1) what estimate he has made of the amount of money to be invested in ISA schemes by 5 April 2000; [R] [74047]

(2) how many non-PEP investors he now expects to open an ISA in the financial year 1999–2000. [R] [74046]

**Ms Hewitt** *[holding answer 2 March 1999]:* The Government are introducing the ISA to develop and extend the saving habit and ensure that tax relief on savings is fairly distributed. Half the population currently has less than £200 in savings. We are confident that ISAs will be attractive to significant numbers of new savers over the coming years.

### Home Insulation Materials

**Mr. Loughton:** To ask the Chancellor of the Exchequer what assessment he has made of the effect on sales of home insulation materials covered by local authority grant schemes of changes to the VAT rate in the last Budget. [74067]

**Ms Hewitt** *[holding answer 2 March 1999]:* The extension of the reduced rate of VAT to certain grant funded installations of energy saving materials will have allowed more installations to be carried out within existing budgets.

Customs and Excise are currently assessing the effect of the change to the VAT rate, and have already written to a number of local authorities, trade bodies and grant providers seeking their views.

### Personal Equity Plans

**Mr. Loughton:** To ask the Chancellor of the Exchequer if he will estimate how much money is currently invested in PEP schemes. [R] [74045]

**Ms Hewitt** *[holding answer 2 March 1999]:* The latest estimate of the value of PEP funds is published in table 9.2 of *"Inland Revenue Statistics 1998"*, a copy of which is in the Library.

### Cancer Treatments

**Mrs. Curtis-Thomas:** To ask the Chancellor of the Exchequer what the rate of success in curing *(a)* lung, *(b)* breast, *(c)* testicular, *(d)* prostate, *(e)* ovarian, *(f)* bowel and *(g)* other cancers has been in the most recent period for which figures are available in (i) England, (ii) Wales, (iii) Scotland, (iv) Northern Ireland and (v) each other EU country. [74054]

**Ms Hewitt** *[holding answer 2 March 1999]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

*Letter from Tim Holt to Mrs. Claire Curtis-Thomas, dated 3 March 1999:*

As Director of the Office for National Statistics, I have been asked to reply to your recent question on rates of success in curing cancers.

It is not possible to say whether or not patients are cured—although when the relative survival curve "flattens off" the patients are dying at the same rate as the general population (same age and sex); and for most cancers five-year relative survival rates are often taken to be 'cure' rates.

The rates of survival from cancers diagnosed in England and Wales were most recently published in ONS Monitor MB1 98/1, a copy of which is in the library of the House. The survival rates for Scotland were most recently published in *Trends in cancer survival in Scotland 1968–1990*, ISD Scotland, 1993, while the rates for European countries (including England and Scotland) were published in the volume, *Survival of cancer patients in Europe—the EUROCARE study*, IARC Scientific Publications no.132. These publications are also held in the House of Commons library. Survival rates are not available for Northern Ireland.

### Population Projections

**Mr. Drew:** To ask the Chancellor of the Exchequer if he will list the changes in assumptions made in the latest sub-national population projections. [73915]

**Ms Hewitt:** The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

*Letter from Tim Holt to Mr. David Drew, dated 3 March 1999:*

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question asking about the changes to the assumptions used in the latest subnational population projections.

The latest subnational population projections for English local and health authorities are based on the mid-1996 population estimates. These projections replace the previous set that were based on mid-1993 population estimates. The assumptions underlying the calculation of the projections are based on recent demographic trends and do not reflect the impact of future policies.

The assumptions underlying these latest projections are slightly different to the 1993 set. The main differences are that the new subnational projections use more recent data on fertility, mortality and migration to produce the baseline assumptions for each local authority; and that they sum to the latest national population projections for England that are produced by the Government Actuary's Department. The main difference to these assumptions is that the level of net international migration is now significantly higher in the medium term.

These data were subject to consultation with the local and health authorities and the assumptions were refined following comments received during this consultation exercise. Changes were made to the migration assumptions for local authorities if information was provided that indicated that the long term trends were unlikely to continue into the future. Other changes were made to address concerns raised about the quality and use of the internal migration data. Changes made as a result of the consultation for any one authority will affect the assumptions for all other authorities as the projections must sum to the national population projections. The ONS publication, *1996-based Subnational Population Projections, England* (PP3 no 10), due out later this year, will explain this in more detail.

### Credit Unions

**Mr. Drew:** To ask the Chancellor of the Exchequer what plans he has to review the VAT status of credit unions, with particular reference to their ability to claim back VAT paid on purchases of goods and services. [73942]

**Ms Hewitt:** The Chancellor of the Exchequer has no plans to review the VAT status of credit unions, including their ability to claim back VAT paid on goods and services.

### Construction Industry (Tax Evasion)

**Mr. Cotter:** To ask the Chancellor of the Exchequer what estimate he has made of tax revenue due to the Exchequer which has been fraudulently evaded by subcontractors in the construction industry in each of the last three years. [74158]

**Dawn Primarolo:** It is estimated that unpaid tax written off in respect of construction industry subcontractors is at least £50 million per annum. This represents only a part of the total, unquantifiable loss to the Exchequer of tax and class 4 national insurance contributions evaded by subcontractors in this industry.

## EDUCATION AND EMPLOYMENT

### New Deal Entrants

**Mr. Green:** To ask the Secretary of State for Education and Employment how many 18 to 24-year-olds who had joined the New Deal had left for unknown destinations by 31 December 1998. [67480]

**Mr. Andrew Smith** *[holding answer 25 January 1999]:* Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

*Letter from Leigh Lewis to Mr. Damian Green, dated 3 March 1999:*

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply direct to your question regarding the number of 18–24 year olds who have joined New Deal and have left for unknown destinations. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

The latest available figures are for the end of December and were published on 25 February in the DfEE Statistical First Release. These show that of the 214,000 young people who had started New Deal, 25,680 had left the Gateway to unknown destinations.

We have taken steps to make more effective links between different sources of information about people's destinations and we have been conducting monthly follow-up surveys of these clients. These have established that many of those who sign off benefit without stating their destination have actually found work. In December, for example, around half of leavers into unknown destinations, who have, on being contacted, divulged their destination, had actually found work.

In addition to the monthly survey, we are also investigating changes to the Employment Service's IT systems in order to establish whether it is possible to capture better destination information initially.

The latest figures to the end of December show that 19% of leavers from the Gateway leave for unknown destinations. This is lower than for other leavers from Jobseeker's Allowance.

### Civil Servants (Misconduct)

**Mr. Maclean:** To ask the Secretary of State for Education and Employment if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70774]

**Mr. Mudie:** I refer the right hon. Member to the answer given by my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 1999, *Official Report*, column *569*.

### New Deal Publications

**Mr. Baker:** To ask the Secretary of State for Education and Employment if he will list the publications issued since 1 May 1997 relating to the New Deal, giving the total cost per publication and the numbers of each publication which have been produced. [71493]

**Mr. Andrew Smith** *[holding answer 25 February 1999]:* The following table of New Deal publications shows the total cost of each publication and the number produced. The amounts shown include the cost for any updating and reprinting as necessary, and the production of ethnic minority language and Welsh bilingual versions.

| *Title* | *Copies* | *Cost £* |
|---|---|---|
| *Publications for employers including:* | | |
| New Deal for Employers | 1,221,000 | 197,532 |
| Starting Your Own Business | 155,000 | 28,346 |
| New Deal Tackling Skills Shortages Meet your organisation's skill needs | 122,000 | 18,362 |
| Public Relations Toolkit | 30,000 | 41,856 |
| Employer Newsletter including Welsh copies | 585,500 | 166,966 |
| *Publications for young unemployed people aged 18–24* | | |
| New Deal for Young People aged 18–24 | 1,021,000 | 106,853 |
| Client Hotline | 20,000 | 4,870 |
| Working with Children | 275,000 | 41,004 |
| Your New Deal Guarantee | 275,000 | 43,576 |
| Work with the Environment Task Force | 220,000 | 52,229 |
| Work with the Voluntary Sector | 230,000 | 41,146 |
| New Deal for young people with the Environment Task Force | 2,000 | 9,250 |
| World Dance Organisation—New Year Leaflet | 10,000 | 3,998 |
| *Publications for unemployed people aged 25 plus* | | |
| A New Start (New Deal for 25 plus) | 380,000 | 47,511 |
| Extra Help (New Deal 25 plus pilots folder) with insert sheet | 55,000 | 24,987 |
| *New Deal for Disabled People publications* | | |
| New Deal for Disabled People (Employers booklet) | 9,500 | 4,156 |
| New Deal for Disabled People—Making the Right Choice | 30,500 | 4,594 |
| *New Deal for Partners of Unemployed People publications* | | |
| New Deal for Partners of Unemployed People (for claimants) | 80,000 | 9,107 |
| New Deal for Partners—Towards a Better Future (client booklet) | 7,500 | 6,997 |
| *Publications that are for other, or multiple, target audiences* | | |
| What is New Deal? | 1,156,000 | 125,009 |
| Design of the New Deal for 18–24 year olds | 161,900 | 152,765 |
| New Deal for long-term unemployed people aged 25 plus (Design document) | 110,000 | 42,064 |
| Design of New Deal Pilots | 114,000 | 54,062 |
| Design of Self Employment in New Deal for 18–24 year olds | 44,000 | 9,406 |
| Factsheets | 3,288,000 | 148,491 |
| Operational Vision 18–24 | 134,000 | 52,509 |
| Operational Vision New Deal for long term unemployed people aged 25 plus | 124,000 | 24,063 |
| Branding Guidelines | 5,650 | 64,553 |

*Note:*
The quantities and costs shown are totals including all versions of the publication.

### Ofsted Inspectors (Hotel Accommodation)

**Mr. Maclean:** To ask the Secretary of State for Education and Employment (1) for how many nights Ofsted inspectors stayed in the Lumley Castle hotel during their recent inspection of Park View Community School; [73288]

(2) what was the average cost per night for Ofsted inspectors who had to stay away from home in the last year for which figures are available; [73308]

(3) if he will publish a breakdown of the costs incurred by Ofsted inspectors of inspecting Park View Community School in Chester le Street. [73309]

**Ms Estelle Morris:** These are matters for HM Chief Inspector of Schools and I have therefore asked Chris Woodhead to write to the right hon. Member and to place a copy of his letter in the Library.

### Internet Domain Names

**Dr. Palmer:** To ask the Secretary of State for Education and Employment what progress is being made on assigning internet domain names to schools; and if he will make a statement. [73646]

**Mr. Charles Clarke:** Some 6,000 schools have Internet domain names. It is currently a matter for schools to agree Internet domain names with their Internet Service

or Access Provider. The Department is considering the current arrangements with Nominet, the UK Internet Names organisation with a view to deciding whether any changes are needed.

### Teachers' Pay

**Miss McIntosh:** To ask the Secretary of State for Education and Employment what representations he has received concerning performance-related pay for teachers and if he will make a statement. [73973]

**Ms Estelle Morris:** The consultation period on the Green Paper "Teachers: meeting the challenge of change" and the companion "Technical Consultation Document on Pay and Performance Management" runs until 31 March 1999. Views have been invited on the performance management model proposed in those documents, including links between appraisal and pay. To date the Government have received over 16,000 responses on these and the other proposals set out in the Green Paper.

### Non-teaching Support Staff

**Miss McIntosh:** To ask the Secretary of State for Education and Employment what representations he has received concerning the pay levels of non-teaching support staff following the implementation of the Single Status Agreement in North Yorkshire. [73975]

**Ms Estelle Morris:** The Department has received one written inquiry from the right hon. Member for Skipton and Ripon (Mr. Curry) in addition to some 50 letters from members of the public.

### Education Standards

**Dr. Kumar:** To ask the Secretary of State for Education and Employment what assessment he has made of education standards since May 1997 for the boroughs of *(a)* Middlesbrough, *(b)* Redcar and Cleveland, *(c)* Hartlepool and *(d)* Stockton. [74012]

**Ms Estelle Morris:** Statistics showing the standards of attainment by pupils in each local authority area are published in annual performance tables. A summary of recent results in the named areas are set out in the following tables. A sample of schools in each authority is inspected annually by OFSTED and reports published which include judgments about standards of attainment and the quality of education. A programme of inspections of all local education authorities is now being carried out by OFSTED, but none of the named authorities has yet been inspected. All authorities have just submitted for approval an Education Development Plan which includes a three-year programme for securing school improvement, and targets including those for pupil performance at ages 11 and 16 which will be monitored in future years.

*LEA Performance at Key Stage 2, GCSE A/AS Level*

*Percentage of pupils achieving level 4 or above*

| | *Key Stage 2* | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *English* | | | *Maths* | | | *Science* | | | *Aggregate* | | |
| | *1998* | *1997* | *1996* | *1998* | *1997* | *1996* | *1998* | *1997* | *1996* | *1998* | *1997* | *1996* |
| Middlesbrough | 58.6 | 55.3 | 52.4 | 51.6 | 56.5 | 47.6 | 65.4 | 65.8 | 59.8 | 175.6 | 177.6 | 159.8 |
| Redcar and Cleveland | 61.4 | 60.5 | 52.6 | 56.9 | 62.4 | 51.3 | 68.7 | 72.8 | 62.0 | 187.2 | 195.7 | 165.9 |
| Hartlepool | 60.2 | 60.1 | 48.5 | 56.2 | 62.7 | 48.1 | 67.1 | 69.3 | 52.8 | 183.5 | 192.1 | 149.4 |
| Stockton on Tees | 62.9 | 59.8 | 52.6 | 60.0 | 62.2 | 54.6 | 71.5 | 70.2 | 61.3 | 194.4 | 192.2 | 168.5 |
| England | 64.1 | 62.5 | 56.3 | 57.9 | 61.3 | 53.2 | 68.6 | 68.1 | 61.2 | 190.9 | 191.9 | 170.7 |

*LEA Performance at Key Stage 2, GCSE and GCE A/AS Level*

| | *GCSE* | | | *GCE A/AS Level*[1] | | |
|---|---|---|---|---|---|---|
| | *Percentage of 15 year olds achieving 5 A* * *to C GCSEs* | | | *Average point score* | | |
| | *1998* | *1997* | *1996* | *1998* | *1997* | *1996* |
| Middlesbrough | 27.5 | 28.5 | 26.9 | 15.6 | 13.6 | 13.8 |
| Redcar and Cleveland | 38.8 | 38.4 | 37.6 | 17.0 | 16.8 | 17.2 |
| Hartlepool | 34.6 | 29.1 | 31.9 | 15.1 | 13.1 | 12.4 |
| Stockton on Tees | 40.0 | 39.1 | 37.2 | 19.2 | 16.6 | 17.5 |
| England | 46.3 | 45.1 | 44.5 | 17.8 | 17.3 | 16.8 |

[1] Only those entering two or more GCE A/AS Levels

### Lifelong Learning

**Mr. Chaytor:** To ask the Secretary of State for Education and Employment how many responses have been received to his Department's invitation to establish lifelong learning strategic partnerships, indicating how many responses identified a lead partner which was *(a)* a local authority, *(b)* a college of further education, *(c)* a training and enterprise council/chamber of commerce, training and enterprise and *(d)* none of the above. [74035]

**Mr. Mudie:** There has been a great deal of interest from local organisations who wish to become members of strategic Lifelong Learning Partnerships. These include local authorities, colleges of further education and training and enterprise councils. Government Offices are currently working with all the organisations who have expressed an interest, to establish boundaries and bring together organisations in strategic partnerships which meet the needs of the localities. Therefore, numbers of partnerships and information about lead organisations are not available at this stage.

### Education Business Partnerships

**Mr. Boswell:** To ask the Secretary of State for Education and Employment if he will list the various education business partnerships by local education authority indicating the recent annual spending levels of each. [74026]

**Ms Estelle Morris:** The Department does not collect this information. Education Business Partnerships operate on an independent basis.

### New Deal (Trainees)

**Mr. Green:** To ask the Secretary of State for Education and Employment how many New Deal for Young People trainees were employed by the Employment Service on 31 January. [74218]

**Mr. Andrew Smith** *[holding answer 2 March 1999]:* Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

*Letter from Leigh Lewis to Mr. Damian Green, dated 3 March 1999:*

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply to your question about the number of 18–24 year olds who have been employed by the Employment Service under the New Deal initiative. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

As of 31 January 1999, the Employment Service had 240 New Deal for 18–24 year old employees in post.

I hope this is helpful.

### School Organisation Plans

**Mr. Chope:** To ask the Secretary of State for Education and Employment when he expects the regulations on the preparation and implementation of school organisation plans will be published. [74147]

**Ms Estelle Morris** *[holding answer 2 March 1999]:* The Education (School Organisation Plans) (England) Regulations 1999 will be laid in the second week of March to come into force on 1 April.

### Age Diversity

**Mr. Gordon Marsden:** To ask the Secretary of State for Education and Employment what plans he has to evaluate the effectiveness of the code of practice on age diversity when it is published. [74975]

**Mr. Andrew Smith:** The evaluation will look in detail at employer policies and practices in recruitment and employment and the impact this has on age diversity in their workforce. After a competitive tendering exercise, we have commissioned an independent organisation, NOP, to carry out a large scale research project to help evaluate the effectiveness of the Code.

An employer survey will involve telephone interviews with a random sample of companies employing 10 or more people. The sample will provide a good coverage of different industrial sectors, regions and size of employers. There will also be in-depth case studies in order to explore practices and attitudes towards age discrimination in employment in more detail and to discuss the issues with managers and workers at the establishment.

In addition, a random sample of older people will be interviewed on their current situation and their employment experiences and on whether they have experienced any employment discrimination on grounds of age.

In order to provide a baseline against which to measure change, an initial survey of employers and individuals is being carried out prior to the publication of the Code. Two further surveys will be carried out, towards the end of this year and in late Autumn 2000 to measure the impact of the Code. The evaluation will be completed and findings published early in 2001.

We will also be using the range of key labour market indicators that we set out in Annex E of *Action on Age* to monitor changes and trends in the labour market activity of older workers. These will be published annually in June.

## HEALTH

### Centre for Applied Microbiology and Research

**Mr. Key:** To ask the Secretary of State for Health if he will make a statement about the future arrangements for the Centre for Applied Microbiology and Research at Porton Down. [72627]

**Mr. Dobson:** I have decided that the Centre for Applied Microbiology and Research (CAMR) will remain intact under continued Department of Health sponsorship at least until the next Quinquennial Review. CAMR is remaining in the public sector because of its strategic importance.

### Medicines (Testing)

**Mr. Maclean:** To ask the Secretary of State for Health what estimate he has made of the average cost of undertaking testing of a medical product preparatory to its assessment by the Medicines Control Agency. [73311]

**Ms Jowell:** None. The information needed to calculate this estimate is not available centrally.

### Cystic Fibrosis (Prescriptions)

**Mr. Maclean:** To ask the Secretary of State for Health if he will estimate the current number of cystic fibrosis sufferers in the United Kingdom and the annual costs of their prescriptions. [73316]

**Mr. Hutton:** Statistical Information on the numbers of people with cystic fibrosis is not collected centrally. However, according to the clinical guidelines for cystic fibrosis care published jointly by the Cystic Fibrosis Trust, the British Paediatric Association and the British Thoracic Society in 1996, there were an estimated 6,250 people with cystic fibrosis in the United Kingdom in 1994.

Information for all prescriptions dispensed to people with cystic fibrosis is not available. Most drugs dispensed to people with cystic fibrosis are not specific to that condition. However, both pancreatin preparations and dornase alfa are specifically indicated for the management of cystic fibrosis. In 1997, the net ingredient cost of these drugs dispensed in the community in England was £5.0 million and £9.0 million respectively. The net ingredient cost is the basic cost of a drug and does not take account of discounts, dispensing costs, fees or prescription charges income.

### Waiting Lists

**Mr. Amess:** To ask the Secretary of State for Health what financial incentives are being offered to clinicians and paramedical staff to reduce present waiting lists. [73883]

**Mr. Hutton:** We have provided significant additional resources to the National Health Service, linked to specific targets for reductions in waiting lists. It is a matter for local NHS bodies how best to deploy these resources, including the levels of remuneration payable to staff for the additional work carried out in meeting these targets.

### Spinal Treatment

**Mr. Maclean:** To ask the Secretary of State for Health if it is his policy that invasive procedures carried out in the course of spinal treatment should be replaced by safer practices. [73968]

**Mr. Hutton:** Magnetic resonance imaging (MRI) is the methodology of choice in the investigation of spinal conditions. However, we have no plans to replace invasive procedures entirely. For some patients unsuitable for MRI, invasive procedures may remain necessary. It is for clinicians to use their skills, knowledge and experience to weigh carefully the likely benefits of any treatment or procedure against the anticipated risk for the patient and, following discussion with the patient, to exercise their clinical judgment accordingly.

### Control and Restraint Technique (Nurses)

**Mrs. Brinton:** To ask the Secretary of State for Health how many deaths have occurred in the United Kingdom as *(a)* a direct and *(b)* an indirect result of the use of control and restraint techniques by nurses; and if he will give a breakdown by ethnicity of the deceased. [74339]

**Mr. Hutton:** The information requested is not collected centrally.

### Norvic Clinic, Norwich

**Dr. Gibson:** To ask the Secretary of State for Health how many deaths or injuries have occurred in the Norvic Clinic in Norwich as *(a)* a direct and *(b)* indirect result of the use of restriction techniques by nursing staff; and if he will provide a breakdown by ethnicity of the deceased. [74070]

**Mr. Hutton:** No deaths have occurred as a direct result of the use of control and restraint techniques by nursing staff at the Norvic Clinic in Norwich. A black Afro-Caribbean patient was pronounced dead on 31 October 1998 after an incident in which control and restraint techniques were being applied, but the Coroner's Inquest into that case has yet to be held.

Between 2 November 1997 and 4 December 1998 there were 45 occasions when control and restraint techniques were applied by nursing staff. No injuries were sustained by patients as a result of those procedures. Four members of staff were injured during the incidents.

### Allergies (Children)

**Dr. Cable:** To ask the Secretary of State for Health what research his Department has commissioned into allergic reactions in children. [74292]

**Ms Jowell:** The Department's policy research programme and the National Health Service research and development programmes are supporting a range of research on allergies in children and adults and will continue to do so. The Medical Research Council, the main agency through which the Government supports biomedical and clinical research, by means of a grant-in-aid from the Office of Science and Technology in the Department of Trade and Industry, is also funding relevant research, including the study of infections, immunity and inflammations, which will underpin work on allergies.

# Written Answers to Questions

*Thursday 4 March 1999*

## NORTHERN IRELAND

### Road Fuel Gases

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how many *(a)* HGV vehicles and *(b)* public transport vehicles have been converted to road fuel gases since January 1997. [72918]

**Mr. Paul Murphy:** The Department of the Environment for Northern Ireland does not hold figures for HGV vehicles converted to road fuel gases. The public transport company "Translink" has indicated that none of their public transport vehicles has been converted to road fuel gases since January 1997.

### Exiles

**Mr. Barnes:** To ask the Secretary of State for Northern Ireland what estimate she has made of the number of people who have been exiled from Northern Ireland by paramilitary groups since the Good Friday agreement. [73354]

**Mr. Ingram:** Information is not collected by the Government in the form requested.

### Schizophrenia Psychoses

**Sir Alastair Goodlad:** To ask the Secretary of State for Northern Ireland how many people with a main diagnosis of schizophrenia psychoses were discharged from mental illness hospitals in Northern Ireland in each of the last three years; and how many of them were taken into local authority residential care in the same year. [73359]

**Mr. McFall:** The information available is as follows:

| *Year* | *Deaths and discharges* | *Discharges to statutory sector residential accommodation* |
|---|---|---|
| 1993–94 | 1,394 | 57 |
| 1994–95 | 1,448 | 50 |
| 1995–96 | 1,396 | 37 |

Statutory sector refers to facilities managed by Health and Social Services Boards and Trusts.

**Sir Alastair Goodlad:** To ask the Secretary of State for Northern Ireland what research projects her Department is funding in the current year to test the effectiveness of community care for people suffering from schizophrenia psychoses; and if she will make a statement. [73364]

**Mr. McFall:** The Department of Health and Social Services is funding no such projects in the current year either directly or through the Research and Development Office (RDO). In general, in order to ensure that funded research projects are of high quality, the RDO does not attempt to cover all possible areas of concern, but does seek to facilitate the dissemination of research findings.

**Sir Alastair Goodlad:** To ask the Secretary of State for Northern Ireland if she will list the admissions by diagnosis and order of admission indicating the percentage changes over the previous year in numbers and rates per 100,000 population of patients suffering from schizophrenia psychoses in Northern Ireland in the last year for which figures are available. [73367]

**Mr. McFall:** The table shows admissions for schizophrenia at Northern Ireland Mental illness hospitals by first admission and total admissions in 1994–95:

| | *First admissions* | *Total admissions* |
|---|---|---|
| Number | 254 | 1,152 |
| Percentage change since 1993–94 | –8.3 | +9.2 |
| Rate per 100,000 population | 9.4 | 4.3 |

**Sir Alastair Goodlad:** To ask the Secretary of State for Northern Ireland how many people with a main diagnosis of schizophrenia psychoses were admitted for a hospital stay more than once during the last year in Northern Ireland. [73363]

**Mr. McFall:** In year ending 31 March 1996, 224 people with a primary diagnosis of schizophrenia were admitted to hospital more than once during the year with the same diagnosis.

**Sir Alastair Goodlad:** To ask the Secretary of State for Northern Ireland how many current occupants of National Health Service hospital and unit beds in Northern Ireland have a main diagnosis of schizophrenia psychoses; and what these occupied beds represent as a percentage of *(a)* mental and *(b)* all beds in Northern Ireland. [74269]

**Mr. McFall:** This information is not held centrally. Information on diagnosis for current bed occupants is not available as diagnosis is only given on discharge.

**Sir Alastair Goodlad:** To ask the Secretary of State for Northern Ireland how many people discharged from mental illness hospitals in Northern Ireland in the last year after a main diagnosis of schizophrenia psychoses, having been proved vulnerable homeless, subsequently became voluntary homeless. [74272]

**Mr. McFall:** This information is not held centrally.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Northern Ireland what official visits she, her Ministers or officials have made to Zimbabwe since May 1997; whom they met; and what was discussed. [73685]

**Marjorie Mowlam:** None.

### Single Currency

**Mr. Maclean:** To ask the Secretary of State for Northern Ireland what plans she has to issue information from her Department to help the public make an informed decision when they vote on the single currency. [73585]

**Mr. Paul Murphy:** Any plans by the Government to issue information during a referendum campaign on whether or not the UK should join the single currency would be made in the light of the Government's response to the recommendations from the Neill Committee on the conduct of referendums. The Government will announce their conclusions on those recommendations when my right hon. Friend the Home Secretary publishes a White paper and draft Bill before the summer recess.

**Mr. Maclean:** To ask the Secretary of State for Northern Ireland if she will list the subject areas within her Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73671]

**Mr. Paul Murphy:** The Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter 8 of the Treasury's Outline National Changeover Plan provides further information. Copies of the Plan are available in the House Library.

### Brit Awards

**Mr. Maclean:** To ask the Secretary of State for Northern Ireland if she will list those ministers in her Department who were present at the recent Brit awards in an official capacity; and who or what organisation was acting as their sponsor or host. [73496]

**Marjorie Mowlam:** No Minister in my Department attended the Brit Awards in an official capacity. I attended the awards on the acceptance of a personal invitation from the British Phonographic Industry Limited.

### Wheelchair Service

**Mr. John D. Taylor:** To ask the Secretary of State for Northern Ireland what is the total estimated cost, including *(a)* printing, *(b)* times and *(c)* staff, in the preparation of the booklet, "The Wheelchair Service", by the Southern Health and Social Services Council; which other area health boards and area health councils have already published documents on the Wheelchair Service; to what extent there is duplication amongst the documents; and if she will make a statement. [73572]

**Mr. McFall:** The total external cost of publishing the booklet "The Wheelchair Service—The Experiences and Perceptions of Users", is estimated at £4,800 shared equally between joint publishers, Southern Health and Social Services Board and Southern Health and Social Services Council. The project began in December 1997 and was completed in January 1999. Two members of staff from the Council and three board officers were involved in developing the booklet as part of their on-going responsibilities to commission and assess the service needs of their users. As an integral part of the Board's and Council's activities, the total staff time attributed to this project is estimated at 25 man-days over the 13 month period. A detailed breakdown of staff costs is not readily available.

The Western and Northern Health and Social Services Boards have carried out reviews of their commissioning arrangements for wheelchair services within the past three years. Reports of these reviews, which were conducted as an integral part of the Board's activities, were not formally published. Whilst these reviews may have covered some of the same ground, they were specific to their respective areas and therefore cannot be considered to constitute any duplication.

The provision of wheelchairs appropriate to the needs of users and supplied by an efficient service is a key element in promoting the independence and mobility of people with disabilities. Their views are important in informing and shaping the services they use and this most recent survey has provided users, and their carers, with a vehicle for contributing to the improvement of a service upon which they greatly depend.

### Rates

**Mr. John D. Taylor:** To ask the Secretary of State for Northern Ireland if district councils are obliged to set a rate in public; and if she will make a statement. [73570]

**Mr. Paul Murphy:** Section 23 of the Local Government Act (Northern Ireland) 1972 requires that every meeting of a district council shall be open to the public. A council may, by resolution, exclude the public from a council meeting whenever publicity would be prejudicial to the public interest, for example, in the case of meeting at which confidential business is to be transacted or for other special reasons defined by the council. There is, however, no specific legislation which obliges a district council to set a rate in public.

### Pensioners (Concessionary Travel)

**Mr. Beggs:** To ask the Secretary of State for Northern Ireland how many persons in Northern Ireland are registered as pensioners; and how many *(a)* males over 65 years and *(b)* females over 60 years use concessionary fare schemes. [73985]

**Mr. McFall:** The latest available information shows that at 15 January 1999 there were 237,546 persons in receipt of State Retirement Pension. This total is comprised of 82,963 males and 154,583 females.

The Department of the Environment for Northern Ireland does not hold figures for males over 65 years and females over 60 years who use concessionary fare schemes.

### Sewage Disposal

**Mr. Beggs:** To ask the Secretary of State for Northern Ireland (1) when the permitted level of expenditure per household for providing new sewage disposal provision was last determined; and what sum is used as the basis for determining the viability of a new project; [73982]

(2) if she will increase the permitted level of expenditure per household for connection to mains sewage disposal; and if she will make a statement. [73983]

**Mr. Paul Murphy:** Responsibility for the subject in question has been delegated to the Water Service under its Chief Executive, Mr. H. R. F. Plester. I have asked him to arrange for a reply to be given.

*Letter from D. Carson to Mr. Roy Beggs, dated 2 March 1999:*

You recently asked the Secretary of State to answer two Parliamentary Questions about the permitted level of expenditure per household for connection to mains sewerage, when it was last determined and whether the level of expenditure will be increased. You also asked what sum is used as the basis for determining the viability of a new project.

These questions have been forwarded to the Chief Executive of Water Service, Mr. HRF Plester, for reply. Mr. Plester is currently on leave and I am replying as the Service's Director of Finance.

The Department of the Environment's statutory duty, under the Water and Sewerage Services (Northern Ireland) Order 1973, to provide sewerage facilities operates within the limitations that such provision must be both practicable, in engineering terms, and can be made at reasonable cost. Since 1973, therefore, reasonable cost allowances have been available for first time connections to the sewerage infrastructure. The maximum allowance is currently £2,300 per domestic property (or equivalent). This maximum was set in 1986. It is currently under review by the Department.

The Water Service test of viability for any new sewerage extension project is the £2,300 maximum reasonable cost allowance multiplied by the number of properties to be served by the scheme.

Perhaps I can clarify by giving a model example. If, for instance, the number of domestic properties to be served by a sewer extension scheme is ten then the total Departmental expenditure available for the work is the reasonable cost maximum multiplied by ten—$10 \times £2,300 = £23,000$. If the actual cost of provision is at or below this level, and the work involved is practicable, then the Water Service can programme the project in its capital works planning, subject to overall priorities.

If the cost of any scheme is estimated to be in excess of the maximum allowance calculated for the work then the applicant (or applicants) for the sewer extension may agree to pay the additional monies necessary to take the work ahead. The Water Service can then also programme the project in its capital works planning, subject to practicability and overall priorities.

I hope this explains the position clearly for you. Mr. Plester is happy to arrange a meeting to go into the matter in greater depth if you should wish this on his return. His secretary Mrs. Lynda Boyd can make necessary diary arrangements if contacted at the telephone number given above.

## Beef Exports

**Mr. Cox:** To ask the Secretary of State for Northern Ireland what has been the value of beef exports from Northern Ireland following the lifting of the ban; and if she will make a statement. [73751]

**Mr. Paul Murphy:** There is only one company involved in the export of beef from Northern Ireland since the lifting of the ban. In the circumstances the requested information cannot be provided as it is commercial in confidence.

## CS Sprays

**Mr. Matthew Taylor:** To ask the Secretary of State for Northern Ireland if the Royal Ulster Constabulary has issued its police officers with CS sprays; how many police officers in Northern Ireland currently carry CS sprays; and for what reasons they were issued. [74266]

**Mr. Ingram:** The Royal Ulster Constabulary has not issued CS sprays to its officers.

**Mr. Matthew Taylor:** To ask the Secretary of State for Northern Ireland if CS gas has been issued to the Royal Ulster Constabulary at any time since 1969. [74267]

**Mr. Ingram:** CS Gas has not been on issue to officers of the Royal Ulster Constabulary since circa. 1970.

## Good Practice

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland if the Equality Commission is modelling future good practice for the new Government departments in Northern Ireland by including those directly affected by its decisions in its consultations. [73737]

**Mr. Paul Murphy** *[holding answer 2 March 1999]:* The Equality Commission has not yet been established, however paragraph 4(3)(a) of Schedule 9 of the Northern Ireland Act 1998 gives the Commission the authority to issue guidelines on the form and content of equality schemes.

It will be for the Commission, when it is formed, to decide on the extent of any consultation on those guidelines. Equality schemes will include details of each public authority's arrangements for consulting on matters to which a duty under section 75 of the Act is likely to be relevant.

## Equality Commission Working Group

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland if she will list those who were invited to the 19 February consultative meeting of the Equality Commission Working Group, indicating those who attended. [73739]

**Mr. Paul Murphy** *[holding answer 2 March 1999]:* I have placed in the Library a list of those who were invited to the 19 February consultative meeting of the Equality Commission Working Group and have indicated those who attended.

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland if she will publish the list of those who were circulated with the consultative paper prepared by the Equality Commission Working Group. [73738]

**Mr. Paul Murphy** *[holding answer 2 March 1999]:* I have placed in the Library a list of those organisations and individuals to whom the Consultative Paper, prepared by the Equality Commission Working Group, was circulated.

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland how many and which organisations, excluding the existing equality agencies, are represented on the Equality Commission Working Group. [73736]

**Mr. Paul Murphy** *[holding answer 2 March 1999]:* In addition to representatives of the existing equality bodies, the Working Group includes a representative of the trade unions to which the majority of staff in the existing bodies, belong and an independent Chairman, Dr. Joan Stringer. The views of other organisations are being taken into account through a consultation process.

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland if she will place in the Library copies of the working papers being considered by the Equality Commission Working Group. [73740]

**Mr. Paul Murphy** *[holding answer 2 March 1999]:* Copies of working papers on the Equality Commission Working Group are a matter for the Group and not my right hon. Friend the Secretary of State.

I have arranged for a copy of the Consultative Paper to be placed in the Library. The final report of the Working Group, which I expect to receive during the first half of March, will also be placed in the Library.

### Equality Commission

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland what proposals she has to ensure persons dealing with disability and racial discrimination in employment in the new Equality Commission will have similar expertise to that of their colleagues for the Fair Employment Commission and the Equal Opportunities Commission. [73741]

**Mr. Paul Murphy** *[holding answer 3 March 1999]:* This is a matter being considered by the Working Group and I await their proposals. The current resources in respect of disability and race will be made available to the Equality Commission and I expect there to be continuity of personnel dealing with both issues. Staff development will be a key consideration for the new Commission.

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland what steps she is taking to ensure that advice is given to employers and assistance to disabled complainants between the establishment of the Equality Commission and the introduction of the new disability enforcement powers. [73742]

**Mr. McFall** *[holding answer 3 March 1999]:* During the period between the establishment of the Equality Commission and the introduction of the new disability enforcement powers the Labour Relations Agency will continue to help employers and individuals with information on the employment provisions of the legislation and assistance related to its effects on industrial relations practices and procedures. In addition the DDA Helpline will continue to provide good practice advice and signpost callers to appropriate organisations.

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland what proposals she has to ensure that a complainant raising more than one type of discrimination receives appropriate advice and assistance. [73743]

**Mr. Paul Murphy** *[holding answer 3 March 1999]:* The single Equality Commission will help facilitate those complaints raising more than one type of discrimination. The Equality Commission Working Group is considering such matters as a staffing structure for the Commission to enable it to deliver services most effectively. I expect to receive the final report of the Group's recommendations in mid-March.

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland what steps she is taking to ensure the networking proposals of the draft legislation for a disability rights commission in Northern Ireland are implemented by the new Equality Commission. [73744]

**Mr. McFall** *[holding answer 3 March 1999]:* The intention is that with regard to disability the Equality Commission will have a similar role and functions to the Disability Rights Commission in Great Britain. The timing of the necessary legislation will be a matter for the Northern Ireland Assembly.

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland if the sums granted to the Equality Commission to deal with disability discrimination in Northern Ireland will reflect the amount given for similar purposes in Great Britain with suitable adjustments for the higher rate of disability in Northern Ireland than Great Britain. [73745]

**Mr. McFall** *[holding answer 3 March 1999]:* The Equality Commission will continue to have the resources available to the Northern Ireland Disability Council. The funding required by the Equality Commission to cover new responsibilities will be a matter for the Assembly. However, I expect that account will be taken of the amount given for similar purposes in Great Britain and of local circumstances.

**Mr. McNamara:** To ask the Secretary of State for Northern Ireland if, following the dissolution of the Northern Ireland Disability Council, the new Equality Commission will take its place on the National Disability Council. [73746]

**Mr. McFall** *[holding answer 3 March 1999]:* Following the dissolution of the Northern Ireland Disability Council arrangements will be put in place to facilitate a close working relationship between the National Disability Council and the Equality Commission.

### Lobbyists

**Mr. Flynn:** To ask the Secretary of State for Northern Ireland if she will make a statement on the role of professional lobbyists in formulating policy in her Department. [74362]

**Mr. Paul Murphy:** Any contacts with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contact with Lobbyists".

### Provisional Sinn Fein

**Mr. Peter Bottomley:** To ask the Secretary of State for Northern Ireland how much public money will be given *(a)* this year and *(b)* next year to (i) Provisional Sinn Fein and (ii) FACT and FAIR. [70055]

**Mr. Paul Murphy:** The information for the Northern Ireland Office and the Northern Ireland Departments is as follows:

*(a)* In 1998–99, Sinn Fein is expected to receive £42,000 as Party Allowance in carrying out Assembly duties; FAIR (Families Acting for Innocent Relatives) will receive £4,000 in financial support; FACT (Families Against Crime and Terrorism) will receive no public money.

*(b)* No decisions have been taken on allocations for 1999–2000.

### Disabled People

**Mr. Berry:** To ask the Secretary of State for Northern Ireland what amounts in her Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71280]

**Mr. Paul Murphy:** Information in the form requested is not readily available and could be obtained only at disproportionate cost. However, an estimated £42.2 million has been identified as spending on specific measures to assist the disabled in 1998–99.

## TRADE AND INDUSTRY

### Arms Export Licences

**Mrs. Gillan:** To ask the Secretary of State for Trade and Industry how many applications for arms export licences were outstanding on 4 January. [71843]

**Dr. Howells:** The Export Control Organisation's computer databases have been interrogated and the following results were obtained. At the end of 4 January 1999, 778 applications for Standard Individual Export Licences (SIELs) and 114 applications for Open Individual Export Licences (OIELs) covering the export of goods subject to export control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, the so-called Military List, received since 2 May 1997, were awaiting a decision. Some applications may have been received on which no determination had been made as to whether or not the goods were controlled under the Military List. Such applications are not included.

This information should be considered in light of the answer given by my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *870–71*.

This information does not cover any applications for Media OIELs that may have been pending at this time. Media OIELs authorise the export to all destinations of protective clothing, mainly for the protection of aid agency workers and journalists, when working in areas of conflict.

### Departmental Responsibilities

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry if he will list the issues covered by his Department's responsibilities with which *(a)* Lord Simon and *(b)* Lord Sainsbury do not deal. [72802]

**Mr. Byers** *[holding answer 24 February 1999]:* Lord Simon and Lord Sainsbury conform fully with the Ministerial Code in relation to all the DTI's responsibilities.

### Brit Awards

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry if he will list those Ministers in his Department who were present at the recent Brit awards in an official capacity; and who or what organisation was acting as their sponsor or host. [73349]

**Mr. Byers:** The Minister for Competition and Consumer Affairs attended the Brit Awards in his official capacity as Minister responsible for copyright issues. He was the guest of British Music Rights.

### India (Trade Mission)

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry if he will list the business men and women who took part in the recent trade mission to India. [73307]

**Mr. Byers:** Several British trade missions and exhibitor groups were associated with the recent Indian Engineering Trade Fair. UK Groups from Birmingham Chamber of Commerce and Industry, the Machine Tools Technologies Association, Leicestershire Chamber of Commerce and Industry, business Link Sandwell and business Link Sussex attended. A full list of companies participating is in the Libraries of both Houses.

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry what plans his Department has made for him to lead a trade delegation to India since he took up his present office. [73692]

**Mr. Byers:** I hope to visit India later this year and will be accompanied by a business delegation.

**Mr. Maclean:** To ask the Secretary of State for Trade and Industry what representations were received by his officials during the recent Indian trade mission about ministerial attendance on that mission. [73287]

**Mr. Byers:** No such representation was received by my officials during the recent India trade mission.

### Nuclear Tests

**Mr. Baldry:** To ask the Secretary of State for Trade and Industry if he will make a statement on the actions taken by his Department further to the testing of nuclear devices by *(a)* India and *(b)* Pakistan. [73977]

**Mr. Byers:** I refer the hon. Member to the statement made by the Minister of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), on 10 July 1998, *Official Report*, columns *687–88*.

### Measurement Units (Harmonisation)

**Sir Richard Body:** To ask the Secretary of State for Trade and Industry if he will make a statement on the state of negotiations concerning the end of the derogation established by Directive 89/617/EEC relating to the harmonisation of units of measurement. [73769]

**Dr. Howells:** I refer to the reply which I gave to the right hon. Member for Penrith and The Border (Mr. Maclean) on 25 February 1999, *Official Report*, column *438*.

### Road Haulage Firms

**Mr. Mitchell:** To ask the Secretary of State for Trade and Industry how many road haulage firms have gone into liquidation in each year from 1995 to 1998. [74305]

**Dr. Howells:** The following table shows company compulsory liquidations and individual bankruptcies for the road transport industry in England and Wales, 1995–98. The road transport industry includes road haulage, car hire, taxis, bus services and other road passenger transport. Detailed figures solely for road haulage are not available.

*Insolvencies: road transport industry*
*England and Wales*

| *Year* | *Company compulsory liquidations* | *Individual bankruptcy orders* |
|---|---|---|
| 1995 | 204 | 924 |
| 1996 | 197 | 1,008 |
| 1997 | 174 | 971 |
| 1998[1] | 130 | 597 |

[1] To quarter 3

*Source:*
DTI

**Mr. Mitchell:** To ask the Secretary of State for Trade and Industry how many road haulage firms have transferred their head offices from the United Kingdom to mainland Europe in the last five years. [74306]

**Ms Glenda Jackson:** I have been asked to reply.

The information is not available in this form. Companies are required to register an address for correspondence for various legal purposes including goods operator licensing. This need not be the head office address so transfers of head offices would not be recorded as such.

### BNFL

**Mr. Chaytor:** To ask the Secretary of State for Trade and Industry what assessment he has made of the interim report by KPMG on the proposed privatisation of BNFL; when the final report will be made public; and if he will make a statement. [73538]

**Mr. Battle** *[holding answer 2 March 1999]:* I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Blaenau Gwent (Mr. Smith) on 15 December 1998, *Official Report*, column 455.

### Fireworks

**Mr. Sawford:** To ask the Secretary of State for Trade and Industry what controls he proposes to introduce on the sale of fireworks. [74634]

**Dr. Howells:** The Fireworks (Safety) Regulations 1997 introduced comprehensive controls on the types and sizes of fireworks which can be supplied to the general public. I have no plans to introduce further controls on fireworks. However, I have asked DTI officials to explore ways in which the voluntary agreement on the selling period for fireworks in the run-up to Bonfire night can be strengthened and to consider the issue of sales in advance of the Millennium celebrations.

### FE Lecturers (Employment Right)

**Mr. Willis:** To ask the Secretary of State for Trade and Industry what assessment he has made of the effects on the employment rights of further education lecturers of the judgment in Credit Suisse First Boston (Europe) Ltd. *v.* Lister by the Court of Appeal on 16 October 1998; and if he will make a statement. [74699]

**Mr. Ian McCartney:** The Court of Appeal's judgment in this case is consistent with established case law of the UK courts and of the European Court of Justice. Following a transfer of an undertaking within the meaning of the Transfer of Undertakings (Protection of Employment) Regulations 1981 and the EC Acquired Rights Directive of 1977 (which the Regulations implement in the UK), changes to the terms and conditions of affected employees are unlawful if they are for a reason connected to the transfer. There are no special considerations relating to further education lecturers.

### EU Patent Directorate

**Joan Ruddock:** To ask the Secretary of State for Trade and Industry what assessment he has made of whether the EU Patent Directorate COM (95) 661 infringes the Convention on Biological Diversity. [74492]

**Mr. Battle** *[holding answer 3 March 1999]:* The adopted text of Directive 98/44/EC on the legal protection of biotechnological inventions (EU Patent Directive) explicitly states that it is without prejudice to the obligations of the Member States with regard to international agreements, including the convention on Biological Diversity. Moreover, the Directive notes that as the Community is party to the Convention, Member States must have regard to those aspects of the convention which concern patent rights when implementing the terms of the Directive. More generally, the relationship between patent rights and the Convention will be one of the agenda items for discussion at international level Convention meetings later this year. The United Kingdom Government have, and will continue to play, an active role in these discussions.

### Mirror Group Newspapers

**Mr. Chope:** To ask the Secretary of State for Trade and Industry if Lord Donoughue will be interviewed about his role in Mirror Group newspapers as part of the departmental investigation into its flotation. [74762]

**Dr. Howells:** The inspectors appointed under Companies Act powers to investigate and report on the flotation of Mirror Group Newspapers are independent of my Department. Their inquiries are conducted in private and it is not our policy to comment on who the inspectors decide to interview or not to interview during the course of their investigation.

### Rogue Directors Hotline

**Mr. Chope:** To ask the Secretary of State for Trade and Industry if he will publish complaints made to the Rogue Directors Hotline. [74763]

**Dr. Howells:** Complaints made to the Rogue Directors Hotline are treated as confidential and accordingly details of individual cases cannot be given. The Insolvency Service will publish statistics relating to the Hotline in its next Annual Report for the year to 31 March 1999.

### Credit Unions

**Mr. Drew:** To ask the Secretary of State for Trade and Industry what proposals he has to review the Post Office's policy of imposing a charge on membership cards for members of credit unions. [73913]

**Mr. Ian McCartney** *[holding answer 3 March 1999]:* Charging arrangements relating to credit union transactions at post offices are an operational and commercial matter for the Post Office, which incurs costs in providing such a service.

### Mobile Phones

**Mr. Evans:** To ask the Secretary of State for Trade and Industry what representations his Department has received from scientists concerning the use of mobile phones; and what discussions he has had with ministerial colleagues on this subject. [74529]

**Mr. Wills:** The Department has received no formal representations from scientists on this subject. Officials of the Department are in regular contact with scientists both in the UK and overseas, and in particular with the National Radiological Protection Board. I have not discussed this subject with ministerial colleagues.

### Power Station Emissions

**Mrs. Brinton:** To ask the Secretary of State for Trade and Industry what assessment he has made of the effect on the likely fuel mix for electricity generators in the United Kingdom of the European Commission proposals due to be considered in March to introduce ceilings for emissions of acid rain gases; and if he will make a statement. [74373]

**Mr. Battle:** Proposals expected from the European Commission for a National Emissions Ceilings Directive under the EU Acidification Strategy will cover UK-wide emissions in the year 2010, not just those from power stations. Emissions of sulphur dioxide and oxides of nitrogen from new and existing large combustion plant, including power stations, are already limited under the Large Combustion Plants Directive (88/609/EEC).

Although the levels of any proposed new emissions ceilings have not yet been finalised by the Commission, during the preparation of the 1998 White Paper on the Review of Energy Sources for Power Generation (Cmnd 4071) we were mindful of these and other, related proposals already endorsed in principle. Therefore, subject to the outcome of future negotiations, I expect that any agreed national emissions ceilings for the United Kingdom will be fully compatible with the Government's stated aim of ensuring secure, diverse and sustainable supplies of energy at competitive prices, as set out in the White Paper.

### Lobbyists

**Mr. Flynn:** To ask the Secretary of State for Trade and Industry if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74365]

**Mr. Byers:** Any contact with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contacts with Lobbyists".

## EDUCATION AND EMPLOYMENT

### New Deal

**Mr. Maclean:** To ask the Secretary of State for Education and Employment how many individuals in the target group of the New Deal for 18 to 24-year-olds have left unemployment (i) between May 1997 and the nationwide commencement of the New Deal and (ii) between the nationwide commencement of the New Deal and the latest available date. [71131]

**Mr. Andrew Smith:** The information is provided in the following table, based on the monthly count of people claiming Jobseeker's Allowance or National Insurance Credits:

| *18–24 year old 6 month plus claimants of unemployed-related benefits* | *(i) May 1997-April 1998* | *(ii) April 1998-January 1999* |
|---|---|---|
| Total offlows from the claimant count | 222,011 | 177,902 |
| Average monthly offlow from the claimant count | 20,183 | 19,767 |
| Total change in stock of claimants | 50,129 | 42,950 |
| Average monthly change in stock of claimants | –4,557 | –4,772 |
| Total change in stock of claimants (per cent.) | –30 | –36 |
| Monthly percentage point change in stock of claimants | –2.7 | –4 |

*Note:*
All data are seasonally adjusted

### Departmental Expenditure

**Mr. Maclean:** To ask the Secretary of State for Education and Employment what *(a)* reviews, *(b)* task forces and *(c)* advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71522]

**Mr. Mudie:** Unfortunately the information asked for on "costs" is available only at disproportionate cost. Therefore, the reply is limited to the name of the body and refers to published reports only.

*Reviews*

Adventure Activities Licensing Scheme

Bureaucratic Burdens on Teachers reported on 16 January 1998

National Curriculum for the Year 2000

Prior Options Review of the FEFC

Prior Options Review of HEFCE

Qualifications Appeals Systems reported in July 1998

Quinquennial Review of Investors In People UK

Quinquennial Review of the Teacher Training Agency

Scottish Fee Support Review Body ('Quigley Review')

TECs (Review of The Role of)

Review of the Threshold Exempting Employers with Fewer than 20 Employers from the Employment Provisions of the Disability Discrimination Act 1995 produced a report on 12 June 1998.

*Task Forces*

Careers Service Special Needs Task Force

Disability Rights Task Force reported on the role and functions of a Disability Rights Commission on 12 June 1998.

Standards Task Force

New Deal Task Force has published 3 reports:

- Meeting The Needs Of The Disadvantaged—November 1998
- Business Participation in Welfare-to-Work: lessons from the United States—January 1999
- Environment Task Force Advisory Group—Sub-Group Report On Linking Funding Sources—February 1999

Numeracy Task Force published:

- Numeracy Matters—preliminary report published for consultation in January 1998
- The Implementation of the National Numeracy Strategy, final report in July 1998

Skills Task Force published its first report in September 1998

*Advisory Groups*

Adult and Community Learning Fund Advisory Group

Advisory Committee for Disabled People in Employment and Training

Bureaucracy Advisory Group

Careers Education and Guidance Consultative Advisory Group

Creative and Cultural Education National Advisory Committee

Development of Individual Learning Accounts Advisory Group

Education and the Teaching of Democracy published its final report titled "Education for citizenship and the teaching of democracy in schools" on 22 September 1998.

Education Development Plans (EDPs) Advisory Group

Further Education Student Support Advisory Group

Gifted and Talented Children

Independent/State School Partnerships published an Interim Report in May 1998, and a final report on 7 October 1998.

National Year of Reading

New Deal Task Force Advisory Group

New Start Advisory Group

Personal, Social And Health Education Advisory Group

Post-16 Partnership Advisory Group

Race Employment and Education Forum (Reef) Advisory Group

Raising Ethnic Minority Pupil Achievement Advisory Group

Skills Policy Action Team Advisory Group

Special Educational Needs National Advisory Group

University for Industry Design and Implementation Advisory Group.

### Early Education (Three-year-olds)

**Dr. Kumar:** To ask the Secretary of State for Education and Employment what plans he has to provide nursery provision for three-year-olds through the education SSA allocation; and if he will make a statement. [72058]

**Ms Hodge:** £390 million will be allocated to double the participation of three-year-olds in free early education places over the next three years. Local Education Authorities also continue to receive funding for under fives through SSA.

In 1999–2000, some £40 million will be allocated as a specific grant to the 50 local authority areas with the greatest social need; in the following two years specific grant will be distributed across all authorities. The Early Years Development and Childcare Plans will show how new places will be secured in the maintained, private and voluntary sectors.

### Pre-School Learning Alliance

**Mr. Maclean:** To ask the Secretary of State for Education and Employment (1) what representations he has received from the Pre-School Learning Alliance; [73289]

(2) if he will make a statement on future funding for the Pre-School Learning Alliance. [73688]

**Ms Hodge:** The Pre-School Learning Alliance (PLA) regularly contacts Ministers and officials in the Department about a wide range of issues, including grant funding for the Alliance, which—for 1999–2000—is under active consideration.

PLA members play an active part in the delivery of child care and early years education through early years development and child care partnerships and I believe they will play an important role in the expansion of child care and nursery education in the future.

### Further and Higher Education

**Mr. Barnes:** To ask the Secretary of State for Education and Employment what assessment he has made of the level of the direct financial contribution to further and higher education made by industry for the last year for which figures are available; and if he will break down this amount by *(a)* in-company training, *(b)* other forms of vocational training and *(c)* non-vocational studies. [73976]

**Mr. Mudie:** The information requested is not identifiable separately in data collected currently.

### Physical Education Students

**Mr. Green:** To ask the Secretary of State for Education and Employment what estimate he has made of the level of discretionary awards for physical education students in *(a)* 1999–2000 and *(b)* 2000–01. [74232]

**Mr. Mudie** *[holding answer 2 March 1999]:* From September 1999, LEA's existing powers to make discretionary awards will be replaced by the new student support arrangements introduced under the Teaching and Higher Education Act 1998. For most HE and FE students who would otherwise have been eligible for discretionary awards, support will centre on access funds which we have increased significantly. LEAs will be able to support existing discretionary award holders during the remainder of their courses and will also be able to make discretionary payments to new students under the provisions of the Schools Standards and Framework Act 1998, if they choose to do so. Separate estimates are not made for individual subjects.

### Pupil Referral Units

**Mr. Maclean:** To ask the Secretary of State for Education and Employment how many pupil referral units have been established. [74787]

**Mr. Charles Clarke:** There are currently 319 Pupil Referral Units in England.

### National Homework Guidelines

**Mr. Maclean:** To ask the Secretary of State for Education and Employment what plans he has to evaluate the effect of introducing national homework guidelines. [74789]

**Mr. Charles Clarke:** Inspections of schools by the Office for Standards in Education (OFSTED) look at the effect of homework polices on the quality of education provided and the standards achieved by pupils. Inspection reports will therefore provide important evidence about the effect over time of introducing national guidelines. We are also considering other ways in which the guidelines might usefully be evaluated, once schools have had time to develop and implement their own homework polices in the light of them.

**Mr. Maclean:** To ask the Secretary of State for Education and Employment what representations he has received about the introduction of national homework guidelines. [74788]

**Mr. Charles Clarke:** There were 379 written responses to the consultation on these guidelines, which ran from 21 April 1998 to 30 June 1998. Most of the responses were from primary schools. They raised a range of issues, many of which we addressed in the final version of the guidelines, published in November 1998. Since the guidelines were published we have received 81 letters from schools and members of the public.

### Lobbyists

**Mr. Flynn:** To ask the Secretary of State for Education and Employment if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74351]

**Mr. Mudie:** Any contacts with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contact with Lobbyists".

## ENVIRONMENT, TRANSPORT AND THE REGIONS

### Genetically Modified Crops

**Mr. Baker:** To ask the Secretary of State for the Environment, Transport and the Regions when he expects the first trials of genetically modified crops to be completed; and what period of evaluation would be required thereafter before an application for commercial planting of a genetically modified crop could be considered. [69822]

**Mr. Meacher** *[holding answer 8 February 1999]:* The first trials of genetically modified (GM) crops in the United Kingdom were completed in the late 1980s. Since then several hundred further trials of GM crops have been completed. Each series of trials is subject to a consent which requires a report of the trial itself and a post trial monitoring report to be completed and submitted to the regulatory authorities. This information is used as part of the assessment of subsequent applications for trials. Those carrying out the trials also evaluate their work and often publish the results in the open literature where the information is accessible to all.

The recently announced farm-scale evaluations of three types of herbicide tolerant GM crops to evaluate their impact on farmland wildlife will begin in April 1999 (for spring-sown rape and maize) and autumn 1999 (for autumn-sown rape). These trials will each continue for four years. It is intended that progress reports will be prepared at the end of each growing season so early results can be considered as they become available. The progress of the trials will be overseen by a steering committee. The evaluation of the results from each growing season will enable the committee to influence how subsequent stages of the trials should be undertaken.

Under the current legislation applications for commercial planting must be considered as soon as they are received by one of the European Competent Authorities. Applications must contain the information laid down in the relevant directive (90/220/EEC) and an assessment of possible impacts on the environment. Once the Competent authority is satisfied that the required information has been provided, it must forward the dossier to the commission within 90 days of the application being made, with an opinion on whether or not approval should be granted. The dossier is then circulated to the other member states which must give an opinion to the EC within 60 days. If there is a qualified majority in favour of the product an EU wide marketing consent is granted.

Once an EU wide consent has been granted under directive 90–220, commercial planting may commence, subject to any limitations and conditions set out in the consent and subject to the other necessary approvals having been granted, such as, the placing of the GM variety on the National List of Seeds or the EU Common Catalogue, approval under the Novel Foods Regulations and/or approval for the use of the relevant herbicide to be used on the new GM crop.

### Grant-maintained Schools

**Mr. Burstow:** To ask the Secretary of State for the Environment, Transport and the Regions what transitional arrangements he plans to make in respect of staff employed by grant-maintained schools who serve as councillors on the local authority to which the school becomes accountable. [72568]

**Ms Armstrong** *[holding answer Monday 22 February 1999]:* I do not intend to make any transitional arrangements. Teachers employed by grant-maintained schools who serve as councillors on the local authority to which the school becomes accountable will, therefore, be disqualified from holding office as a councillor on that authority from 1 September 1999.

### Biosafety Protocol

**Joan Ruddock:** To ask the Secretary of State for the Environment, Transport and the Regions if he will report progress in the Colombia negotiations on the Biosafety Protocol; and when he plans to make a statement on the final outcome. [72947]

**Mr. Meacher:** The Extraordinary Meeting of the Conference of the Parties (COP) to the Convention on Biological Diversity, meeting in Cartagena, Colombia failed to reach agreement on a biosafety protocol which is intended to govern the transboundary movement of living modified organisms (LMOs). The UK worked tirelessly alongside our European partners to seek to achieve a text acceptable to all sides that would secure adequate protection for the environment while avoiding the creation of unnecessary barriers to trade. However, while the EU's proposal for a compromise package received widespread support, there was not consensus.

Among the key issues on which agreement could not be reached were how to deal with commodities intended for use as food or feed or for processing, the requirements for documentation or labelling of LMOs subject to transboundary movement and the relationship of the protocol to other international instruments.

It was agreed to suspend the session of the Extraordinary COP and to reconvene, no later than the fifth ordinary meeting of the Conference of the Parties which will be in May 2000, with a view to concluding the negotiations.

The UK, together with its European partners, will continue to participate actively in the process, with a view to concluding the Biosafety Protocol as a cornerstone of the international framework for biosafety.

**Mr. Chope:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on implications for the United Kingdom of the breakdown in negotiations on the Biosafety protocol. [74148]

**Mr. Meacher** *[holding answer 2 March 1999]:* The Government were disappointed that the Extraordinary Conference of the Parties that met in Cartagena last week was suspended and therefore not able to adopt the Biosafety Protocol. Among the key issues on which agreement could not be reached were how to deal with commodities intended for use as food or feed or for processing, the requirements for documentation or labelling of LMOs subject to transboundary movement and the relationship of the protocol to other international instruments.

The Government consider it important to maintain the momentum gained in Cartagena towards the development of international rules and procedures covering the transboundary movement of living modified organisms (LMOs). The UK, together with its European partners, will continue to participate actively in the process, with a view to concluding the Biosafety Protocol as a cornerstone of the international framework for biosafety.

There are no immediate implications for the UK of the breakdown since the European Community legislation already controls all releases and marketing of LMOs within the Community including imports into the Community. At the international level, the Government will continue to promote the use of the UNEP International Technical Guidelines for Safety in Biotechnology wherever possible since these are currently the mainstay of the international framework for biosafety.

### Private Toll Roads

**Mr. Cox:** To ask the Secretary of State for the Environment, Transport and the Regions how many private toll roads there are; and if he will list them. [73752]

**Ms Glenda Jackson:** There are in the United Kingdom 3 public road crossings that are the subject of private finance concessions—at Dartford, Severn and Skye. There are also 8 privately owned tolled crossings linking public highways that were promoted by statute in the 18th and 19th centuries (and which must have their tolls approved by the Secretary of State). They are:

The Aldwark Bridge, Yorkshire
The Clifton Suspension Bridge, Bristol
The Dunham Bridge, Lincolnshire
The Rixton & Warburton Bridge, on the Manchester Ship Canal
The Shrewsbury (Kingsland) Bridge
The Swinford Bridge (Oxfordshire)
The Whitchurch Bridge (Oxfordshire)
The Whitney on Wye Bridge (Hereford & Worcester).

Also there are 2 toll roads that were established by Royal Charters of 1443 and 1619—respectively Roydon Road, Stanstead Abbots and College Road, Dulwich. They do not need to apply to the Secretary of State for approval of their tolls—and that is the case also where a toll is charged for the use of a private road. I do not have a complete list of private toll roads, but some examples are the roads of Kewstoke Woods, Weston-super-Mare, Kynance Cove, Cornwall, and Porlock, Devon.

### Domestic Air Conditioning

**Mr. Chaytor:** To ask the Secretary of State for the Environment, Transport and the Regions if he will assess the Building Services Research and Information Association's work on the fitting of domestic air-conditioning systems; what assessment his Department has made of future trends in domestic air-conditioning; how such trends affect the Government's climate change policies; and if he will make a statement. [74036]

**Mr. Raynsford:** The project on small scale air conditioning completed by the Building Services Research and Information Association last year is a valuable study into the future market potential for small scale air conditioning in the UK.

A preliminary assessment suggests that domestic emissions of carbon dioxide might increase by a number in the range 0.1 to 0.2 million tonnes of carbon in 2010 because of increased use of domestic air conditioning. This range is equivalent to between about 0.05 and 0.1% of UK $CO_2$ emissions in 1990. We are considering this with a variety of other policy options in our analysis of responses to the recent climate change consultation paper.

### Housing (Wandsworth)

**Mr. Cox:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with the London Borough of Wandsworth on the number of council owned properties that are boarded up in various parts of the Borough of Wandsworth, waiting to be sold. [74294]

**Mr. Raynsford:** I have had no such discussions. Specific figures for the numbers of boarded up properties awaiting sale are not recorded as part of the Housing Investment Programme process.

**Mr. Cox:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with the Leader of Wandsworth Council on the Council's policy to develop low cost housing within the borough; and if he will make a statement. [74295]

**Mr. Raynsford:** Ministers have had no discussions with the Leader of Wandsworth Council about its policy of providing low cost housing. I refer my hon. Friend to the answer I gave to his question on 5 June 1998, *Official Report*, column *373*.

I have no plans to make a statement.

### Departmental Websites

**Mr. Maclean:** To ask the Secretary of State for the Environment, Transport and the Regions for what reason the cost of the Department's website is projected to rise to £550,000 in the year 2000–01. [74008]

**Mr. Meacher:** DETR's Web site has grown rapidly in the past year: the number of hits per month is 16 times higher and the volume of information on the site has trebled. This is in line with the Government's policy of making as much information as possible available via electronic media.

The projected rise in expenditure reflects continued anticipated growth in the provision of on-line information over the next two years. It also reflects the development of e-commerce platforms and more on-line searchable databases.

### Household Projections

**Mr. Drew:** To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the research commissioned by his Department on the disparity between the rate of household formation and the number of dwellings completed. [73919]

**Mr. Raynsford** *[holding answer 3 March 1999]:* Research which has been commissioned by my Department to investigate the accuracy of certain housing data that are provided by local authorities has not yet been completed. The Department's policy is to publish research unless there are good reasons not to do so.

**Mr. Drew:** To ask the Secretary of State for the Environment, Transport and the Regions if he will publish revised household projections as a range of figures, and explain the assumptions made in so doing. [73916]

**Mr. Raynsford** *[holding answer 3 March 1999]:* The Government agreed in their response to the report of the Environment, Transport and Regional Affairs Committee on Housing that suitable sensitivity analyses would be published alongside the next set of household projections (Cm 4080, para 125).

**Mr. Drew:** To ask the Secretary of State for the Environment, Transport and the Regions what guidance he is offering to local authorities on the use of the predicted rates of household formations in drawing up local development plans. [73917]

**Mr. Raynsford** *[holding answer 3 March 1999]:* Planning Policy Guidance note 11 "Regional Planning", a draft of which was published for consultation on 15 February, makes clear that regional planning bodies should work with Government Offices and other regional stakeholders to establish the level of housing required to meet the region's housing needs. In making this assessment, the Government's latest published household projections should be taken into account. Urban capacity studies should also be undertaken. Against this background of need and capacity, regional planning bodies are expected to take a realistic and responsible approach to future housing provision and should justify their views at the public examination of draft regional planning guidance. In preparing development plans (structure plans and UDPs) local authorities will be expected to reflect the housing figures set out in Regional Planning Guidance issued by the Secretary of State. Outside UDP areas, local plans are expected to be in conformity with the relevant structure plan.

**Mr. Drew:** To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish new household projections. [73918]

**Mr. Raynsford** *[holding answer Wednesday 3 March 1999]:* The task of preparing the revised household projections has yet to be completed and a timetable for their publication has therefore still to be determined.

### Vehicle Registration Details

**Mr. Sayeed:** To ask the Secretary of State for the Environment, Transport and the Regions if he will require a person selling a motor vehicle to provide the odometer mileage at the time of sale and for the information to be printed on the registration document for the vehicle. [74781]

**Ms Glenda Jackson:** The Government are currently reviewing their policy on collection of mileage information. The Vehicle Crime Reduction Action Team, set up by the Home Office, is considering the options and will be making recommendations shortly.

### Brown-field Sites

**Mr. Waterson:** To ask the Secretary of State for the Environment, Transport and the Regions how many hectares of brown-field sites have been developed for private residential accommodation since January 1998. [74686]

**Mr. Raynsford:** The information requested is not yet available. Latest figures, which relate to 1993, show the number of hectares of 'land previously developed for urban uses' (as defined by the Department's Land Use Change Statistics) that changed to residential use. These can be found in Annex A of the publication "Land Use Change in England No.13", a copy of which is in the House of Commons Library.

The Land Use Change Statistics can provide more recent estimates for (a) the percentage of *land* changing to residential use that was previously developed, and (b) the percentage of new *dwellings* built on previously developed land. In 1996, the latest year for which a reliable estimate is available, 47 per cent. of *land* changing to residential use was previously developed, and 53 per cent. of new *dwellings* were built on previously developed land (56 per cent. including conversion of existing dwellings).

We will be investigating the robustness of figures relating to *hectares* of land changing use to see if this will enable more timely provision of results.

### Acid Rain

**Mrs. Brinton:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy to support the proposals due to be considered by the European Commission in March to impose national emission ceilings on acid rain gases; and if he will make a statement. [74372]

**Mr. Meacher:** The Government have supported the EC Acidification Strategy as a means of reducing ecosystem damage from acid emissions, and will continue to do so. It also supports the principle of a national emission ceilings directive. The Government will give careful consideration to the detail of the proposed directive once it has been

published by the European Commission. Both the Strategy and the proposed directive will take forward the large reductions the UK has already achieved and further reductions planned for sulphur dioxide and nitrogen dioxide emissions. Between 1990 and 1996 the UK reduced total sulphur dioxide emissions by 46% and nitrogen oxide emissions by 25%. Current policies are expected to deliver reductions of 74% and 58% respectively by 2010.

## English Partnerships

**Mrs. Ellman:** To ask the Secretary of State for the Environment, Transport and the Regions what is the expected spend of English Partnerships for the current year for the *(a)* North West, *(b)* North East, *(c)* West Midlands, *(d)* East Midlands and *(e)* Yorkshire and Humberside Regions. [74672]

**Mr. Caborn:** Based on the latest estimates, the total expected spend for 1998–99 for these regions of English Partnerships is as follows:

| | *£ million* |
|---|---|
| *(a)* North West | 92.0 |
| *(b)* North East | 47.0 |
| *(c)* West Midlands | 48.0 |
| *(d)* East Midlands | 26.5 |
| *(e)* Yorkshire and the Humber | 53.0 |

**Mrs. Ellman:** To ask the Secretary of State for the Environment, Transport and the Regions how much of the funding available to English Partnerships for the year 1999–2000 is planned to be retained centrally; and what projects are currently being considered for this funding. [74670]

**Mr. Caborn:** The total land and property programme, excluding the coalfields portfolio, for 1999–2000 is projected to be £371.6m *(based on DETR's receipts targets)*. It is currently proposed that EP will be allocated £46.6m to take forward the responsibilities identified on 23 June 1998, *Official Report*, column *438*. These include the reclamation and development of the Greenwich site, the setting up and running of databases on brownfield sites, and managing the programme of Millennium Villages. EP will also be responsible for the land and property programme for London (£56.3m) for next year; and will manage the ring-fenced Coalfields Portfolio (£49.6m) on behalf of and in liaison with the RDAs.

**Mrs. Ellman:** To ask the Secretary of State for the Environment, Transport and the Regions what is English Partnerships' current draft budget for the regional development agencies for the financial year 1999–2000 for the *(a)* North West, *(b)* North East, *(c)* Yorkshire and Humberside, *(d)* West Midlands and *(e)* East Midlands Regions. [74669]

**Mr. Caborn:** The land and property budgets for Regional Development Agencies will be set by the Department, not by English Partnerships, in consultation with the RDAs. The budgets have yet to be finalised.

The latest provisional budgets for these Regions, for the main land and property programme, excluding administration and the coalfields portfolio, for 1999–2000 are as follows:

| *Region* | *£ million* |
|---|---|
| North West | 73 |
| North East | 30 |
| Yorkshire and Humberside | 41 |
| West Midlands | 34.3 |
| East Midlands | 16 |

**Mrs. Ellman:** To ask the Secretary of State for the Environment, Transport and the Regions how much additional funding to that made available by Government to English Partnerships is expected to be generated from the public, private and voluntary sectors for the current year 1998–99 for the *(a)* North West, *(b)* North East, *(c)* Yorkshire and Humberside, *(d)* West Midlands and *(e)* East Midlands Regions. [74671]

**Mr. Caborn:** The following amounts of additional funding are expected to be generated for projects in 1998–99:

*£ million*

| *Region* | *Other public* | *Private* |
|---|---|---|
| North West | 18.71 | 90.71 |
| North East | 25.89 | 213.83 |
| Yorkshire and Humberside | 13.59 | 65.14 |
| West Midlands | 23.75 | 22.41 |
| East Midlands | 18.06 | 27.89 |

*Note:*
1. The category "other public" includes funding from voluntary sector organisations.

**Mrs. Ellman:** To ask the Secretary of State for the Environment, Transport and the Regions how much additional funding has been generated for every £1 spent by Government through English Partnerships in the *(a)* North West, *(b)* North East, *(c)* West Midlands, *(d)* East Midlands and *(e)* Yorkshire and Humberside regions in each of the past five years. [74674]

**Mr. Caborn:** Until April 1998, English Partnerships did not collect data of this sort on a regional basis. It is therefore not possible to provide a full answer.

English Partnerships publishes estimates of the value of private sector funding in its Annual Reports. The national totals have been as follows:

| *Year* | *£ million* |
|---|---|
| 1994–95 | 300 |
| 1995–96 | 580 |
| 1996–97 | 630 |
| 1997–98 | 767 |

For 1998–99, the estimated additional private sector funding for these regions is expected to be as follows:

| *Region* | *£ million* |
|---|---|
| North West | 90.71 |
| North East | 213.83 |
| West Midlands | 22.41 |
| East Midlands | 27.89 |
| Yorkshire and Humberside | 65.14 |

**Mrs. Ellman:** To ask the Secretary of State for the Environment, Transport and the Regions what is the total budget allocation for English Partnerships for *(a)* 1998–99 and *(b)* 1999–2000, broken down by funding held centrally, funding allocated by regional offices and funding transferred to the regional development agencies. [74673]

**Mr. Caborn:** The budget allocations for the English Partnerships land and property programme spend for 1998–99 and 1999–2000 is as follows:

*£ million*

| | *1998–99* | *1999–2000* |
|---|---|---|
| Central | 72.0 | 46.6 |
| Regional | 339.3 | 56.3 |
| Transferred to RDAs | — | 267.7 |
| Total | 411.3 | 370.6 |

*Notes:*
1. Central spend excludes the ring-fenced funding for the Greenwich Millennium Project.
2. Regional spend in 1999–00 by EP is for London
3. The above figures do not include the funding for the coalfields portfolio (49.6 million) which is to be managed centrally by EP on behalf of and in liaison with the RDAs.

### Lobbyists

**Mr. Flynn:** To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will make a statement on the role of professional lobbyists in formulating policy in his Department; [74366]

(2) if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74355]

**Mr. Meale:** Any contacts with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contacts with Lobbyists".

### Ministerial Visits

**Miss Kirkbride:** To ask the Secretary of State for the Environment, Transport and the Regions when the visit of the Minister for London and Construction to Bromsgrove was first planned; and when the hon. Member for Bromsgrove was informed of the visit. [74561]

**Mr. Raynsford:** In January I agreed in principle to make a Labour Party campaign visit to the West Midlands on Friday 19 February. It was confirmed on Tuesday 16 February that I would visit Bromsgrove along with other West Midlands locations, and I wrote to the hon. Member at the House of Commons on Wednesday 17 February.

## CULTURE, MEDIA AND SPORT

### Theatre and Museum Funding

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the funding of theatres and museums by local authorities. [74235]

**Mr. Alan Howarth** *[holding answer 2 March 1999]:* In 1997–98 local authority funding for the arts is estimated to have been £194 million, and for museums £139 million.

### Children's Theatre

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport (1) what representations he has received concerning the future of children's theatre in London; [74233]

(2) what discussions he has had with the Polka Theatre in Wimbledon about its funding; and if he will make a statement. [74238]

**Mr. Alan Howarth** *[holding answer 2 March 1999]:* My Department has recently received a substantial number of letters from members of the public expressing concern for the future of the Polka Theatre in Wimbledon. We have held no discussions with representatives of the Polka Theatre, as this is a matter for the London Arts Board, London Borough Grants and the London Borough of Merton. I understand also that the Unicorn Theatre is in the process of addressing the serious financial situation it faced earlier in this financial year.

### Museum Visits

**Mr. Peter Ainsworth:** To ask the Secretary of State for Culture, Media and Sport what plans he has to collect information about the number of *(a)* primary and *(b)* secondary school visits to museums. [74237]

**Mr. Alan Howarth** *[holding answer 2 March 1999]:* Museums and galleries sponsored by the Department for Culture, Media and Sport all regularly collect data on school visits, and in most cases those by primary and secondary schools can be distinguished.

The Museums and Galleries Commission hope to include a request for information on primary and secondary school visits in their DOMUS (Digest of Museum Statistics) general survey of Registered museums, questionnaires for which will be issued in the summer. This will furnish information for the wider sector.

Funds have been allocated to allow free entry for children to currently charging national museums in England from April this year. Data on visits made by children will be collected on a regular basis so that the impact of this policy is carefully monitored. Most visits by organised school parties are already free.

### Millennium Dome

**Helen Jackson:** To ask the Secretary of State for Culture, Media and Sport what plans the Government have for the Millennium Dome after 2000; and if he will make a statement. [75157]

**Janet Anderson:** The Government have today launched a competition to invite bids for alternative uses of the Dome on its present site after the Millennium Experience finishes at the end of December 2000. I have placed copies of the brochure for stage one of the process in the Libraries of the House. Decisions will be taken by the Government following appraisal of detailed bids, submitted at later stages, by the New Millennium Experience Company (NMEC) and English Partnerships and consultation with the Millennium Commission.

The Government's objective is to ensure a sustainable alternative use of the Dome which reflects its cultural significance and contributes fully to regeneration both of

the Greenwich Peninsula as a whole and more widely. The Government will wish to achieve good value for money from the disposal of the Dome and related land, and will have regard to whether the proposal would generate receipts which at least match those which could have been achieved if the site were clear and disposed of for ordinary commercial development. The Government will also pay close attention to the regeneration and cultural outputs likely to be delivered by any proposed use, and its compatibility with proposals for developing the rest of the peninsula and the wider Thames Gateway area.

## HOUSE OF COMMONS

### Lobbyists

**Mr. Flynn:** To ask the President of the Council if she will make a statement on the role of professional lobbyists in formulating policy in her Department. [74361]

**Mrs. Beckett:** Any contacts with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contact with Lobbyists".

### Web Sites (Parliamentary Privilege)

**Mr. Maclean:** To ask the President of the Council if she will set up a Select Committee to consider what parliamentary privilege will apply to hon. Members' web sites; and if she will make a statement. [73678]

**Mrs. Beckett:** The Committee on Standards and Privileges is already able to examine any questions of privilege.

## SCOTLAND

### Departmental Hospitality

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland if he will estimate his Department's expenditure on hospitality and entertainment in *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, *(d)* 2000–01 and *(e)* 2001–02; and if he will make a statement. [69254]

**Mr. Dewar** *[holding answer 4 February 1999]:* Expenditure on official hospitality to the Scottish Office in the financial year 1997–98 was £62,596. Provision of £75,000 has been made for 1998–99. Budgets for the financial years 1999–2000 and 2000–01 have not yet been set.

### Nurses (Pay)

**Mrs. Ewing:** To ask the Secretary of State for Scotland which establishments in Scotland have paid a regular lead to nursing staff in each year since 1970; what was the annual value of the lead; what was its purpose; and if he will make a statement. [69055]

**Mr. Galbraith** *[holding answer 8 February 1999]:* The exact information required is not available centrally.

National terms and conditions for nursing staff include a range of leads and allowances paid under certain circumstances. Details of all such allowances were set out in Annex 1 of the Health Departments' 1998 evidence to the Review Body for Nursing Staff, Midwives, Health Visitors and Professions Allied to Medicine, copies of which are held in the Library. This included information on the current national rate of payment and a brief description of conditions for payment. Information on the value of leads and allowances is only available from 1986 onwards and copies of the relevant circulars issued to the NHS in Scotland have been placed in the Library. All NHS bodies which employ nurses on national contracts pay these leads and allowances, if qualifying conditions are met. Since 1994 employers have had the flexibility to increase leads and allowances locally, which some NHS Trusts have done. In their sixteenth report for 1999, laid before Parliament by my right hon. Friend the Secretary of State for Health, the Review Body recommended that on-call and stand-by allowances should be increased by 19% from 1 April 1999 and urged Trusts to increase relevant leads and allowances.

From 1 July 1999 this will be a matter for the Scottish Parliament.

### Single Currency

**Mr. Maclean:** To ask the Secretary of State for Scotland if he will list the subject areas within his Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73667]

**Mr. Dewar:** The Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter eight of the Treasury's Outline National Changeover Plan provides further information. Copies of the Plan are available in the House Library.

**Mr. Maclean:** To ask the Secretary of State for Scotland what plans he has to issue information from his Department to help the public make an informed decision when they vote on the single currency. [73656]

**Mr. Dewar:** Any plans by the Government to issue information during a referendum campaign on whether or not the UK should join the single currency would be made in light of the Government's response to the recommendations from the Neill Committee on the conduct of referendums. The Government will announce their conclusions on those recommendations when my right hon. Friend the Home Secretary publishes a White Paper and draft Bill before the summer recess.

### Brit Awards

**Mr. Maclean:** To ask the Secretary of State for Scotland if he will list those Ministers in his Department who were present at the recent Brit awards in an official capacity; and who or what organisation was acting as their sponsor or host. [73490]

**Mr. Galbraith:** The Minister for Education, Scottish Office, attended the Brit awards ceremony as a guest of the British Phonographic Industry.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Scotland what official visits he, his Ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73458]

**Mr. Dewar:** No Scottish Office Minister has visited Zimbabwe in an official capacity since May 1997. The Chief Social Work Inspector attended the All Africa Conference on Community Service at Kadoma from 24 November to 2 December 1997 at the invitation of Prison Reform International to advise on the development of alternatives to prison. The Kadoma Declaration and Action Plan were subsequently endorsed by the UN Commission on Crime Prevention and Criminal Justice.

### Air Miles

**Mr. Maclean:** To ask the Secretary of State for Scotland how many Air Miles have been earned by him and each of his Ministers; and how he proposes to use them. [73331]

**Mr. Dewar:** The Government's policy on the use and disposal of air miles was set out by my right hon. Friend the Prime Minister on 12 January 1999, *Official Report*, column *141*.

Detailed information on any air miles earned by Ministers as a result of official travel is not recorded centrally.

### Agriculture Business Improvement

**Mr. Maclennan:** To ask the Secretary of State for Scotland what is the approved six year budget for the agriculture business improvement scheme of 1994; what sums have been made available to the Highland agriculture industry; and what plans he has to vire part of the approved budget to other sectors. [73191]

**Mr. Dewar** *[holding answer 25 February 1999]:* The Agriculture Business Improvement Scheme (ABIS) forms part of the Objective 1 Highlands and Islands Agricultural Programme (HIAP), along with the Marketing Scheme and the Crofting Township Development Scheme. There is no separate budget provision for the ABIS.

The original budget provision for the HIAP was around £23 million, but due to the strength of sterling against the ecu, this figure is now nearer £20 million. To date, almost £14.6 million has been committed under HIAP, and all three Schemes remain open to applications from farmers and crofters in the Highlands and Islands.

As a consequence of consistent underspending against the HIAP budget provision, it is possible that all of the resources allocated to the Programme will not now be required. The Government are reviewing the budgetary provision for HIAP, but no decision has been taken on the possible virement of resources. The Government are planning to announce improvements to the ABIS next month to help stimulate uptake of the available funds.

### Woodland Grant Scheme

**Mr. David Stewart:** To ask the Secretary of State for Scotland what plans he has to change the rules of the Woodland Grant Scheme. [75416]

**Mr. Macdonald:** We are making two changes to the rules of the Woodland Grant Scheme today.

We are keen to improve value for money from the Woodland Grant Scheme and have concluded that the payments currently offered for creating new woodland do not reflect the economies of scale available when creating very large forests. Payments for these large forests significantly reduce the funds available for delivering our other forestry objectives.

We have therefore decided that from today, fixed rate grants will no longer be available for applications to create new woodlands of 300 hectares or more. They will be replaced by a grant linked to the overall costs likely to be incurred by the applicant over the first ten years. Normally the grant will be 60 per cent. of the costs, which will be agreed in negotiation with the owners. However, where there are particularly important public benefits in relation to achieving Biodiversity Action Plan targets, or helping crofter or community-based forestry schemes, it may be possible to pay 80 per cent. of the agreed costs. These payments will not exceed the grant that would have been paid using the current fixed rate grants.

The rules of the Woodland Grant Scheme have also been amended from today so that grants are no longer available for land where the landowner has terminated an agricultural tenancy by means of a contested notice to quit. This change, which follows a recommendation in the Scottish Land Reform Policy Group's Report, is intended to discourage landowners from terminating tenancies, against the wishes of their tenants, in order to convert the land to woodland.

Both these changes will apply throughout Great Britain.

More detailed information on these changes is available from the Forestry Commission.

### Student Hardship Funds

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland what estimate he has made of the expenditure by Scottish universities on hardship funds in the latest year for which information is available; and if he will make a statement. [74559]

**Mrs. Liddell:** The Government distribute resources to further and higher education institutions in the form of Access Funds to enable them to assist students whose access to, or continuance, in education may be inhibited by financial difficulties. Many institutions also have funds of their own which are used for a similar purpose.

The Access Fund resources distributed to Universities and other higher education institutions in Scotland in respect of academic year 1998–99 amounted to £3.473 million.

### Lobbyists

**Mr. Flynn:** To ask the Secretary of State for Scotland if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74363]

**Mr. Dewar:** Any contacts with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contact with Lobbyists".

## HOME DEPARTMENT

### Immigration and Nationality Department

**Mr. Norman:** To ask the Secretary of State for the Home Department for how long the Immigration and Nationality Department paper room, where files are stored, is planned to remain closed for access to casework files. [72860]

**Mr. Mike O'Brien:** The Immigration and Nationality Directorate Croydon paper store, which holds casework files on which there is no current action, is no longer closed.

### Ethnic Minorities (Crime)

**Mr. Maclean:** To ask the Secretary of State for the Home Department, pursuant to his answer of 2 February 1999, *Official Report, columns 554–45*, if he will list the submissions and briefing papers prepared by his officials on crime among ethnic minorities. [73625]

**Mr. Boateng:** I regard details of the frequency and substance of the advice I receive from officials as confidential. The incidence of crime amongst the general population is regarded as of importance, whatever the ethnic origins of the victims or alleged perpetrators, and I receive regular advice thereon.

### Police Contingent (Bosnia)

**Mr. Maclean:** To ask the Secretary of State for the Home Department when he last visited the British police contingent in Bosnia. [73499]

**Mr. Boateng:** I have not visited Bosnia. The then Minister of State at the Home Office, my right hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), visited the British contingent in December 1997. I will be visiting Bosnia later this year. The Under-Secretary of State for the Home Department, my hon. Friend the Member for Vauxhall (Kate Hoey) hopes to visit at some point. A number of Chief Constables have visited as has a Home Office official.

### Women's Royal Voluntary Service

**Mr. Chope:** To ask the Secretary of State for the Home Department how much his Department has paid in each of the last three years to support the Women's Royal Voluntary Service; and how much of the money was in respect of that organisation's core activities. [74197]

**Mr. Boateng:** The Home Office has provided grant in aid to the Women's Royal Voluntary Service (WRVS) since its inception in 1938. The levels of grant for the years in question were as follows:

| | £ |
|---|---|
| 1996–97 | 5,840,000 |
| 1997–98 | 5,548,000 |
| 1998–99 | 5,298,000 |

All of the grant provided was in support of the organisation's core activities.

### Race Relations Act 1976

**Dr. Gibson:** To ask the Secretary of State for the Home Department if he will seek to strengthen the provisions of the Race Relations Act in relation to the restaurant and hotel trade. [74016]

**Mr. Mike O'Brien:** The restaurant and hotel trade is subject to the provisions of the Race Relations Act 1976 in terms of both employment and the provision of goods and services. There are some exceptions which may apply for genuine occupational qualifications designed to protect racial authenticity—for example, in certain restaurants.

The Commission for Racial Equality (CRE) has reviewed the Race Relations Act 1976 and put forward 57 recommendations for change including one to replace the genuine occupation qualifications for authenticity, which relate to working where food and drink are served in a particular setting. The Department has carried out a public consultation on the proposals which concluded on 18 December 1998.

My right hon. Friend the Home Secretary announced when he published the report of the Inquiry into the death of Stephen Lawrence that the Race Relations Act 1976 will be extended to cover the public services.

The Government will bring forward proposals in due course, including a response to the CRE recommendations.

### CS Sprays

**Mr. Matthew Taylor:** To ask the Secretary of State for the Home Department how many complaints about CS sprays have been submitted to the Police Complaints Authority since 31 March 1998. [74250]

**Mr. Boateng:** The Police Complaints Authority have provided the following information regarding complaints which they have received between 1 April 1998 and 1 March 1999.

| *Force* | *Cases about CS* | *Complaints about CS* |
|---|---|---|
| Avon and Somerset | 10 | 11 |
| Bedfordshire | 1 | 1 |
| Cambridgeshire | 13 | 13 |
| Cheshire | 8 | 10 |
| Cleveland | 12 | 14 |
| Cumbria | 7 | 9 |
| Derbyshire | 5 | 5 |
| Devon and Cornwall | 12 | 12 |
| Dorset | 2 | 2 |
| Durham | 5 | 5 |
| Dyfed-Powys | 1 | 1 |
| Essex | 8 | 9 |
| Gloucestershire | 7 | 7 |
| Greater Manchester | 33 | 33 |
| Hampshire | 12 | 15 |
| Hertfordshire | 1 | 1 |
| Humberside | 8 | 9 |
| Kent | 14 | 15 |
| Lancashire | 3 | 4 |
| Leicestershire | 10 | 10 |
| Lincolnshire | 3 | 3 |
| Merseyside | 56 | 60 |
| Metropolitan Area 1 | 2 | 2 |
| Metropolitan Area 2 | 1 | 1 |
| Metropolitan Area 3 | 7 | 7 |

| Force | Cases about CS | Complaints about CS |
|---|---|---|
| Metropolitan Area 4 | 2 | 2 |
| Metropolitan Area 5 | 6 | 6 |
| Norfolk | 4 | 4 |
| North Wales | 6 | 7 |
| North Yorkshire | 1 | 1 |
| Northumbria | 12 | 12 |
| South Wales | 18 | 19 |
| South Yorkshire | 3 | 3 |
| Staffordshire | 9 | 10 |
| Suffolk | 11 | 14 |
| Surrey | 1 | 1 |
| Sussex | 1 | 1 |
| Warwickshire | 7 | 8 |
| West Mercia | 16 | 16 |
| West Midlands | 36 | 37 |
| West Yorkshire | 15 | 18 |
| Wiltshire | 1 | 1 |
| Grand totals | 396 | 425 |

*Note:*
A case may include more than one complaint. The first column indicates the number of cases and the second indicates the number of actual complaints.

**Mr. Matthew Taylor:** To ask the Secretary of State for the Home Department how many police officers in England and Wales currently carry CS sprays. [74248]

**Mr. Boateng:** Decisions about equipping police officers with CS spray are the responsibility of chief officers of police. In this, they are governed and monitored by the Association of Chief Police Officers' (ACPO) self-defence, arrest and restraint sub-committee.

ACPO have advised that details on the number of police officers trained in the use of CS spray are not held centrally. However, all but 3 police forces in England and Wales now issue CS spray to their officers. These are Northamptonshire, Sussex and Nottinghamshire.

**Mr. Matthew Taylor:** To ask the Secretary of State for the Home Department if special constables are being trained to carry and use CS sprays. [74249]

**Mr. Boateng:** Special constables do carry and use CS spray. They use the same equipment and receive the same training as regular Police Constables in accordance with guidelines issued by the Association of Chief Police Officers.

### Firearms Act 1968

**Mr. Matthew Taylor:** To ask the Secretary of State for the Home Department what register of organisations authorised to hold devices under section 5 of the Firearms Act 1968 is compiled; if this register is available for inspection by members of the public; and where this register is held. [74251]

**Mr. Boateng:** Records of companies and individuals with the authority of the Secretary of State under section 5 of the Firearms Act 1968 (as amended) to purchase, acquire, possess, manufacture, sell or dispose of prohibited weapons are maintained by the Home Office for those in England and Wales and by the Scottish Office for those in Scotland. These records are not available for public inspection for reasons of security and commercial confidentiality.

### Kosovo Liberation Army

**Mr. Maclean:** To ask the Secretary of State for the Home Department if he will make a statement on KLA fundraising activity in the United Kingdom, indicating what representations he has received on the issue. [74434]

**Mr. Straw:** I am not aware of any representations about fund raising by the Kosovo Liberation Army (KLA or UCK).

The Government attach great importance to countering terrorist fund raising. Under our Presidency of the G8, we hosted a conference on terrorist fund raising in London last December. In the same month, my Department published a consultation paper, "Legislation Against Terrorism" (CM 4178), which invited views on proposals for strengthening the law in this area.

The police and Security Service attach a high priority to countering all forms of terrorist activity in the United Kingdom. Any credible information or intelligence is fully investigated.

### Prevention of Terrorism (Temporary Provisions) Act 1989

**Mr. Coaker:** To ask the Secretary of State for the Home Department when he intends to publish the report from Mr. J. J. Rowe, QC on the operation in 1998 of the Prevention of Terrorism (Temporary Provisions) Act 1989. [75334]

**Mr. Straw:** I have today arranged for copies of Mr. Rowe's report to be placed in the Library. Mr. Rowe recommends that the legislation should be renewed for a further twelve months. A draft Order is being laid before the House today which continues in force most provisions of the Act for a further twelve months. This order is subject to affirmative Resolution in both Houses.

### Horseracing

**Mr. Cunliffe:** To ask the Secretary of State for the Home Department if he will make a statement on the future of the Tote. [74662]

**Mr. George Howarth:** I refer my hon. Friend to the reply I gave the hon. Member for Mid-Sussex (Mr. Soames) on 25 February 1999, *Official Report*, column *395*.

### Lobbyists

**Mr. Flynn:** To ask the Secretary of State for the Home Department if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74357]

**Mr. Straw:** Any contacts with lobbyists by Ministers and civil servants in his Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contact with Lobbyists".

### *The Sunday Telegraph* (Injunction)

**Sir Norman Fowler:** To ask the Secretary of State for the Home Department what discussions he held with *(a)* the Prime Minister, *(b)* officials at No. 10 Downing Street and *(c)* other Ministers prior to seeking an injunction against *The Sunday Telegraph*; and if he will make a statement. [74663]

**Mr. Straw:** As has already been made clear by the Prime Minister's Official Spokesman, the Prime Minister's office was informed about the action I was taking. The Minister of State, Home Office, my hon. Friend the Member for Brent, South (Mr. Boateng), was also informed. As I said to the House in my statement on 22 February 1999, *Official Report*, column 27,

"This was a decision that I made, and for which I am personally responsible".

### Macpherson Report

**Sir Norman Fowler:** To ask the Secretary of State for the Home Department if the independent investigator appointed to inquire into the unauthorised publication of extracts from the Macpherson report will have the power to interview persons who have had access to the report outside direct Government employment; and if he will make a statement. [74664]

**Mr. Straw:** The conduct of the inquiry, including the question of who should be interviewed, is a matter for the investigator to determine.

**Sir Norman Fowler:** To ask the Secretary of State for the Home Department (1) if Ministers who had access to the Macpherson report prior to 21 February will be interviewed in the leak investigation, instituted by his Permanent Secretary; and if he will make a statement; [74666]

(2) if *(a)* officials and *(b)* ministerial advisers who had access to the Macpherson report prior to 21 February will be interviewed by the leak investigation instituted by his Permanent Secretary; and if he will make a statement. [74668]

**Mr. Straw:** It would not be in the interests of the leak investigation now under way to give these details.

**Sir Norman Fowler:** To ask the Secretary of State for the Home Department if he will list the terms of reference of the leaks investigation instituted by his Permanent Secretary into the unauthorised publication of extracts from the Macpherson report; and if he will make a statement. [74667]

**Mr. Straw:** The independent investigator has been asked by my Permanent Secretary to establish who was responsible for the leak and what lessons might be learned for the future.

## LORD CHANCELLOR'S DEPARTMENT

### Legal Aid Funding Council

**Mr. Burnett:** To ask the Minister of State, Lord Chancellor's Department what estimate he has made of the loss to the Legal Aid Funding Council from fraud in *(a)* 1994–95, *(b)* 1995–96, *(c)* 1996–97, *(d)* 1997–98 and *(e)* 1998–99. [74121]

**Mr. Hoon:** The Legal Aid Board is responsible for the administration of legal aid.

An estimate of the amounts lost through fraud over the past five years cannot be provided as it is not possible to quantify accurately the amounts that have been fraudulently claimed. The claims will usually contain some element of bone fide work and the percentage relating to false claiming cannot be accurately determined. However, the Legal Aid Board will seek to recover from solicitors any costs which were considered to be either wrongly or fraudulently claimed.

The total amounts recovered from either negotiating repayment, recouping from further claims submitted or rejecting the claims as a result of the Legal Aid Board's investigations were:

| | £ |
|---|---|
| 1994–95 | 524,276 |
| 1995–96 | 1,180,770 |
| 1996–97 | 807,706 |
| 1997–98 | 1,081,000 |
| 1 April 1998 to 31 December 1998 | 317,308 |

The Legal Aid Board has an active approach to the prevention and detection of fraud or abuse of the legal aid scheme. Designated officers have been appointed in area offices to detect and investigate suspicious claims and take appropriate action at an early stage. It also has a Central Investigation section whose role is to undertake detailed investigations of suspected abuse or fraud referred to it. The Board's policy is to seek prosecution of individuals in all cases where there is substantial prima facie evidence of dishonesty.

### Jerome Charles

**Mr. Lidington:** To ask the Minister of State, Lord Chancellor's Department if he will name the judge who took the decision at Aylesbury Crown Court in June 1998 to give bail to defendant, Jerome Charles. [74132]

**Mr. Hoon:** His Honour Judge Catlin granted bail on 26 June 1998.

### Censuses

**Mr. John M. Taylor:** To ask the Minister of State, Lord Chancellor's Department what are the current annual storage and maintenance costs for the original enumerators' books for the 1841/51–1911 decennial population censuses for England and Wales; and how many visitors to the Public Record Office in the last five years were granted access to *(a)* the original 1841–1891 census enumerators' books and *(b)* micro-film or other copies of those books. [74018]

**Mr. Hoon:** The current storage and maintenance costs for the original enumerators' books for the 1841/51 to 1911 decennial censuses for England and Wales are estimated at £225,000 per annum.

In the last five years, 150 visitors to the Public Record Office have been granted access to original returns from the 1841 to 1891 censuses. No precise record has been kept of the number of visitors who have been granted access to micro-film or other copies of those books; our best estimate based on the number of visitors to the Census Room at Chancery Lane and, from 1997, to the Family Records Centre in Islington is 77,000 in 1993–94; 79,000 in 1994–95; 74,000 in 1995–96; 82,000 in 1996–97; 138,000 in 1997–98.

**Mr. John M. Taylor:** To ask the Minister of State, Lord Chancellor's Department if he will list all instruments which have prescribed periods of extended retention of decennial census returns, under the provisions of the Public Records Act 1958. [74020]

**Mr. Hoon:** The following Lord Chancellor's Instruments under the provisions of the Public Records Act 1958 have prescribed periods of extended retention of decennial census returns by the Office of Population Censuses and Surveys and its successor the Office for National Statistics:

Lord Chancellor's Instrument (Retention of Public Records) No. 5, 1985: allowed retention of the 1921 and 1951 returns for 10 years; now expired

Lord Chancellor's Instrument (Retention of Public Records) No. 23, 1992: allowed retention of the 1961 returns for 10 years

Lord Chancellor's Instrument (Retention of Public Records) No. 38, 1996: allowed retention of the 1921 and 1951 returns for an additional 10 years.

**Mr. John M. Taylor:** To ask the Minister of State, Lord Chancellor's Department if the 1921, 1951 and 1961 census returns are closed to public inspection for 100 years. [74019]

**Mr. Hoon:** The census returns for 1921, 1951 and 1961 are closed to public inspection for 100 years.

The closure period is intended to safeguard the confidentiality of the personal information collected in the census. Successive Governments have given an undertaking that the information would remain confidential. Protection of the credibility of the undertaking is crucial to maintaining the quality of the information collected.

### Departmental Records

**Mr. John M. Taylor:** To ask the Minister of State, Lord Chancellor's Department how many applications were approved during the period 1993 to 1998, under the provisions of section 5(1) of the Public Records Act 1958, to reduce previously determined periods of closure on departmental records. [74017]

**Mr. Hoon:** During the period 1993–98 inclusive, 142,000 applications were approved, under the provisions of section 5(1) of the Public Records Act 1958, to reduce previously determined periods of closure on departmental records.

### Lobbyists

**Mr. Flynn:** To ask the Minister of State, Lord Chancellor's Department if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74358]

**Mr. Hoon:** Any contacts with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contact with Lobbyists".

### Aldershot Magistrates Court

**Mr. Oaten:** To ask the Minister of State, Lord Chancellor's Department what reports he has received on cases where there has been a failure to attend at Aldershot Magistrates Court in each of the last three years. [74665]

**Mr. Hoon:** The Lord Chancellor's Department collects some data on the number of witnesses expected to attend but who do not turn up. The data are obtained from a small sample of cases included in the witness waiting times survey that is undertaken for two weeks every June and November. The first such survey was undertaken in November 1997. The survey is carried out at all petty sessional division level and the results for North East Hampshire include the Alton courthouse as well as Aldershot.

The November 1998 survey showed that 26% of witnesses, from a sample of 61 expected witnesses, did not attend. The equivalent figure for June 1998 was 12% from a sample of 33 and for November 1997, 22% from a sample of 55. No similar data are collected for defendants and other parties to proceedings and such data could be obtained only at disproportionate cost.

## TREASURY

### 10 Pence Starting Rate

14. **Mr. John Smith:** To ask the Chancellor of the Exchequer when he plans to introduce the 10 pence starting rate of income tax. [72426]

**Dawn Primarolo:** The Government will introduce a 10 pence starting rate of income tax when it is economically right to do so. The Chancellor made this clear in his statement on the pre-Budget report. The new rate will be incorporated in the income tax system in the way that best meets the Government's objectives of improving work incentives and promoting a fair and efficient tax system.

### Economic Policy

15. **Mr. Cousins:** To ask the Chancellor of the Exchequer if he will make a statement on the ways in which tax, spending and monetary policy are co-ordinated. [72427]

**Mr. Milburn:** Effective monetary and fiscal policy co-ordination is assured by setting out policy objectives in an open and transparent way and through the Treasury observer at MPC meetings. The success of the arrangements is demonstrated by the fact that inflation is close to target, the public finances are in sound order and long-term interest rates are around their lowest level for 40 years.

### Euro

16. **Sir Michael Spicer:** To ask the Chancellor of the Exchequer what is the Government's policy with respect to the exchange rate between sterling and the euro. [72428]

**Ms Hewitt:** The Government's policy is for a stable and competitive sterling-euro exchange rate over the medium term, consistent with the objective of price stability.

26. **Mr. Gapes:** To ask the Chancellor of the Exchequer if he will make a statement on preparations for eventual British membership of the eurozone. [72441]

**Ms Hewitt:** I refer my hon. Friend to the oral statement given by my right hon. Friend the Prime Minister on 23 February 1999, *Official Report*, columns 179–84.

27. **Mrs. Ellman:** To ask the Chancellor of the Exchequer what steps he has taken to help business adjust to the introduction of the euro. [72442]

**Ms Hewitt:** The Treasury has run a major information and direct mail campaign for the 1.6 million small and medium sized enterprises (SMEs) with a business telephone line. We have established twelve regional euro forums to take forward preparations at a local level. Firms can now also pay taxes, file accounts, issue and redenominate shares and receive certain grants in euro.

The Government's business information campaign was highly successful and resulted in over 350,000 copies of the Treasury's business factsheets being requested by UK firms and intermediaries. In addition, three quarters of a million factsheet leaflets have been requested and there have been three and a half million "hits" on our euro website.

**Mr. Mitchell:** To ask the Chancellor of the Exchequer what discussions he has had with *(a)* the EU Commission and *(b)* the Council of Ministers about how the rate of entry for sterling joining the euro will be fixed. [74130]

**Ms Hewitt:** The procedure for adopting the exchange rate at which sterling would be fixed irrevocably against the euro, should the UK decide to join the single currency, is set out in Article 109L(5) of the Treaty.

### Fuel Tax

17. **Mr. Nicholas Winterton:** To ask the Chancellor of the Exchequer what recent representations he has received from the transport and road haulage industry about tax on fuel. [72429]

**Ms Hewitt:** The Government have received a number of representations from the Road Haulage industry about the tax on fuel. Representations have been received directly from the Freight Transport Association, the Road Haulage Association and the Automobile Association. In addition many haulage operators have written to their Members of Parliament who have passed the letters on to Government Ministers.

All of the representations received will be carefully considered in the run up to the Budget on 9 March and it would be inappropriate for me to comment further at this stage.

20. **Mr. Ian Bruce:** To ask the Chancellor of the Exchequer what assessment he has made of the effect of the fuel tax escalator on the viability of the UK transport industry. [72433]

**Ms Hewitt:** The viability and competitiveness of the UK transport industry is taken into account when setting road fuel duty rates.

22. **Sir Sydney Chapman:** To ask the Chancellor of the Exchequer what is his latest estimate of the revenue which the Exchequer will receive in 1998–99 from the taxation of motor fuels; and what were the figures for the previous three years. [72435]

**Ms Hewitt:** The latest forecast for the receipts from all hydrocarbon oil duties for 1998–99 is £21.8 billion.

As set out in Table K2 of the Customs and Excise Annual Report, receipts from duty on motor fuels for the previous three years were £15,436 million in 1995–96, £16,928 million in 1996–97 and £19,246 million in 1997–98.

35. **Mr. Syms:** To ask the Chancellor of the Exchequer what representations he has received from motoring organisations on his policy of increasing petrol and diesel prices each year. [72451]

**Ms Hewitt:** The Government have received representations from the Automobile Association about the policy of increasing petrol and diesel prices each year.

The representations will be carefully considered in the run up to the Budget on 9 March and it would be inappropriate for me to comment further at this stage.

### Working Families Tax Credit

18. **Mr. Nigel Griffiths:** To ask the Chancellor of the Exchequer if he will estimate the number of low-income families in *(a)* the United Kingdom and *(b)* Scotland who will benefit from the working families tax credit. [72430]

**Dawn Primarolo:** We estimate that in the first full year, 1.3 million families in the UK will benefit from the help given by the Working Families Tax Credit and of these 130,000 of them will be families in Scotland.

### Beer Duty

19. **Mr. Gill:** To ask the Chancellor of the Exchequer what representations he has received regarding duties on beer. [72431]

**Mrs. Roche:** Treasury Ministers receive many representations about beer duty including letters from members of the public. In the run up to the Budget formal submissions have been received from the Brewers and Licensed Retailers Association, the Society of Independent Brewers and the Campaign for Real Ale.

### Exchequer Share of GDP

21. **Mr. Townend:** To ask the Chancellor of the Exchequer what proportion of GDP was represented by all taxes and national insurance in *(a)* 1996–97 and *(b)* 1997–98; and what is his forecast for 1998–99. [72434]

**Mr. Milburn:** The ratio of net taxes and social security contributions to GDP was 35.4 per cent. in 1996–97 and 36.4 per cent. in 1997–98. The new forecast for 1998–99 will be published on 9 March with the Budget.

### Inflation Target

23. **Mrs. Humble:** To ask the Chancellor of the Exchequer if he will make a statement on progress made towards meeting his inflation target. [72436]

**Ms Hewitt:** The success of the new monetary framework is demonstrated by the fact that inflation is close to its target, long-term interest rates are around their lowest level for 40 years and inflation expectations have fallen.

### Public Investment

24. **Ms Lawrence:** To ask the Chancellor of the Exchequer what plans he has to increase public investment over the next three years. [72437]

**Mr. Milburn:** The Government intend to double net public investment by 2002.

30. **Mr. Laxton:** To ask the Chancellor of the Exchequer what representations he has received on his plans for increasing public investment over the next three years. [72446]

**Mr. Milburn:** My right hon. Friend receives representations from many organisations and individuals about public investment, which is set to rise over the next three years from £4.3 billion net in 1998–99 to £10.8 billion in 2001–02. This extra investment will help reverse the decline in net wealth and deliver improved public services in health and education.

### Money Purchase Pension Schemes

25. **Mr. Sawford:** To ask the Chancellor of the Exchequer if he will review the operation of money purchase pension schemes. [72438]

**Ms Hewitt:** The Treasury and DSS published a consultation document—"Helping to Deliver Stakeholder Pensions: Flexibility in Pension Investment"—on 3 February. It proposes a new financial instrument which will be suitable for all money purchase pension schemes including stakeholder pensions.

### Domestic Tourism (VAT)

28. **Mr. Quinn:** To ask the Chancellor of the Exchequer if he will make a statement on the VAT regime as it is applied to the tourism and hospitality industry in the United Kingdom. [72444]

**Dawn Primarolo:** Most tourist services, including hotel and holiday accommodation, are subject to VAT at 17.5 per cent. However, no VAT is levied on public transport, printed matter and many items of food, and tourists also benefit from this. Additionally, many small businesses in the tourist industry are not VAT registered and thus charge no VAT at all to their customers.

### Business (Tax Burden)

29. **Mr. Peter Bottomley:** To ask the Chancellor of the Exchequer what representations he has received regarding the tax burden on business. [R] [72445]

**Mrs. Roche:** The Chancellor has received a number of representations on a variety of subjects, including tax.

### Building Societies

31. **Dr. Cable:** To ask the Chancellor of the Exchequer what analysis the Government have made of the long-term advantages of a substantial mutual building society sector. [72447]

**Ms Hewitt:** The Government are aware of a number of studies in this field.

### Credit Unions

32. **Mr. Fabian Hamilton:** To ask the Chancellor of the Exchequer what support the Treasury is giving to local credit unions; and if he will make a statement. [72448]

**Ms Hewitt:** The Treasury does not provide direct support to credit unions, but is responsible for their legislative framework. The Treasury is currently consulting on proposals to remove some of the restrictions on their powers, and established a task force to consider how banks and building societies could assist credit unions. I also await the report of a policy action team which is looking at other ways to help their development.

### Savings Ratio

33. **Mr. Swayne:** To ask the Chancellor of the Exchequer what account he takes of the savings ratio in policy decisions. [72449]

**Ms Hewitt:** The Government are aiming to promote economic stability and part of this strategy is to avoid large cyclical swings in the saving ratio such as those seen in the late 1980s and early 1990s.

### Road Haulage Taxes

34. **Mrs. Ann Winterton:** To ask the Chancellor of the Exchequer what representations he has received from the road haulage industry on the levels of vehicle excise duty and fuel tax. [72450]

**Ms Hewitt:** The Government have received a number of representations from the road haulage industry about vehicle excise duty and fuel tax. Representations have been received directly from the Freight Transport Association, the Road Haulage Association and the Automobile Association. In addition Government Ministers have received letters from other Members of Parliament and from individual haulage operators.

All of the representations received will be carefully considered in the run up to the Budget on 9 March and it would be inappropriate for me to comment further at this stage.

### Exports

36. **Mr. Day:** To ask the Chancellor of the Exchequer what estimate he has made of the value of the United Kingdom's exports in the last 12 months to countries that are currently in recession. [72452]

**Ms Hewitt:** A quarter of the world is in recession and no country is immune from the effects of the current instability in the world economy. For example, in the three months to January, the value of UK exports to Japan and South Korea were down 25 per cent. on a year earlier, and even larger falls have been seen in exports to various other crisis-bound economies in Asia and elsewhere. But as a result of the tough and decisive action the Government has taken, Britain is now better placed to steer a course of stability in an uncertain and unstable world.

### Census (2001)

**Ms Lawrence:** To ask the Chancellor of the Exchequer when the Government's proposals for the 2001 Census of Population will be published; and if he will make a statement. [75406]

**Ms Hewitt:** The Government have decided that, subject to appropriate legislative approval, a Census of Population should be taken throughout the United Kingdom in 2001; the proposed date is Sunday 29 April. Further details are published today in "The 2001 Census of Population" (Cm 4253), which I have presented to Parliament jointly with my right hon. Friends the Secretaries of State for Scotland and for Northern Ireland.

In April this year the Census Offices will conduct a Census Rehearsal with the aim of making sure that the procedures for delivery and collection of the census forms, and the systems for processing the data and producing outputs, will be effective. The Census Rehearsal will also be used as the final opportunity to assess public reaction to the proposed census questions.

After evaluation of the 1999 Census Rehearsal results, the Government in Westminster will prepare a draft Order in Council with respect to the Census in England and Wales and will lay it before Parliament for approval in accordance with the Census Act 1920. As a result of devolution, it will be for the Scottish Parliament to make the necessary specific arrangements for the conduct of the Census in Scotland. In Northern Ireland, the arrangements for the Census there will be made by the local administration.

### Employee Transport

**Mr. Peter Bradley:** To ask the Chancellor of the Exchequer if he will remove the tax burden on employers providing public transport for their work force; and if he will make a statement. [72439]

**Dawn Primarolo:** I have noted my hon. Friend's suggestions.

### Illegal Drugs (Devon and Cornwall)

**Mr. Steen:** To ask the Chancellor of the Exchequer what amounts of illegal drugs have been seized by Customs and Excise in Devon and Cornwall over the last five years. [73651]

**Dawn Primarolo** *[holding answer 1 March 1999]:* Over the last five financial years (up to and including 24 February 1999), Customs and Excise has seized some 31,625 kgs of illegal drugs in Devon and Cornwall.

**Mr. Steen:** To ask the Chancellor of the Exchequer what steps he plans to take to increase the level of Class B drug seizures by Customs and Excise in Devon and Cornwall over the next two years. [73654]

**Dawn Primarolo** *[holding answer 1 March 1999]:* Customs measure their effectiveness in the fight against drugs smuggling by concentrating on the drugs prevented from entering the UK and on the number of trafficking organisations disrupted and dismantled rather than on the level of seizures and the Department does not, therefore, plan on the basis of seizures made either nationally or locally.

### Drug Sniffer Dog Unit, Plymouth

**Mr. Steen:** To ask the Chancellor of the Exchequer how many dogs there were in the Drug Sniffer Dog Unit at Plymouth prior to its closure. [73652]

**Dawn Primarolo** *[holding answer 1 March 1999]:* The Customs drugs dog unit at Plymouth comprises of three dogs. The unit is still operational. Customs managers in the south-west are currently reviewing the local deployment of anti-smuggling resources; closure is only one of a number of options currently being considered.

### Zimbabwe

**Mr. Maclean:** To ask the Chancellor of the Exchequer what official visits he, his Ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73465]

**Ms Hewitt:** No Treasury ministers have visited Zimbabwe on official business since May 1997. There are no central records of official travel by Treasury officials and the information requested could be provided only at disproportionate cost.

### Debt Relief

**Miss Geraldine Smith:** To ask the Chancellor of the Exchequer what assessment he has made of CAFOD's proposals for the relief of debt. [74265]

**Ms Hewitt:** The Chancellor took into account the views of CAFOD, among others, in his recent proposals to deliver faster, deeper and wider debt relief to heavily indebted poor countries.

## DEFENCE

### Defence Secondary Care Agency

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Defence Secondary Care Agency; and what was the figure at the time of its establishment. [72795]

**Mr. Spellar:** This is a matter for the Chief Executive of the Defence Secondary Care Agency. I have asked the Chief Executive to write to the hon. Member.

*Letter from Major General C. G. Callow to Mr. Mike Hancock, dated 4 March 1999:*

I am replying to your Question to the Secretary of State for Defence about how many people are currently employed by the Defence Secondary Care Agency and what was the figure at the time of its establishment. This matter falls within my area of responsibility as Chief Executive of the DSCA.

The Agency was launched on 30 April 1996, bringing together all the single Service elements of the Defence Medical Services. We do not have available a staffing total of sufficient accuracy for that day. However, our Annual Report for the year 1996/97 records the average total number of military and civilian personnel within the DSCA as 2,519.

We now have a total of 2,504 personnel currently employed in the Agency.

### Army Aircraft Crashes

**Mr. Hancock:** To ask the Secretary of State for Defence what were the attributed causes of each Army aircraft crash in the last five years. [72934]

**Mr. Spellar:** There have been a total of 13 Army aircraft accidents during the period 1 January 1994 to 31 December 1998. A list of these accidents and attributable cause is shown in the table.

| Date | Aircraft | Location | Cause |
|---|---|---|---|
| 19 March 1994 | Lynx | Crossmaglen | NOR |
| 10 April 1994 | Lynx | Portadown | HF(A) |
| 23 July 1994 | Lynx | Crossmaglen | HF(A) |
| 22 September 1994 | Lynx | Mendig Germany | TF |
| 11 November 1994 | Gazelle | Middle Wallop | HF(A) |
| 20 August 1995 | Lynx | Ploce Croatia | HF(A) |
| 3 April 1996 | Lynx | Crossmaglen | HF(N) |
| 7 September 1996 | Lynx | Stafford | TF |
| 3 October 1996 | Gazelle | Belize | HF(N) |
| 14 March 1997 | Gazelle | Middle Wallop | HF(O) |
| 28 September 1997 | Gazelle | Carlisle | HF(A) |
| 12 March 1998 | Gazelle | Nanyuki Kenya | HF(A) |
| 22 December 1998 | Lynx | Gornji Vakuf Bosnia | — |

BOI not yet finalised

Key:
NOR Natural and Operating Risks
HF(A) Human Factor—Aircrew
HF(N) Human Factor—Non Aircrew
HF/O Human Factor—Organisational Fault
TF Technical Fault

### Defence Agencies

**Mr. Hancock:** To ask the Secretary of State for Defence when he will set targets for the *(a)* Army Base Storage and Distribution Agency and *(b)* Army Personnel Centre for the year 1999–2000. [72804]

**Mr. Spellar** *[holding answer 24 February 1999]:* I will publish targets for the Army Personnel Centre, APC, for the year 1999–2000 by the end of April 1999.

The Army Base Storage and Distribution Agency will cease to exist after 31 March 1999. Following the Strategic Defence Review, a new, tri-Service Defence Storage and Distribution Agency will be established from 1 April 1999. The new Agency's Key Targets will also be published in April this year.

### Defence Analytical Services Agency

**Mr. Hancock:** To ask the Secretary of State for Defence which targets the Defence Analytical Services Agency did not meet in 1997–98; and what monitoring he has undertaken for those targets in 1998–99. [71903]

**Mr. Spellar** *[holding answer 25 February 1999]:* The Defence Analytical Services Agency (DASA) met all its Key Targets in 1997–98. The performance of DASA is monitored by the Owner's Advisory Board which is chaired by the Owner—the department's Principal Finance Officer—and consists of customer representatives and external advisers. The Chief Executive of DASA has frequent formal and informal meetings with the Owner to report on progress during the year and submits periodic written reports on progress against targets. The Owner acts for the Secretary of State in overseeing the performance of the agency.

### Gun and Rocket Propellant

**Mr. Maples:** To ask the Secretary of State for Defence if he will publish the Defence Scientific Advisory Committee's 1997 report on the manufacture of gun and rocket propellant in the UK. [73393]

**Mr. Spellar** *[holding answer 26 February 1999]:* No. I am withholding publication under Exemptions 2 and 13 of the Code of Practice on Access to Government Information.

### Nuclear Tests (India and Pakistan)

**Mr. Baldry:** To ask the Secretary of State for Defence if he will make a statement on the actions taken by his Department further to the testing of nuclear devices by *(a)* India and *(b)* Pakistan. [73978]

**Mr. Spellar:** I refer the hon. Member to the reply given by my hon. Friend the Minister of State, Foreign and Commonwealth Office on 2 March 1999, *Official Report*, column 685. In support of the policy set out there my Department has reviewed and strengthened its procedures to ensure that no defence-sponsored training is provided to Indian or Pakistani nationals that might contribute to the development of nuclear weapons or their means of delivery.

### Military Exercises

**Mr. Hancock:** To ask the Secretary of State for Defence (1) what assessment he has made of the benefits of the combined maritime and air exercise in Malaysia carried out between 1 April 1997 and 31 March 1998; [72846]

(2) what assessment he has made of the combined maritime and air exercise in Malaysia carried out between 1 April 1997 and 31 March 1998; [72837]

(3) how many personnel were deployed on the combined maritime and air exercise in Malaysia carried out between 1 April 1997 and 31 March 1998; [72970]

(4) if he will list those countries which had armed forces involved in the combined maritime and air exercises in Malaysia carried out between 1 April 1997 and 31 March 1998. [72974]

**Mr. Spellar** *[holding answer 1 March 1999]:* The Royal Air Force (RAF) and the Royal Navy (RN) participated in Exercise FLYING FISH 97, which took place in Malaysia as part of the Five Power Defence Arrangements (FPDA), between 12–30 April 1997. The RAF deployed 450 personnel specifically to participate in this exercise. In addition, the RN had a number of ships in the area, taking part in Exercise OCEAN WAVE, from which approximately 1,900 personnel participated in Exercise FLYING FISH. The other armed forces participating were from New Zealand, Australia, Malaysia and Singapore. Exercise FLYING FISH was the first of a new series of multinational tri-service exercises conducted under the auspices of the FPDA. The UK made the largest contribution to the exercise and also provided the command platform from which the exercise was controlled. The exercise improved the operational capability of UK forces which might need in future to deploy to the Asia-Pacific region in support of the FPDA. It also demonstrated the UK's capability to operate and sustain a RAF and RN deployment over large distances from the UK, and our ability to co-operate effectively with our other FPDA partners.

**Mr. Hancock:** To ask the Secretary of State for Defence (1) how many personnel were deployed on the two desert exercises in Jordan carried out between 1 April 1997 and 31 March 1998; [72826]

(2) what was the cost of the two desert exercises in Jordan carried out between 1 April 1997 and 31 March 1998. [72827]

**Mr. Spellar** *[holding answer 1 March 1999]:* Nine hundred and ninety seven UK servicemen were deployed on the two desert exercises conducted in Jordan in September and October 1997. The in-theatre cost of the exercises was £1.7 million, excluding the cost of ammunition and of spares consumed during the exercise which are not readily identifiable.

**Mr. Hancock:** To ask the Secretary of State for Defence (1) what assessment he has made of the benefits of the brigade exercise in Poland carried out between 1 April 1997 and 31 March 1998; [72832]

(2) what assessment he has made of the brigade exercise in Poland carried out between 1 April 1997 and 31 March 1998. [72834]

(3) what was the cost of the brigade exercise in Poland carried out between 1 April 1997 and 31 March 1998. [72973]

**Mr. Spellar** *[holding answer 1 March 1999]:* Participation in Exercise ULAN EAGLE, which took place at the Drawko-Pomorskie training area in North East Poland in October 1997, was intended to give 20 Armoured Brigade training experience in warfighting at formation level, and to increase the readiness state of Brigade. The exercise is assessed to have achieved its aims. The cost of the exercise was £3.4 million, including movement costs to and from Poland but excluding the cost of ammunition and of spares consumed during the exercise.

### Press and Broadcasting Advisory Committee

**Mr. Mitchell:** To ask the Secretary of State for Defence to whom the Secretary of the Defence, Press and Broadcasting Advisory Committee is responsible. [74311]

**Mr. George Robertson:** The Secretary of the Defence, Press and Broadcasting Advisory Committee is responsible to the Committee as a whole; that is the Government Members and Press and Broadcasting Members alike. His accountability was included in Open Government Document No. 93/06, which was published when the old D Notices were replaced by the current Defence Advisory Notices on 1 August 1993. A copy of the OGD was placed in the House of Commons Library on 23 July 1993.

### Executive Agencies

**Mr. Mitchell:** To ask the Secretary of State for Defence to what extent the Ministry of Defence Police Agency is answerable to him. [74310]

**Mr. George Robertson:** The MOD Police is an Agency of the Ministry of Defence and the Secretary of State for Defence has ultimate responsibility for determining the size, policy and resources framework within which the Agency operates, acting through the MOD Police Committee. The Chief Constable has, however, exclusive statutory authority for the professional direction and control of MOD Police officers and the Force is independent from political or Departmental influence in the maintenance and operation of the law.

### Gurkhas

**Mr. Burnett:** To ask the Secretary of State for Defence what plans he has to discuss with the Indian Government a review of pensions paid to retired Gurkhas who have served with the British and Indian armies. [74128]

**Mr. Spellar:** Gurkha pensions are paid in accordance with the 1947 Tri-Partite Agreement between the UK, India and Nepal and are linked to the Indian Army pension code. Last year a review took place, incorporating the 1996 Indian Government 5th Pay Commission, which resulted in substantial rises for all our 26,000 British Gurkha pensioners and their families. The pension increases resulting from this review have been backdated to 1 January 1996. We have no current plans to hold discussions with the Indian Government on the issue of Gurkha pensions.

### Jungle Training Exercise (Thailand)

**Mr. Hancock:** To ask the Secretary of State for Defence which countries had armed forces involved in the jungle training exercise in Thailand carried out between 1 April 1997 and 31 March 1998. [72848]

**Mr. Spellar** *[holding answer 2 March 1999]:* Thailand and the United Kingdom.

**Mr. Hancock:** To ask the Secretary of State for Defence what assessment he has made of the jungle training exercise in Thailand carried out between 1 April 1997 and 31 March 1998. [72851]

**Mr. Spellar** *[holding answer 2 March 1999]:* This exercise, involving a company of Royal Marines, was intended to maintain and develop their capability to conduct operations in a jungle environment. It was assessed to have succeeded in its aim.

### Duke of York's Military School

**Mr. Hancock:** To ask the Secretary of State for Defence when he expects to set targets for the Duke of York's Military School for 1999-2000. [72986]

**Mr. Spellar** *[holding answer 2 March 1999]:* I expect to set targets for the Duke of York's Military School by the end of April 1999.

### Alpine Avalanches

**Mr. Key:** To ask the Secretary of State for Defence what assistance he has offered to the Austrian and French authorities following avalanche emergencies in the Alps in the last 12 months. [74136]

**Mr. George Robertson** *[holding answer 2 March 1999]:* During the recent avalanche emergency in Austria, the Austrian authorities requested help from nations in the form of medium lift helicopters. This was the first request of its type in the last 12 months that we have received from either Austrian or French authorities. Our offer of a Puma helicopter was not required as lift from nations with nearer military bases was more readily available.

### Landmine Clearance

**Mr. Loughton:** To ask the Secretary of State for Defence how many serving members of Her Majesty's armed forces qualified in landmine clearance are currently involved in mine clearance operations; where they are serving; and to whom they are on secondment. [74207]

**Mr. George Robertson** *[holding answer 2 March 1999]:* In total 59 personnel are involved in, or training for, mine clearance operations, as follows:

Geneva Centre for International Humanitarian Demining—One Officer as technical adviser;

Bosnia Mine Action Centre (Mostar)—One Officer as technical adviser;

UN Development Programme (New York)—One Officer on Training Study Team;

UK Mine Information and Training Centre, Minley—Three personnel;

Falklands Islands Explosive Ordnance Destruction detachment—Six personnel;

Bosnia Stabilisation Force—46 personnel involved in co-ordination of mine clearance, emergency disposal of mines and unexploded ordnance, and mine awareness training;

Kosovo—One officer in Organisation for Security and Co-operation in Europe Mine Action Cell.

**Mr. Loughton:** To ask the Secretary of State for Defence what plans he has to extend the use of serving members of Her Majesty's armed forces in landmine clearance work overseas. [74208]

**Mr. George Robertson** *[holding answer 2 March 1999]:* As part of the programme to increase the Ministry of Defence's contribution to humanitarian de-mining, which I announced on 27 October 1997, *Official Report,* columns 609-20, we have offered up to five additional military personnel to the United Nations in support of de-mining projects overseas.

### Deployment

**Mr. Keith Simpson:** To ask the Secretary of State for Defence what is the current proportion of *(a)* the Army and *(b)* Land Command, (i) committed and (ii) warned to deploy for operations. [74058]

**Mr. Spellar** *[holding answer 2 March 1999]:* The information requested is as follows:

*percentage*

| | *Committed to operations* | *Warned to deploy on operations* |
|---|---|---|
| Army personnel | 35.6 | 20.4 |
| Land Command personnel | 54.6 | 31.3 |

### Ministry of Defence Police

**Mr. Hancock:** To ask the Secretary of State for Defence how many people are currently employed by the Ministry of Defence Police; and what was the figure ten years ago. [72991]

**Mr. Spellar** *[holding answer 3 March 1999]:* This is a matter for the Chief Executive of the Ministry of Defence Police. I have asked the Chief Executive to write to the hon. Member.

*Letter from Walter Boreham to Mr. Mike Hancock, dated 4 March 1999:*

I am replying to your Question to the Secretary of State for Defence about the complement of the Ministry of Defence Police, both the current manning levels and those of ten years ago, as this falls into my area of responsibility as Chief Constable/Chief Executive of the Ministry of Defence Police Agency.

The strength for the Ministry of Defence Police on 23rd February 1999 was 3,609 with 245 civilian support staff. The strength figure of 1st May 1989 was 4,613 and 92 civilian staff.

### Army District Organisations

**Mr. Grogan:** To ask the Secretary of State for Defence if he will make a statement on the restructuring of the Army district organisation in the United Kingdom. [75407]

**Mr. Doug Henderson:** I announced on 28 October 1998, *Official Report,* columns 360-67, that, subject to consultation with the Trades Unions, we planned to restructure the Army district organisation to produce a more effective and efficient framework for the administration of Army units in the United Kingdom. Following this consultation, I am now able to confirm that the restructuring will proceed as follows: the number of regional districts will reduce from six to three, covering Scotland and the North of England, Wales and the West of England and South-East England. Divisional headquarters for the higher administration of Army units in these regions will be at Craigiehall near Edinburgh, Shrewsbury and Aldershot. These reforms will also mean that the headquarters of the 3rd Division, based at Bulford in Wiltshire, will be freed of its regional administrative responsibilities and able to concentrate on its operational role including the command of its deployable units throughout the country. In addition, the London District headquarters will reduce to the status of a brigade headquarters and the headquarters of 43 (Wessex) Brigade will be transferred from Exeter to Bulford.

As I announced on 2 March 1999, *Official Report,* column 657, units of the Defence Vetting Agency which are currently widespread around the country will be collocated at Imphal Barracks, York, making use of space vacated by the headquarters 2nd Division.

### Lobbyists

**Mr. Flynn:** To ask the Secretary of State for Defence if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74352]

**Mr. George Robertson:** Professional lobbyists have no role in formulating policy within the Ministry of Defence.

### Defence Diplomacy

**Mr. Keith Simpson:** To ask the Secretary of State for Defence if he will publish the budget for defence diplomacy for 1999–2000. [74655]

**Mr. George Robertson:** The budget for centrally funded Defence Diplomacy activities for 1999–2000 will be found from within the Defence Military Assistance Fund (DMAF). The planned DMAF budget for the next financial year will be around £16 million. This represents an increase of some £5 million over 1998–99. The enhancement is specifically intended to fund additional Defence Diplomacy initiatives.

No decision has yet been taken on the final allocation of the DMAF for 1999–2000, but the majority will be utilised to fund Defence Diplomacy-related activities. The remainder will subsidise military assistance under the Support to Wider British Interests Mission.

Top Level Budget Holders also fund activities undertaken as part of the Defence Diplomacy Mission. Figures for these activities are not identified separately.

**Mr. Keith Simpson:** To ask the Secretary of State for Defence by what means his Department assesses the impact of defence diplomacy. [74654]

**Mr. George Robertson:** We are developing a range of Defence Diplomacy objectives that will be embedded in the Department's planning process. Performance against those objectives will be assessed for each of the management areas concerned. In addition, a Committee chaired by the Deputy Policy Director has been created to oversee the implementation of Defence Diplomacy activities.

### Chief of Defence Logistics

**Mr. Keith Simpson:** To ask the Secretary of State for Defence if he will list the planned budget and total staff of the Chief of Defence Logistics after 1 April 2000. [74652]

**Mr. George Robertson:** The Defence Logistics Organisation (DLO), under the leadership of the Chief of Defence Logistics (CDL), will form on 1 April 1999. It will combine the three existing single-service logistics organisations, and headquarters logistic staff currently based in London, into a fully integrated logistics organisation. CDL will operate as a Top Level Budget Holder.

Detailed budgetary allocations to individual budget holders in the Ministry of Defence are made only one year in advance. Details for 1999–2000 will appear in the forthcoming Supply Estimates for that year and in the supporting information published alongside the Government Expenditure Plans. But, in broad terms, our plans for the financial year 2000–2001 envisage cash expenditure of the order of £4.5 billion in CDL's area of responsibility. The detailed budget will be published next year in Supply Estimates for 2000–2001.

Work continues to determine the structure of the unified DLO post 1 April 2000, however, initial staff numbers will be broadly comparable to the sum of the three Principal Administrative Officers' organisations which, as published in the UK Defence Statistics 1998, number some 41,400.

### Unified Defence Logistics Organisation

**Mr. Keith Simpson:** To ask the Secretary of State for Defence what logistical responsibilities and budgets will be left to the individual services following the implementation of a unified defence logistics organisation after 1 April 2000. [74648]

**Mr. George Robertson:** Following the implementation of the unified defence logistics organisation, the individual services will retain responsibility (including the budgets) for logistics at the Front-line.

### Defence Strategic Plan

**Mr. Keith Simpson:** To ask the Secretary of State for Defence when he intends publishing his Department's annual Defence Strategic Plan. [74657]

**Mr. George Robertson:** The Defence Strategic Plan is a classified document and is therefore not published.

### Strategic Defence Review

**Mr. Keith Simpson:** To ask the Secretary of State for Defence what arrangements are in place to enable the Defence Council to exercise collective ownership of the implementation of the Strategic Defence Review. [74656]

**Mr. George Robertson:** Implementation of the Strategic Defence Review is discussed regularly at meetings of the Defence Council.

**Mr. Keith Simpson:** To ask the Secretary of State for Defence what are the key milestones and timetables for deliverance of the Strategic Defence Review implementation. [74646]

**Mr. George Robertson:** Key targets for the Department and a timetable for achieving them, reflecting the outcome of the Strategic Defence Review, were set out in the Ministry of Defence's Public Service Agreement, published in December.

A number of key milestones in the implementation of the Strategic Defence Review have already been achieved, including: decisions on the command structure, location and timetable for the establishment of a Joint Helicopter Command involving battlefield helicopters of all three Services, and a Joint RN/RAF Harrier force (Joint Force 2000); detailed decisions on the restructuring of the TA; the establishment of a Veterans Advice Unit and an inter-Departmental Services Families Task Force; plans for the reorganisation and enhancement of the Defence Medical Services; and the trialling of the principles of Smart Procurement through pilot Integrated Project Teams in the Procurement Executive and the logistics area.

Over the coming weeks, I anticipate being able to announce further significant achievements in the implementation of SDR measures.

**Mr. Keith Simpson:** To ask the Secretary of State for Defence what practical measures he plans to take to ensure that the implementation of the Strategic Defence Review is an open and transparent process. [74658]

**Mr. George Robertson:** We have sought to ensure that the openness which characterised the conduct of the Strategic Defence Review continues in its implementation. We have consulted widely within the Department, with the Trades Unions and with affected local authorities on implementation of individual aspects, and will continue to do so. Where appropriate (for example, in taking forward the Smart Procurement initiative) we have involved defence industry. We consulted widely on the detailed implementation of TA restructuring and on the restructuring and enhancement of the Defence Medical Service before taking decisions. I held a seminar at RUSI on 22 October 1998 to discuss the Review with journalists, academics and other

interested parties. We have kept Parliament informed as implementation of individual aspects progresses and will report further in the Defence White Paper later in the year.

## FOREIGN AND COMMONWEALTH AFFAIRS

### Sierra Leone Report

**Mr. Wilshire:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) when and how he was made aware of certain key conclusions of the Foreign Affairs Committee on Sierra Leone; [73702]

(2) by what means the copy of the draft report of the Foreign Affairs Committee Sierra Leone inquiry which was sent in the second week in January was delivered to his office; [73574]

(3) when *(a)* he and *(b)* his Ministers first saw the copy of the draft report of the Foreign Affairs Committee Sierra Leone inquiry sent to his office during the second week of January; and what he did with the draft report; [73576]

(4) what use was made by *(a)* him, *(b)* his Ministers, *(c)* his Department's PPSs, *(d)* advisers and *(e)* officials of the draft report of the Foreign Affairs Committee on Sierra Leone; [73704]

(5) with whom, and when, he discussed the draft report of the Foreign Affairs Committee Sierra Leone inquiry which was sent in the second week in January; [73575]

(6) when *(a)* the Minister who signed the written answer to the hon. Member for Chesham and Amersham (Mrs. Gillan) of 16 February 1999, *Official Report*, column *751*, and *(b)* the officials who drafted the written answer first learnt of the fact that a copy of the draft report had been received in his Department; [73636]

(7) how many copies were made of the leaked Foreign Affairs Committee documents relating to the committee's Sierra Leone inquiry; and to whom they were circulated; [73709]

(8) who received the fax containing the leaked Foreign Affairs Committee document received in the second week of January; and if he will list the *(a)* officials and *(b)* Ministers who had sight of the document; [73939]

(9) with which other members of the Government *(a)* he and *(b)* his Ministers discussed the existence of leaked Foreign Affairs Committee documents before the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd) agreed to the answer to the question from the hon. Member for Chesham and Amersham (Mrs. Gillan) of 23 February 1999, *Official Report*, columns *259-60*; [73911]

(10) in which office the fax machine that received the leaked Foreign Affairs Committee document relating to the committee's Sierra Leone Inquiry was located; [73936]

(11) when *(a)* he, *(b)* any of his Ministers, *(c)* his officials, *(d)* his advisers and *(e)* his departmental parliamentary private secretaries first discussed leaked Foreign Affairs Committee documents relating to the Committee's Sierra Leone inquiry with the hon. Member for Dundee, West (Mr. Ross); [73897]

(12) if he will place in the Library the original fax of the leaked Foreign Affairs Committee document relating to the committee's Sierra Leone Inquiry; [73937]

(13) when *(a)* he, *(b)* his Ministers, *(c)* his officials, *(d)* his advisers and *(e)* his departmental parliamentary private secretaries first knew that the hon. Member for Dundee, West (Mr. Ross) was the source of the leaked documents relating to the Foreign Affairs Committee's Sierra Leone inquiry; [73896]

(14) how many pages long the faxed document was containing the draft Foreign Affairs Committee report on the Sierra Leone inquiry which was received during the second week in January; [73938]

**Mr. Woodward:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd), his PPS, his advisers, or civil servants, had sight of or discussions about the Foreign Affairs Committee's Sierra Leone (i) report, (ii) draft report and (iii) amendments or selected details of the draft or final version before 8 am on Tuesday 9 February; [73699]

(2) who was responsible for the leaks to him subsequent to the leak of the full draft of the Foreign Affairs Committee report on Sierra Leone; [73696]

(3) what action he took to report to the House the leak of the key conclusions of the Foreign Affairs Committee on Sierra Leone referred to in his answer to the hon. Member for Chesham and Amersham (Mrs. Gillan), 23 February 1999, *Official Report*, columns *259–60*; [73701]

(4) who in his office saw the leaked draft of the Foreign Affairs Committee's report on Sierra Leone; if it was discussed with him; and if it was discussed with or shown to other Ministers, PPSs, civil servants or special advisers; [73698]

(5) what actions he took when he received the leaked draft report of the Foreign Affairs Committee on Sierra Leone in the second week of January; and what actions he took when he received subsequent leaks of the report's key conclusions; [73697]

(6) what actions he took to report the leak of the draft report of the Foreign Affairs Committee on Sierra Leone to *(a)* the House and *(b)* the Committee. [73700]

**Mr. Garnier:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will specify the dates and times of all the discussions he held with his Permanent Secretary about the draft report between its receipt in the Foreign and Commonwealth Office and the publication of the Committee's report; [74287]

(2) if he will identify the Minister, official or special adviser whose office fax machine received the draft copy of the Foreign Affairs Committee's report on Sierra Leone from the hon. Member for Dundee, West (Mr. Ross); [74286]

(3) when the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd), informed the Chairman of the Foreign Affairs Committee that (i) he and (ii) members of his official and political staff had received a copy of the draft report on Sierra Leone; [74290]

(4) when he first informed the Chairman of the Foreign Affairs Committee that (i) he and (ii) members of his official and political staff had received a copy of the draft report on Sierra Leone. [74289]

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what action he took when he discovered that the Foreign Affairs Committee's draft report on Sierra Leone had been passed to his office in January; [73631]

(2) when *(a)* he, *(b)* Ministers, *(c)* his Department's officials and *(d)* special advisers first saw a copy of the draft report from the Foreign Affairs Committee on Sierra Leone; [73635]

(3) how long after receiving *(a)* the leaked draft and *(b)* the leaked key conclusions of the Foreign Affairs Committee report on Sierra Leone he informed the Permanent Secretary that these documents were in his possession; [74327]

(4) how he indicated to the hon. Member for Dundee, West (Mr. Ross) that he had received the leaked draft copy of the report by the Foreign Affairs Committee on Sierra Leone; [74330]

(5) what account the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd), took of the leak of the draft report of the Foreign Affairs Committee on Sierra Leone in answering the question from the hon. Member for Chesham and Amersham on 16 February 1999, *Official Report*, column *751* (ref. 71829); [74334]

(6) if any *(a)* special adviser, *(b)* Minister, *(c)* hon. Member, *(d)* official or *(e)* other person solicited a copy of the draft of the Foreign Affairs Committee report on Sierra Leone from the hon. Member for Dundee, West (Mr. Ross); [74329]

(7) which special adviser at his Department received the leaked key conclusions of the report of the Foreign Affairs Committee on Sierra Leone; [74328]

(8) if he will list all those *(a)* Ministers, *(b)* special advisers, *(c)* officials, *(d)* hon. Members and *(e)* others who were (i) told about and (ii) given copies of the leaked draft of the Foreign Affairs Committee report on Sierra Leone before 8 am on 9 February 1998; [74326]

(9) what account he took of paragraph 1.1.(iii) of the Ministerial Code when approving the answer given by the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd), to the question from the hon. Member for Chesham and Amersham on 16 February 1999, *Official Report*, column *751* (ref. 71829); [74336]

(10) what account the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd), took of paragraph 1.1.(iii) of the Ministerial Code when answering the question from the hon. Member for Chesham and Amersham on 16 February 1999, *Official Report*, column *751* (ref. 71829); [74335]

(11) if he will list the *(a)* complete and *(b)* partial (i) copies and (ii) drafts of select committee reports, apart from the one relating to Sierra Leone from the Foreign Affairs Committee, which he has received before publication. [73577]

**Mr. Robin Cook** *[holding answers 26 February and 1 March 1999]:* I refer the hon. Members to the answer I gave to the hon. Member for Chesham and Amersham (Mrs. Gillan) on 23 February 1999, *Official Report*, columns *259-60* and to my Statement to the House on 24 February 1999, *Official Report*, column 415.

The draft report was seen by me, the Minister of State, my hon. Friend the Member for Manchester, Central (Mr. Lloyd) and a limited number of officials.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if *(a)* he, *(b)* his officials, *(c)* his special advisers and *(d)* his Ministers provided (i) assistance and (ii) advice to the hon. Member for Dundee, West (Mr. Ross) in the drafting of amendments to the Foreign Affairs Committee draft report on Sierra Leone. [73633]

**Mr. Robin Cook** *[holding answer 26 February 1999]:* No action was taken to publish or disclose any part of the Foreign Affairs Committee's Report on Sierra Leone, or to interfere in any way with their preparation or the Committee's deliberations on them. No advice or assistance was given to any Member of the Select Committee in the drafting of amendments.

### Leaked Documents

**Mr. Wilshire:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will list all leaked Foreign Affairs Committee documents that reached *(a)* him, *(b)* his ministers, *(c)* his officials, *(d)* his advisers and *(e)* departmental parliamentary private secretaries during (i) 1998 and (ii) 1999 and the dates on which they were received; [73806]

(2) if he will send to the Clerk of the Foreign Affairs Committee all leaked Committee documents and copies of them that are or have been in his or his Department's possession and that are rightfully the property of the committee, the House or hon. Members. [73902]

**Mr. Robin Cook** *[holding answer 1 March 1999]:* I refer to my earlier answer to the hon. Member for Chesham and Amersham (Mrs. Gillan) on 23 February 1999, *Official Report*, columns *259-60*, and to my statements in the House 24 February 1999, *Official Report*, column 415, and 2 March 1999, *Official Report*, column 894.

My office received, shortly before its publication in December 1998, the command paper version of the Foreign Affairs Select Committee's Report on Human Rights. It was seen by myself and by a limited number of officials.

My office received in January 1999 a copy of a draft version of the Foreign Affairs Committee's Report on enlargement. It was seen by the Minister of State, my right hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin), and by a limited number of officials. Reflecting the fact that the subject matter was not controversial, it was not shown to me.

No action was taken to publish or disclose any part of these Reports, or to interfere in any way with their preparation or the Committee's deliberations on them. No advice or assistance was given to any Member of the Select Committee in the drafting of amendments.

### Sierra Leone

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the dates on

which he held meetings with *(a)* the Permanent Secretary and *(b)* Ministers to discuss (i) the Legg report and (ii) the Foreign Affairs Committee report on Sierra Leone (HC 116) of Session 1998–99. [73176]

**Mr. Robin Cook:** I have discussed the issued arising from Sandline International's activities in Sierra Leone on many occasions since May 1998 with both the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), and the Permanent Under-Secretary.

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs which officials drafted the answers to the hon. Member for Chesham and Amersham of 16 February 1999, *Official Report*, column *751* (ref. 71829), and 23 February 1999, *Official Report*, columns *259–60* (ref. 71836). [74333]

**Mr. Robin Cook** *[holding answer 2 March 1999]:* The first answer was drafted by officials in the Parliamentary Relations Department of the Foreign and Commonwealth Office, and the second by officials in my office, after consultation with me.

### Foreign Affairs Committee

**Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish all his Department's correspondence with the hon. Member for Dundee, West (Mr. Ross) since his appointment to the Foreign Affairs Committee. [73634]

**Mr. Robin Cook** *[holding answer 26 February 1999]:* There is no correspondence which has any bearing on the Foreign Affairs Committee Report on Sierra Leone or otherwise on my hon. Friend's membership of the Select Committee.

### Gibraltar

**Mr. Woodward:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of his recent meeting with the Foreign Minister of Spain. [72213]

**Ms Quin** *[holding answer 22 February 1999]:* My right hon. Friend the Foreign Secretary discussed a variety of issues concerning Gibraltar with his Spanish counterpart on 21 February. He pressed the Spanish Foreign Minister to reduce the present unacceptable delays at the border. He gave Sr. Matutes details of Gibraltar's record in transposing EU directives, on which the Spanish Ministry of Foreign Affairs had produced inaccurate public statements. He said that there were currently no problems over fishing in British waters around Gibraltar and that the outstanding charges against Spanish fishermen were a matter for the courts. He defended the validity of Gibraltar driving licences, and reaffirmed our and the Government of Gibraltar's willingness to look into any evidence of illegal activity concerning money laundering. The Ministers agreed on the importance of improving bilateral relations and overcoming differences between them. They agreed to meet again.

**Mr. Trend:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he raised the Spanish proposals for joint sovereignty of Gibraltar during his meeting with the Spanish Foreign Minister on 21 February, what was the result of the discussions on the issues of border delays and possible restrictions on commercial over-flights, and if he will make a statement. [73177]

**Ms Quin:** I refer the hon. Gentleman to the answer I gave to the hon. Member for Witney (Mr. Woodward) today at column *877*. The meeting between the Foreign Secretary and the Spanish Foreign Minister on 21 February was not part of the Brussels Process. The Spanish proposals tabled at the last Brussels Process meeting were not discussed in detail. We have made clear we will respond to Sr Matutes' proposals at the next meeting of that process. The Foreign Secretary confirmed to Sr Matutes that we were happy to have such a meeting.

At their meeting, the Foreign Secretary pressed his Spanish counterpart to reduce delays at the border and expressed concern at reports that Spain was considering introducing restrictions on overflights of Spain by aircraft to and from Gibraltar. The Ministers agreed to meet again.

### European Council (Cardiff)

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress achieved with a United Kingdom lead consequential to the joint letter of President Chirac and Chancellor Kohl to the Cardiff European Council. [74438]

**Ms Quin:** Since the Franco-German letter written to the Prime Minister before the Cardiff European Council, the UK has taken the lead in agreeing joint statements with Spain on economic reform and employment, Sweden on social inclusion, and Germany on tax, in advance of the Vienna European Council. In addition, we issued a joint statement on defence with France at the Anglo-French summit in St. Malo last December, and are vigorously pursuing this debate with partners in the run up to the Washington NATO Summit in April and the Cologne European Council in June. There has been a widespread welcome from our EU partners for our approach.

### EU Commission (Work Programme)

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Commission's 1999 work programme as set out in COM (98) 609, detailing each proposal listed. [74442]

**Ms Quin:** A copy of the Commission's Work Programme (COM (98) 604 and COM (98) 609) has been deposited in the Library of the House. This includes a full list of the new legislative initiatives proposed by the Commission. The Government's reaction to the Work Programme was made in explanatory memoranda Nos. 12841/98 and 12840/98, submitted on 8 December 1998.

### East Java

**Mr. Alan Simpson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about the use of British-made water cannon against persons outside the Maspion electronics and plastics factory in Surabaya, East Java, on 17 February; and if he will make a statement. [74400]

**Mr. Fatchett:** We understand that Tactica water cannon was used in Surabaya on 17 February. These water cannon were licensed under the previous Administration. No water cannon have been approved for export under our Government.

### Indonesia

**Mr. Flynn:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to discuss the use of British Tactica water cannon with the Indonesian Government. [74371]

**Mr. Fatchett:** We have made clear to the Indonesian authorities that British-supplied equipment should not be used against civilians to prevent the exercise of their rights of free expression, assembly and association, or in violation of, other international human rights standards.

### Departmental Cash and Running Costs Limits

**Mr. Coaker:** To ask the Secretary of State for Foreign and Commonwealth Affairs what changes he proposes to make in his Department's cash limits and running costs limits for 1998–99. [75216]

**Mr. Fatchett:** Subject to Parliamentary approval of the necessary Supplementary Estimates the following change will be made in addition to the changes I announced on 11 February 1999, *Official Report*, column *361*.

The cash limit for Class II, Vote 2 (Other External Relations) will be increased by £10,000,000 from £265,611,000 to £275,611,000. The additional provision is required to provide assistance to Sierra Leone. It will be used to provide additional practical support to ECOMOG, to help train and equip a democratically accountable Sierra Leone army, and to provide support for peace negotiations.

The increase will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

### Kosovo

**Mr. Leslie:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place a copy of the draft interim agreement on Kosovo in the Library. [75217]

**Mr. Tony Lloyd:** The draft Kosovo agreement is not a public document. I will, however, place a Foreign Office summary of the draft agreement in the Library of the House.

### NATO Enlargement

**Mr. McCabe:** To ask the Secretary of State for Foreign and Commonwealth Affairs when the Czech Republic, Poland and Hungary will join NATO. [75218]

**Mr. Tony Lloyd:** The Czech Republic, Poland and Hungary will deposit their instruments of accession to the North Atlantic Treaty at a ceremony in Independence, Missouri on 12 March. The Government warmly welcome this, fourth, enlargement of the North Atlantic Treaty Organisation. It is another step towards overcoming the artificial divisions across our continent created during the Cold War and will help to spread security and stability for the benefit of all.

### Human Rights

**Mr. Flynn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recommendations were made by the Human Rights Workshop in Jakarta. [74369]

**Mr. Fatchett:** Many concrete suggestions for follow-up action emerged from the four working groups of the Workshop (police and judiciary; women's and children's rights; human rights education, awareness and institution building; and labour rights). The two co-Chairmen of the Workshop, Marzuki Darusman of Indonesia National Human Rights Commission and Professor David Harris of the University of Nottingham, drew particular attention to a number of these recommendations in the communiqué issued at the conclusion of the Workshop.

**Mr. Flynn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what follow-up action the United Kingdom Government took after the Human Rights Workshop in Jakarta. [74370]

**Mr. Fatchett:** We are working closely with EU partners and Indonesian human rights groups to turn the proposals generated at the Workshop into concrete projects to enhance human rights in Indonesia.

### Lobbyists

**Mr. Flynn:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74354]

**Mr. Tony Lloyd:** Any contacts with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the Ministerial Code and Guidance for Civil Servants: Contact with Lobbyists.

### Public Consultations

**Dr. Lynne Jones:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish his Department's collation and assessment of responses to its public consultations. [73960]

**Mr. Fatchett:** The Foreign and Commonwealth Office follows the Cabinet Office guidance on how to conduct written consultation exercises. This includes publicising and making available the results of such exercises wherever practicable.

## SOCIAL SECURITY

### Pilot Projects

**Yvette Cooper:** To ask the Secretary of State for Social Security if he will list the pilot projects instigated by his Department since 1 May 1997, indicating the area in which each pilot took, or is taking, place. [72639]

**Angela Eagle:** We are reforming the welfare system around our central aim of work for those that can, security for those that cannot. We have initiated a number of prototype and pilot projects examining ways of getting people back into work and delivering more flexible, efficient services. A list of the main initiatives is provided in the table.

| *Pilot project* | *Locations* |
|---|---|
| New Deal for Lone Parents | Sheffield East, Cambridgeshire, North Cheshire, North Worcestershire, Cardiff and Vale, Clyde Valley, North Surrey and Warwickshire. |
| New Deal for Disabled People: Personal Adviser Pilot. Tranche 1: 6 areas from September 1998 | Lanarkshire: Clyde Valley and Coatbridge (Hamilton, Motherwell, Coatbridge and Bellshill); Eastern Valleys (Aberdare, Blackwood, Caerphilly, Ebbw Vale, Merthyr Tydfil); Sandwell (Smethwick, West Bromwich); Bolton; Central Sussex (Brighton, Hove); Bristol East and Bath. |
| New Deal for Disabled People: Personal Adviser Pilot. Tranche 2: 6 areas from Spring 1999 | Newham (Plaistow, Stratford, Canning Town); South Tyneside (Gateshead, South Shields); Mercia East (Boston, King's Lynn, Skegness) South Devon (Plymouth, Saltash, Torbay, Tavistock, Totnes, Kingsbridge); Bedfordshire (Bedford, Luton); North Yorkshire (Harrogate, Scarborough, York, Northallerton). |
| Incapacity to Work Pilot Measures (from April 1999) | All 12 New Deal for Disabled People pilot areas; plus South-west Scotland (Ayr, Dumfries, Irvine, Kilmarnock, Stranraer); Grampian and Shetland (Aberdeen, Peterhead, Lerwick); and South-east Birmingham |
| Single Work-Focused Gateway | June 1999 The Basic Model; Essex, Warwickshire, Clyde Coast and Renfrew and Lea Roding.<br>November 1999 Call Centres Model; Somerset, Buckinghamshire, Gwent Borders and Calderdale and Kirklees.<br>November 1999 Private/Voluntary Sector Model; Suffolk, North Nottingham, Leeds and North Cheshire. |
| Pensioner Take Up of Income Support Pilot | Glasgow, York, Preston, Stroud, Lambeth, East Renfrewshire, Torbay, Torfaen and South Staffordshire. |
| Better Government Strand of Active Modern Service for Pensioners Programme (from April 1999 to April 2000) | Bolton, Rhondda Cynon Taff, Mid and East Devon, Harrow, Middlesbrough, Newcastle, Stirling and Wolverhampton. |
| Adapt | East London and Anglia, Yorkshire, West Country |
| Lewisham Integrated Service Prototype | London Borough of Lewisham |
| Lone Parent Integrated Service Prototype | Ealing, Acton, Euston, Highgate and London Borough of Camden |

*Note:*
There are also a number of other small-scale prototypes and pilots that are on-going or planned.

### Single Currency

**Mr. Maclean:** To ask the Secretary of State for Social Security if he will list the subject areas within his Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73674]

**Angela Eagle:** The Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter eight of the Treasury's Outline National Changeover Plan provides further information. Copies of the Plan are available in the House Library.

**Mr. Maclean:** To ask the Secretary of State for Social Security what plans he has to issue information from his Department to help the public make an informed decision when they vote on the single currency. [73582]

**Angela Eagle:** Any plans by the Government to issue information during a referendum campaign on whether or not the UK should join the single currency would be made in the light of the Government's response to the recommendations from the Neill Committee on the conduct of referendums. The Government will announce their conclusions on those recommendations when my right hon. Friend the Home Secretary publishes a White paper and draft Bill before the recess.

### Disabled People

**Mr. Wigley:** To ask the Secretary of State for Social Security if he will initiate a take-up campaign for disability groups similar to the campaign directed at older people; and if he will make a statement. [74300]

**Mr. Bayley:** We are already working with the Disability Benefits Forum to identify ways of improving information and advice about disability benefits. We are determined to improve the administration of these benefits to ensure that decisions about entitlement are right at the outset and that they remain correct. These are necessary steps which must be taken before decisions can be made about the need for a take-up campaign.

**Mr. Wigley:** To ask the Secretary of State for Social Security what proportion of the financial savings to the social security budget arising from the reduction in incapacity benefit payments to disabled people will be used to improve the level of other services or support for disabled people. [74302]

**Mr. Bayley:** The savings on Incapacity Benefit as a result of measures in the Welfare Reform and Pensions Bill, rising to £700 million a year after ten years, will be more than offset by additional expenditure on benefits for sick and disabled people, as we meet increasing demand and seek to do more for those in the greatest need. In this Parliament alone expenditure will increase by £1 billion in real terms.

### Benefit Fraud

**Mr. Maclean:** To ask the Secretary of State for Social Security how many prosecutions for fraud there have been since 1 May 1997 where one of the accused has been an asylum seeker. [74005]

**Mr. Timms:** The information could be obtained only at disproportionate cost.

**Mr. Love:** To ask the Secretary of State for Social Security what action his Department is taking as a result of the review of fraud in respect of social security benefits to minimise the risk of fraud and to make the social security system secure; and if he will make a statement. [74192]

**Mr. Timms:** We will publish shortly a document setting out our strategy for combating Social Security fraud and error in the light of the consultation on the Green Paper "Beating Fraud is Everyone's Business: securing the future".

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security, pursuant to his answer of 26 February 1999, *Official Report*, column *464–63*, on benefit fraud, when the fraud strategy document will be published. [74751]

**Mr. Timms:** We will be publishing the strategy shortly.

### Learning Disabilities

**Mr. Wigley:** To ask the Secretary of State for Social Security if he will increase the income support disregard from £15 to £30 a week for people with learning disabilities. [74301]

**Mr. Bayley:** Our welfare reform programme has focused on making work pay and providing new and innovative ways to help people on benefit make an early return to work. The Disabled Person's Tax Credit, to be introduced in October this year, will ensure that sick and disabled people, who are able to work for 16 hours or more per week, are better off in work. In addition, the New Deal for Disabled People is exploring ways of improving opportunities for those who want to move into or stay in work.

### Pensioners' Incomes

**Mr. Maclean:** To ask the Secretary of State for Social Security how many pensioners have gross incomes of *(a)* above £50,000, *(b)* £30,000 to £49,999, *(c)* £20,000 to £29,999, *(d)* £10,000 to £19,999, *(e)* £5,000 to £9,999 and *(f)* up to £4,999. [74006]

**Mr. Timms:** The information is in the table.

*Number of pensioners within given bands of gross income*

*Thousand*

| *Annual income* | *Single pensioners* | *Pensioner couples* |
|---|---|---|
| Above £50,000 | 10 | 50 |
| £30,000 to £49,999 | 20 | 130 |
| £20,000 to £29,999 | 70 | 270 |
| £10,000 to £19,999 | 520 | 1,100 |
| £5,000 to £9,999 | 2,380 | 1,060 |
| Up to £4,999 | 1,160 | 20 |
| Total | 4,160 | 2,630 |

*Notes:*

1. Estimates are rounded to the nearest 10,000 pensioners, although they are not necessarily accurate to that degree. Columns may not sum to totals due to rounding.
2. Estimates of annual income assume no in-year variation in income.
3. Estimates are not available for incomes of individuals within couples. Therefore estimates for couples relate to the combined income of both partners.
4. Pensioners are defined as single people over State pension age (60 and over for women, 65 and over for men) and couples (married of cohabiting) where the head is over State pension age.

*Source:*

Family Resources Survey 1996–97

### Pensions

**Mr. Love:** To ask the Secretary of State for Social Security what proposals he has for the election of trustees by pension holders as part of the arrangements for the administration of stakeholder pensions; and if he will make a statement. [74201]

**Mr. Timms:** We expect that many trust-based stakeholder pension schemes will include trustees who are nominated or elected by members of the scheme. The precise requirements applying to the composition of the trustee board in stakeholder pension schemes have not yet been decided. We expect to consult further on this issue in drawing up the detailed regulations that will apply to stakeholder pension schemes.

### Mobility Allowance

**Mr. Baldry:** To ask the Secretary of State for Social Security what estimate he has made of the cost of extending mobility allowance to persons of retirement age. [74010]

**Mr. Bayley:** The cost of extending both the higher and lower rates of the mobility component of Disability Living Allowance to people disabled after the age of 65, or who claim after the age of 65, is estimated to be approximately £2 billion.

### National Insurance

**Mr. Trickett:** To ask the Secretary of State for Social Security what estimate he has made of how many people in Wakefield District will benefit from the changes in national insurance contributions to be introduced in April. [74041]

**Mr. Timms:** The information is not available.

Throughout Great Britain, some 20 million people will pay an average of nearly £70 a year less in National Insurance contributions as a result of the abolition of the employee entry fee in April 1999. The information is not available by district.

## Task Forces

**Dr. Tony Wright:** To ask the Secretary of State for Social Security if he will publish a list of (1) task forces and (2) policy reviews established by his Department since May 1997 which *(a)* had external members recruited by way of public advertisement, and details of any person so appointed and *(b)* engaged in public consultation exercises, and the form that these took. [74459]

**Mr. Timms:** Most task forces and reviews are short-term bodies established to give thorough consideration to important and difficult issues. External members are invited to sit on some reviews and task forces because they are able to contribute specific experience and expertise. In such cases, public advertising would be inappropriate and disproportionate.

Since 1 October 1998, appointments to those task forces which qualify for classification as advisory non-departmental public bodies have come within the remit of the Commissioner for Public Appointments.

Since May 1997, the Department has consulted publicly on proposals outlined in the following documents which have arisen from policy reviews:

Pensions Review Consultation Document

Stakeholder Pensions: a Consultation Document

New Ambitions for Our Country: A new contract for welfare (Cm 3805)

Children First: a new approach to child support (Cm 3992)

Beating Fraud is Everyone's Business: securing the future (Cm 4012)

A New Contract for Welfare: Support for Disabled People (Cm 4103)

A New Contract for Welfare: Support in Bereavement (Cm 4104)

Supporting People: a new policy and funding framework for support services

A New Contract for Welfare: Partnership in Pensions (Cm 4179)

Strengthening the Pensions framework: a Consultation Document.

## Child Support Agency

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security (1) what is the current level of debt owed to the Child Support Agency by absent parents; and of this, what proportion is deemed *(a)* collectable and *(b)* possibly uncollectable; [74342]

(2) what is the current backlog of cases in the Child Support Agency, and how many of these are *(a)* more than six months old and *(b)* over one year old. [74343]

**Angela Eagle:** The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

*Letter from Faith Boardman to Mr. Iain Duncan Smith, dated 3 March 1999:*

I am replying to your Parliamentary Questions to the Secretary of State for Social Security about the level of debt and backlog within the Child Support Agency.

At 31 January 1999 the amount of child support full maintenance assessment debt was £507,794,866. This can be broken down further to £296,044,407 (58.3%) collectable debt, £197,532,203 (38.9%) possible uncollectable debt and £14,218,256 (2.8%) deferred debt. Deferred debt is where the Agency has deferred the debt indefinitely, provided non-resident parents meet certain conditions on payment of regular maintenance and any remaining debt. Where appropriate the parent with care will be compensated for the loss of this money.

To further increase the flow of maintenance and to help non-resident parents pay the arrears that they owe, wherever possible the Agency makes every effort to re-schedule debts; re-scheduled debts are those where the Agency has negotiated a closely monitored agreement with the non-resident parent to pay arrears by instalments. The amount of debt re-scheduled included in the £507,794,866 at 31 January 1999 was £395,578,470 (78%).

I cannot provide precisely all the information that you have requested on the current backlog, but have provided as much as possible from the most recent information available.

At 31 January 1999, there was a total of 278,518 maintenance applications outstanding.

We normally refer to our maintenance assessment backlog as cases that are over 52 weeks old and have not yet been assessed.

At any time, the Agency would expect to have a normal head of work of around 210,000 maintenance applications. The speed with which assessments can be cleared is constrained by the complexities of the current legislation which can require up to 104 separate pieces of information to be collected and verified before an assessment can be made, however the Agency is steadily reducing the time taken and is clearing the backlog of applications from the early years.

Our original estimated volume of backlog cases outstanding in April 1997 was 225,000; by 31 January 1999 we had cleared 251,000, and in practice now expect to need to clear 300,000 cases. This is because as we have proceeded in clearing this work we identified more cases in the backlog than originally estimated. In June 1998 we introduced a major improvement of the Child Support Computer System (CSCS) which provided automated management information. To make full use of the automated information all of the existing cases on CSCS had to be checked to ensure their management information status was correct. This exercise involved validating 1.25 million cases, work was completed in December and means that we now have a reliable automated count of all work on hand.

To clear these 300,000 cases by 31 March will require the Agency to clear around 50,000 cases in February and March. Although this is very challenging we cleared over 27,000 in January, and therefore expect to clear the 300,000 cases.

We envisage that the extra resources which will be released as a result of clearing the maintenance assessment backlog will enable more resources to be concentrated on improving customer service and ensuring that parents meet their responsibility so that children receive the maintenance they are entitled to on a regular basis.

I hope this is helpful.

## BASIS

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security (1) how many arrests have been made in January by Benefits Agency Security Investigation Service Southern Command; [74345]

(2) what is the current budget for Benefits Agency Security Investigation Service; and of this, what proportion is allocated to the *(a)* Northern and *(b)* Southern Commands; [74347]

(3) how many arrests made by BASIS Southern Command have led to *(a)* prosecutions and *(b)* successful convictions since its establishment. [74346]

**Mr. Timms:** Questions on Benefits Agency operational matters are the responsibility of the Chief Executive, Peter Mathison. He will write to the hon. Member.

*Letter from Peter Mathison to Mr. Iain Duncan Smith, dated 3 March 1999:*

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking how many arrests have been made in January by BASIS Southern Command; what is the budget for BASIS; and of this, what proportion is allocated to Northern and Southern Commands respectively; how many arrests made by BASIS Southern Command have led to (a) prosecutions and (b) successful convictions since its establishment.

During January 1999 the BASIS Southern Command made ten arrests.

The budget for BASIS is managed centrally and not split into two commands. It covers not only the Investigation Staff but also Support Staff and Goods and Services. The budget for this financial year is £8.2 million of which £6.34 million has been spent to date.

BASIS was formed in April 1998. Since that date the police have made 360 arrests based on information supplied by BASIS Command. One hundred and forty-eight of these have been submitted for prosecution of which ninety-four have to date been successful.

I hope that this is helpful.

## Disability Living Allowance

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security (1) under the new system of periodic review of disability living allowance, how often recipients of the benefit will have their situation reviewed; [74749]

(2) what information will be required from the recipients of disability living allowance when their situation is reviewed under the new system of review. [74750]

**Mr. Bayley:** From April 1999, a new fairer system of periodic inquiry into benefit entitlement will commence for existing recipients of Disability Living Allowance (DLA). People selected for inquiry action will be asked to complete a detailed questionnaire, based on the current claim form for DLA. This will provide the Benefits Agency (BA) with an up to date picture of the need that the individual has help with personal care and mobility and allow the BA to determine whether a review of entitlement would be appropriate. This will enable awards to be increased or decreased in line with entitlement. Initially, cases will be selected on a proportional basis across the range of awards to be included in the inquiry process.

Some disabling conditions, and the needs that they generate, change very little over time, whilst others can be very variable in effect and/or degenerative in nature. The BA is working to establish the proper frequency with which individuals should be asked about their current needs, so that, in the future, inquiries can be made at the most appropriate time and new claimants can be advised from the outset when inquiries are likely to be made in their case. This action does not affect the responsibility of all claimants to tell the BA about changes that may affect benefit entitlement.

## Child Benefit

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what is the estimated expenditure for child benefit for the current tax year. [74746]

**Angela Eagle:** The estimated expenditure figure for Child Benefit for 1998–99 is £7.252 billion.

*Note:*

Figure is consistent with that contained in Pre-Budget Report of November 1998.

## Unemployment Statistics

**Mr. Corbyn:** To ask the Secretary of State for Social Security what estimate he has made of the number of people under retirement age who are not working and are not in receipt of state benefits for each of the past four years. [74160]

**Angela Eagle:** The information requested for four years is not available. Estimates for the last three years are in the table:

*Number of adults, under retirement age, not working and not in receipt of state benefits*

| | *Not in receipt of any benefit* | *In receipt of Child Benefit or One Parent Benefit only* |
|---|---|---|
| 1994–95 | 2,240,000 | 5,320,000 |
| 1995–96 | 2,180,000 | 5,420,000 |
| 1996–97 | 2,180,000 | 5,240,000 |

*Notes:*

1. The analysis was undertaken on adults (aged between 16 and 64, inclusive, for men and 16 and 59, inclusive, for women).
2. Adults who were temporarily not working, on industrial action, were ILO unemployed, part time students, unoccupied, had temporary or long term sickness or undertaking unpaid family work were defined as not working.
3. Estimates are subject to sampling error and to variability in non response.
4. Estimates rounded to nearest 10,000.

*Source:*

Family Resources Survey (Great Britain).

## Lobbyists

**Mr. Flynn:** To ask the Secretary of State for Social Security if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74364]

**Mr. Timms:** Any contacts with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contact with Lobbyists".

## Social Fund

**Mr. Hope:** To ask the Secretary of State for Social Security when the changes to the Social Fund Budgeting Loan Scheme will be introduced; and when details of the Discretionary Social Fund Budget for 1999–2000 will be announced. [75417]

**Angela Eagle:** The changes to the Social Fund Budgeting Loan Scheme will be introduced on 5 April 1999. Applications for Social Fund budgeting loans will be decided according to a few simple set factual criteria, rather than the discretion of the officer deciding the application. This will mean that those on the lowest incomes who apply for a loan will no longer be asked detailed questions on what they intend to do with the money before a decision can be made. In keeping with the Government's aims for an active modern Social Security service, these changes will make the applications

process much simpler, and the decisions process quicker, fairer, less intrusive and easier to understand, while administration of the scheme will be more cost-effective. In connection with these changes, I am, today, placing in the House Library copies of the updated Social Fund Guide containing the revised Secretary of State Directions and Guidance to Social Fund officers on the new scheme.

We can also announce today that the total discretionary Social Fund budget for 1999–2000 will be £535.2 million, representing an increase of £34 million over the corresponding budget for 1998–99. Of this total, £98 million will be allocated to Community care Grants, £436.7 million to loans and £0.5 million will be set aside as a contingency reserve. To further improve the fairness of the Social Fund scheme we shall be allocating the loans budget to each Benefits Agency district with a view to achieving greater consistency in the level of successful applications across districts. Full details of budget allocations to individual Benefits Agency districts will be placed in the House Library on 24 March.

## INTERNATIONAL DEVELOPMENT

### Asbestos

**Mr. Clapham:** To ask the Secretary of State for International Development what plans she has to promote the establishment of an international framework for asbestos control in Third World countries. [73964]

**Clare Short:** We have no plans to promote the establishment of an international framework as such but we support the European Council Regulation on the export and import of dangerous chemicals and the Basle Convention DFID has assisted partner countries on the use and handling of asbestos in specific cases. Further details of DFID's role is contained in the answer to the question from my hon. Friend the Member for Tooting (Mr. Cox) on 20 July 1998, *Official Report*, column 395.

### Aid (Kenya)

**Ms Abbott:** To ask the Secretary of State for International Development if she will make a statement on UK *(a)* bilateral and *(b)* multilateral aid to Kenya. [74031]

**Clare Short:** Britain's development assistance strategy for Kenya is set out in the Kenya Country Strategy Paper published by my Department last year, copies of which are publicly available and will be sent to my hon. Friend.

### Task Forces

**Dr. Tony Wright:** To ask the Secretary of State for International Development if she will publish a list of (1) task forces and (2) policy reviews established by her Department since May 1997 which *(a)* had external members recruited by way of public advertisement, and details of any person so appointed and *(b)* engaged in public consultation exercises, and the form that these took. [74463]

**Clare Short:** Since 1 May 1997 the Department for International Development (DFID) has undertaken a review of international development policy, and a review of DFID's relationship with Civil Society. Neither of these initiatives involved the recruitment of external members by public advertisement. Both reviews involved consultation with a wide variety of interested groups and individuals, who were invited to input in order to add their wide experience and knowledge to our work. A report on the consultation which DFID conducted with Civil Society, North and South, will be published shortly.

## PRIME MINISTER

### Task Forces

**Mr. Maclean:** To ask the Prime Minister (1) how many reviews and task forces he has established since May 1997; and how many of them have reported. [71151]

(2) if he will list the consultative and advisory committees set up by the Government since May 1997. [73345]

**The Prime Minister:** The Government are determined to deliver its Manifesto commitments. Reviews, task forces and advisory and consultative committees are helping to ensure that decisions are soundly based and representative of a wide range of views. The establishment and management of individual reviews, task forces, consultative and advisory committees is a matter for Ministers in the Department concerned.

## WALES

### Child Care

**Mr. Barry Jones:** To ask the Secretary of State for Wales if he will make a statement on after-school child care places and activities. [72032]

**Mr. Jon Owen Jones:** Guidance to the Early Years Development and Childcare Partnerships in each local authority area in Wales was issued last month. The Partnerships are now preparing plans for the development of child care provision to meet the needs of their areas, including new out of school child care, which may be eligible for funding from the New Opportunities Fund.

The New Opportunities Fund has allocated £14.3 million over the next three years for out of school child care in Wales, of which £1.3 million is to support integrated child care and education projects. In 1999–2000, the Training and Enterprise Councils in Wales will have funding of £0.9 million to provide infrastructure support (including training, business support and information) for out of school child care provision eligible for NOF funding.

In addition funding of £1.5 million will be available in 1999–2000 for the Early Years Development and Childcare Partnerships to take forward the development of child care provision, including out of school provision, in their areas.

The New Opportunities Fund has allocated £11.7 million specifically for out of school learning activities in Wales over the next three years. Funding is targeted at

disadvantaged areas–and NOF plan that provision is available in at least one quarter of primary schools and a half of secondary schools and special schools.

Following the transfer of functions, these issues will be a matter for the National Assembly.

### International Standard Swimming Pool

**Mr. Edwards:** To ask the Secretary of State for Wales if he will make a statement about proposals for an international standard 50 metre swimming pool for Wales. [73545]

**Mr. Michael:** In December last year the SPORTLOT National Panel invited bids from local authorities interested in developing a replacement facility for the Wales Empire Pool. The local authorities in Cardiff, Swansea and Torfaen have expressed their interest and have been given until 15 March to submit detailed plans. A special meeting of the SPORTLOT National Panel will then be held on 7 May to consider all the applications. As with all applications for Lottery funding, the Panel will take its decision independently of Government.

### Schizophrenia

**Sir Alastair Goodlad:** To ask the Secretary of State for Wales how many people with a main diagnosis of schizophrenia psychoses were discharged from mental illness hospitals in Wales in each of the last three years; and how many of them were taken into local authority residential care in the same year. [73361]

**Mr. Jon Owen Jones:** The following table gives, for NHS trusts in Wales, the number of deaths and discharges relating to patients whose main diagnosis was schizophrenia. The number discharged may include cases of the same patient being discharged more than once for separate periods of care. Reliable estimates of the number discharged to local authority care are not available.

| *Year* | *Number of deaths and discharges* |
|---|---|
| 1996 | 1,715 |
| 1997 | 1,815 |
| 1998 | 1,713 |

Following the transfer of functions, this issue will be a matter for the National Assembly.

**Sir Alastair Goodlad:** To ask the Secretary of State for Wales what research projects his Department is funding in the current year to test the effectiveness of community care for people suffering from schizophrenia psychoses; and if he will make a statement. [73366]

**Mr. Jon Owen Jones:** There are no research projects being funded into schizophrenia in the current year. The Welsh Office is funding a conference on "Effective Interventions in Schizophrenia" on 16 March following a two year research project which started in 1996–97. This project demonstrated clinical effectiveness in Schizophrenia and was undertaken by Llandough Hospital, Cardiff at a cost of £75,000.

Following the transfer of functions, this issue will be a matter for the National Assembly.

**Sir Alastair Goodlad:** To ask the Secretary of State for Wales how many of those convicted of crimes in Wales in the last year for which figures are available have ever been admitted to National Health Service mental illness hospitals and units with a main diagnosis of schizophrenia psychoses. [73356]

**Mr. Jon Owen Jones:** I refer the right hon. Member to the reply given to him on 25 February 1999, *Official Report*, column *393*. My right hon. Friend the Home Secretary has responsibility for this issue.

### Zimbabwe

**Mr. Maclean:** To ask the Secretary of State for Wales what official visits he, his Ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73555]

**Mr. Michael:** None

### National Assembly

**Mr. Wigley:** To ask the Secretary of State for Wales which company or companies gave his Department professional advice *(a)* on the use of Crickhowell House as part of the National Assembly project and *(b)* when Crickhowell House was first let in 1991–92; and if he will make a statement. [73608]

**Mr. Michael:** Professional advice was given to my Department regarding the use of Crickhowell House as part of the National Assembly for Wales by PACE (Property Advisers to the Civil Estate), Symonds Group, Crown and Company and the Powell Dobson Partnership. An independent review of their work was undertaken by Gooch and Wagstaffe and the AYH Partnership.

Negotiations in 1991–92 for the acquisition of Crickhowell House for the Welsh Health Commons Services Authority were undertaken by Gooch and Wagstaffe and Bevan Ashford.

**Mr. Wigley:** To ask the Secretary of State for Wales if he will allow representatives of *(a)* Plaid Cymru, *(b)* Wales Liberal Democrats and *(c)* the Conservative Party to view, on a confidential basis, papers relating to (i) funding already allocated by his Department and (ii) contracts signed by his Department, for the period after 1 July relating to spending within the control of the National Assembly for Wales. [74297]

**Mr. Michael:** I announced on 14 December 1998 my Department's future budgets and expenditure plans, which will be inherited by the Assembly. Further details will be included in the Welsh Office's Departmental Report, which will be published in late March.

I should also be happy for my Department to provide information on public expenditure in Wales in accordance with the Code of Practice on Access to Government Information, in response to any request received.

### Autism

**Mr. Wigley:** To ask the Secretary of State for Wales what guidance he has given to local authority social services departments in Wales regarding the criteria to be employed under best value assessments for autism-specific services. [73627]

**Mr. Jon Owen Jones:** The Local Government Bill, which includes best value provisions, is currently being considered by Parliament. The Bill makes provision for the National Assembly to be responsible for administering best value in Wales. The Bill provides a broad framework for best value and it will be for the Assembly to determine the more detailed aspects of the policy and how it will operate in Wales. The Assembly is likely to want to draw on the experience of all Welsh authorities involved in best value pilot studies. Once the Bill is enacted and the pilot studies have made further progress, the Assembly will wish to consider what guidance to issue to local authorities on best value.

**Mr. Wigley:** To ask the Secretary of State for Wales how many autism-specific places are currently provided by social services departments in Wales for individuals with autism-specific disorders within *(a)* residential services, *(b)* day services and *(c)* respite case services. [73628]

**Mr. Jon Owen Jones:** While information on services for the disabled is collected centrally, this does not include information on the autism-specific places provided by social services departments in Wales.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Employment

**Mr. Barry Jones:** To ask the Secretary of State for Wales what is his latest estimate of *(a)* new jobs announced and *(b)* jobs lost in the past 12 months; and if he will make a statement. [74182]

**Mr. Hain:** Records of individual job losses and gains are not held centrally. However, in the 12 months to September 1998, employee jobs in Wales rose by 15,000.

Following the transfer of functions, this issue will be a matter for the National Assembly

### Traffic Congestion (Woodbank Junction)

**Mr. Barry Jones:** To ask the Secretary of State for Wales when he expects measures to be put in place to alleviate traffic queues at the Woodbank Junction (English Border); and if he will make a statement. [74188]

**Mr. Hain:** This is a cross border scheme largely (almost entirely) situated in Cheshire. It is intended to relieve severe traffic congestion which occurs at the traffic signal controlled junction, particularly during the morning and evening peaks and at weekends. The scheme is the responsibility of the Department of the Environment, Transport and the Regions (DETR); and it will be for them to carry out the route study proposed in the English roads review. DETR will be making an announcement on the timing of this, and other studies, in due course.

### Economy

**Mr. Barry Jones:** To ask the Secretary of State for Wales when he last met the (1) Wales TUC and (2) Wales CBI to discuss the economy of Wales; and if he will make a statement. [74185]

**Mr. Michael:** I have met representatives of the CBI and TUC in a variety of settings including discussions about the Assembly. The most recent direct meeting was on 1 February when I met representatives of Wales CBI at a lunch to discuss ways in which the Assembly could carry out its statutory duty to consult business. Both CBI Wales and the Wales TUC are keenly interested on the way the Assembly will promote the economy of Wales and I shall be speaking about this to the annual conference of Wales TUC in April.

### Assisted Areas

**Mr. Barry Jones:** To ask the Secretary of State for Wales when he expects to announce the new boundaries for assisted area status; and if he will make a statement. [74186]

**Mr. Hain:** The new assisted areas map comes into force on 1 January 2000. The new map must be agreed in time for this deadline. The Commission have asked Member States to submit their proposals by 31 March 1999.

### Welsh Arts Council

**Mr. Wigley:** To ask the Secretary of State for Wales, pursuant to his answer of 10 December 1998, *Official Report*, column *285*, on the Welsh Arts Council, if he will make a statement on his latest plans on this matter; and when he expects to make an announcement on the appointment of a chairman. [74316]

**Mr. Michael:** I refer the right hon. Member to the answer I gave him on 25 February 1999, *Official Report*, column *437*.

Following the transfer of functions, such appointments will be a matter for the National Assembly in future.

### Dental Services

**Jackie Ballard:** To ask the Secretary of State for Health how much was spent on NHS general dental services in Wales, by health authority area, in each year since 1995–96. [74259]

**Mr. Jon Owen Jones:** Details of expenditure on NHS general dental services in Wales including expenditure by the Dental Practice Board, are in the table.

£000

| *Health authority* | *1995–96* | *1996–97* | *1997–98* |
|---|---|---|---|
| Clwyd | 107 | — | — |
| Dyfed | 220 | — | — |
| Gwent | 143 | — | — |
| Gwynedd | 115 | — | — |
| Mid Glamorgan | 37 | — | — |
| Powys | 128 | — | — |
| South Glamorgan | 94 | — | — |
| West Glamorgan | 21 | — | — |
| Dental Practice Board | 50,262 | — | — |
| Total | 51,127 | — | — |
| Bro Taf | — | 117 | 116 |
| Dyfed Powys | — | 358 | 208 |
| Gwent | — | 164 | 119 |
| Morgannwg | — | 34 | 79 |
| North Wales | — | 189 | 287 |
| Dental Practice Board | — | 52,903 | 56,166 |
| Total | — | 53,765 | 56,975 |

*Source:*
Annual accounts of family health service authorities 1995–96 and annual accounts of health authorities 1996–97 and 1997–98

Following the transfer of functions, this issue will be a matter for the National Assembly.

## CABINET OFFICE

### Ministerial Flights (Concorde)

**Miss Kirkbride:** To ask the Minister for the Cabinet Office on how many occasions *(a)* ministers and *(b)* their staff have flown on Concorde since 1 May 1997; and how much the flights have cost. [68851]

**Dr. Jack Cunningham:** For information on the use of Concorde by Ministers, I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister to the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) on 1 March 1999, *Official Report*, column 527. Information on the occasions when civil servants within individual Departments have used Concorde is not held centrally.

### Zimbabwe

**Mr. Maclean:** To ask the Minister for the Cabinet Office what official visits he, his ministers or officials have paid to Zimbabwe since May 1997; whom they met; and what was discussed. [73459]

**Dr. Jack Cunningham:** Since 1 May 1997, neither I nor any other Minister in the Cabinet Office has visited Zimbabwe.

Two officials of the Cabinet Office have visited the country in the last 21 months.

The first official visited Zimbabwe between 19 and 30 May 1998 and provided keynote speeches at four conferences on performance management. The conferences were organised by the British Council in partnership with the Zimbabwe Institute of Public Administration and Management (ZIPAM).

The second official visited between 20 and 23 May 1998, and held discussions with Government and non-Government organisations on current events in Zimbabwe and the region.

### Single Currency

**Mr. Maclean:** To ask the Minister for the Cabinet Office if he will list the subject areas within his Department which have relevance to an information campaign on Britain's membership of a single currency regime. [73750]

**Dr. Jack Cunningham:** HM Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter eight of the Treasury's Outline Changeover Plan provides further information. Copies of the Plan are available in the Libraries of the House.

### Lobbyists

**Mr. Flynn:** To ask the Minister for the Cabinet Office if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74368]

**Dr. Jack Cunningham:** Any contacts with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contacts with Lobbyists".

### Archway Tower, London

**Mr. Corbyn:** To ask the Minister for the Cabinet Office what has been *(a)* the total capital expenditure and *(b)* the income from lettings on Archway Tower, London N19 for (i) each of the last three years and (ii) the current year to date; and if he will make a statement. [74071]

**Mr. Kilfoyle:** Responsibility for this matter has been delegated under the terms of the Framework Document to the Property Advisers to the Civil Estate. I have asked its Chief Executive, Mr. John Locke, to write to my hon. Friend.

*Letter from John Locke to Mr. Jeremy Corbyn, dated March 1999:*

The Parliamentary Secretary for the Cabinet Office, Peter Kilfoyle, has asked me as Chief Executive of Property Advisers to the Civil Estate (PACE) to respond to your Parliamentary Question about capital expenditure and income from lettings on Archway Tower.

I believe you are already aware that Archway Tower forms part of the portfolio of vacant office buildings declared surplus by Other Government Departments and inherited by PACE on 1 April 1996.

The state of repair of Archway Tower was in breach of the terms of the lease and left the building incapable of occupation. Following abortive surrender negotiations with the landlords, and in an effort to defray the costs of holding Archway Tower, a decision was taken in March 1998 to refurbish the building and bring it into a usable condition.

Archway Tower has remain vacant since April 1995 and there have been no lettings since that date due to the condition of the building. Similarly, during the last 7 months of refurbishment work the building has been unoccupiable.

Capital expenditure and income from lettings from when PACE assumed responsibility for Archway Tower is as follows:

*£ million*

| *Date* | *Capital expenditure* | *Income* |
|---|---|---|
| 1 April 1996–31 March 1997 | nil | nil |
| 1 April 1997–31 March 1998 | nil | nil |
| 1 April 1998-to date | 3.498 | nil |

Refurbishment work is expected to be complete by April 1999 and the Agency hopes to have tenants in place later in the year. With the likelihood of the grant of a rent free period to offset the fit out costs of a future occupier, I do not envisage any income from letting during the 1999–2000 Financial Year.

### Task Forces

**Dr. Tony Wright:** To ask the Minister for the Cabinet Office if he will publish a list of (1) task forces and (2) policy reviews established by his Department since May 1997 which *(a)* had external members recruited by way of public advertisement, and details of any person so appointed and *(b)* engaged in public consultation exercises, and the form that these took. [74469]

**Mr. Kilfoyle:** Most task forces and reviews are short-term bodies established to give thorough consideration to important and difficult issues. External members are invited to sit on some reviews and task forces because they are able to contribute specific experience and expertise. In such cases, public advertising would often be inappropriate and disproportionate.

Since 1 October 1998, appointments to those task forces which qualify for classification as advisory non-departmental public bodies have come within the remit of the Commissioner for Public Appointments.

Of those established by my Department since 1 May 1997, the Better Regulation Task Force, has external members recruited by way of public advertisement. Members of this task force are unpaid and receive expenses only. The details of the persons appointed are as follows:

Matti Alderson (Director General, Advertising Standards Authority)

Deirdre Hutton (Chair of the Scottish Consumer Council).

Public consultation exercises have been conducted by the following task forces and policy reviews:

| *Review* | |
|---|---|
| Review of Quangos | A consultation paper was published and the Government consulted widely on the proposals contained in that paper (for making 'quangos' more open, accountable and effective). Copies of the consultation paper were sent to all MPs, all local authorities and all 'quangos'—as well as to key academics and interested members of the public. The consultation paper was also published on the Internet and Internet users were able to e-mail comments direct to the review team. Responses to the consultation paper were published and copies placed in the Libraries of the House. |
| Review of Existing Drugs Strategy | Consultation was held with a wide range of key professionals, organisations and key population groups—eg Drug Action Teams, young people, teachers, parents, drug mis-users, via meetings, visits and conferences, correspondence and an Internet e-mail address. The strategy document was published as a White Paper "Tackling Drugs to build a Better Britain" (Cm 3945) on 27 April 1998. |
| Review of the Women's National Commission | Consultation was held with women's organisations through correspondence and meetings. Copies of the Review's Report were placed in the Libraries of the House. |
| Review of the Charter Programme | A consultation paper was issued on 16 September 1997 to wide range of organisations and individuals—also made available on the Internet. Responses to the consultation paper were published and copies placed in the Libraries of the House. |
| The Review of Export Promotions | Extensive consultation was held with members of the export community. Written and oral submissions were taken; meetings were held with individuals and groups. |

## HEALTH

### Gamma Hydroxy Butyrate

**Ms Kelly:** To ask the Secretary of State for Health what regulations apply to the *(a)* use, *(b)* possession, *(c)* production and *(d)* supply of gamma hydroxy butyrate. [72901]

**Ms Jowell:** Gamma Hydroxy Butyrate is a medicinal product by virtue of Article 1 of European Commission Directive 65/65. Activities with this product carried on in the course of a business are regulated by the Medicines Act 1968 (as amended).

It is a criminal offence to place on the market, produce, sell or supply this product other than in accordance with licences or registration required by this Act. Possession for personal use is not regulated by medicines legislation.

### Electro-convulsive-therapy Treatment

**Mr. David Atkinson:** To ask the Secretary of State for Health if he will make a statement on the use of electro-convulsive-therapy treatment for mental health patients. [73003]

**Mr. Hutton:** Electro-convulsive therapy (ECT) can be used for a variety of conditions, including depression, mania and certain forms of schizophrenia. It has been shown to be of most benefit where other treatments have failed.

An expert group, chaired by Genevra Richardson, Professor of Law at Queen Mary and Westfield College, has been appointed to undertake a review of mental health legislation in England and Wales and to make recommendations on the scope of a new legislative framework by 1 July 1999. The group's report will include advice on appropriate safeguards which should apply to the use of Electro-Convulsive Therapy.

### Mental Health Beds

**Sir Alastair Goodlad:** To ask the Secretary of State for Health which health regions plan to increase the number of mental health beds; and by how many. [73225]

**Mr. Hutton:** The Mental Health Modernisation Fund will be used to increase the number of mental health beds in all eight health regions. £19 million has already been allocated to health authorities, part of which is being used to increase the number of 24 hour staffed beds. In addition health authorities have just been invited to apply for additional resources for secure beds. Details are set out in circular Health Service Circular/Local Authority Circular 1999–038, copies of which are available in the Library.

It is not yet possible to provide a regional breakdown.

### Single Currency

**Mr. Maclean:** To ask the Secretary of State for Health what plans he has to issue information from his Department to help the public make an informed decision when they vote on the single currency. [73587]

**Ms Jowell:** Any plans by the Government to issue information during a referendum campaign on whether or not the United Kingdom should join the single currency would be made in light of the Government's response to the recommendations from the Neill Committee on the conduct of referendums. The Government will announce their conclusions on those recommendations when my right hon. Friend the Home Secretary publishes a White Paper and draft Bill before the summer recess.

**Mr. Maclean:** To ask the Secretary of State for Health if he will list the subject areas within his Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73669]

**Ms Jowell:** Her Majesty's Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter 8 of the Treasury's Outline National Changeover Plan provides further information. Copies of the plan are available in the Library.

### Medicines (Classification)

**Mr. Maclean:** To ask the Secretary of State for Health what appeal mechanism he will establish in respect of decisions by the Medicines Control Agency to classify foodstuffs as medicines. [73314]

**Ms Jowell:** We do not propose to give the Medicines Control Agency (MCA) the power to decide that a foodstuff is a medicine. The MCA has consulted on legislative proposals for classifying medicinal products, which include introducing a statutory right to a formal review of the agency's provisional decisions. The agency is now considering responses to the consultation exercise. We will decide in due course whether and what review arrangements we wish to put before Parliament.

**Mr. Maclean:** To ask the Secretary of State for Health (1) if health foods and dietary supplements will have to satisfy the same licensing criteria as medicines when the remit of the Medicines Control Agency is extended; [73319]

(2) what limitations he plans to place on the Medicine Control Agency's proposed new power to declare any food product to be a medicine. [73313]

**Ms Jowell:** The powers of the licensing authority, of which the Medicines Control Agency (MCA) is an executive arm, are set out in the Medicines Act 1968 and secondary legislation including the Medicines for Human Use (Marketing Authorisations Etc.) Regulations 1994. We have no proposals to extend the remit of the MCA to health foods and dietary supplements, which will continue to be subject to food law.

**Mr. Maclean:** To ask the Secretary of State for Health what estimate he has made of the number of health food products which could be reclassified as medicines. [73312]

**Ms Jowell:** We can make no such estimate since under European Commission law and United Kingdom law, health foods are not medicines.

### Chronic Pain Management

**Mr. Maclean:** To ask the Secretary of State for Health if it is his policy to establish chronic pain management programmes in the NHS on the model of that at St. Thomas' Hospital in London. [73949]

**Mr. Hutton:** Research has shown pain management programmes, similar to the model at St. Thomas' Hospital, to be effective for selected patients whose chronic pain is not relieved by conventional treatments. Against that background, it is for health authorities and National Health Service trusts to plan local pain services, in consultation with health professionals, to meet local needs.

### National Institute for Clinical Excellence

**Mr. Maclean:** To ask the Secretary of State for Health what are the terms of reference of the National Institute for Clinical Excellence. [73957]

**Mr. Hutton:** The National Institute for Clinical Excellence will be not be operational until April this year, the officers and non-officer members have yet to be appointed and the terms of reference will be a matter for the Board of NICE to discuss at its first meetings.

A discussion paper, *Faster access to modern treatment*, sets out its detailed proposals for how the National Institute for Clinical Excellence will carry out appraisals of clinical and cost effectiveness of individual health treatments. No firm decisions have been taken either on the topics to be referred to NICE, or on the precise methods of appraisal to be used.

### Schizophrenia

**Sir Alastair Goodlad:** To ask the Secretary of State for Health (1) how many patients with a primary diagnosis of schizophrenia psychoses were discharged from mental illness hospitals in each health district in the last year; and how many were admitted for a hospital stay more than once during the year; [74389]

(2) how many people discharged from mental illness hospitals in each health district in England in the last year after a main diagnosis of schizophrenia psychoses, having been proved vulnerable homeless subsequently became voluntary homeless. [74275]

**Mr. Hutton:** The table shows the estimated number of discharges in England in 1997–98 after a main diagnosis of schizophrenia psychoses.

Information on the number of patients admitted more than once during the year and on vulnerable homeless subsequently becoming voluntary homeless is not available centrally.

*Estimated live discharges with a primary diagnosis schizophrenia psychoses, by health authority of treatment*

| | Number |
|---|---|
| *England* | 31,020 |
| *Northern and Yorkshire* | 3,450 |
| Bradford | 210 |
| County Durham | 180 |
| East Riding | 70 |
| Gateshead and South Tyneside | 290 |
| Leeds | 600 |
| Newcastle and North Tyneside | 100 |
| North Cumbria | 280 |
| Northumberland | 180 |
| Sunderland | 100 |
| Tees | 420 |
| Wakefield | 230 |
| North Yorkshire | 510 |
| Calderdale and Kirklees | 280 |
| *Trent* | 1,670 |
| Barnsley | 120 |
| North Derbyshire | 200 |
| South Derbyshire | 30 |
| Doncaster | 180 |
| Leicestershire | 10 |
| Lincolnshire | 360 |
| North Nottinghamshire | 280 |
| Nottingham | 240 |
| Rotherham | 0 |
| Sheffield | 160 |
| South Humber | 100 |
| *Anglia and Oxford* | 2,410 |
| Bedfordshire | 280 |
| Berkshire | 470 |
| Buckinghamshire | 320 |
| Cambridge and Huntingdon | 350 |
| East Norfolk | 20 |
| Northamptonshire | 340 |
| North West Anglia | 170 |
| Oxfordshire | 190 |
| Suffolk | 270 |
| *North Thames* | 6,840 |
| Hillingdon | 170 |
| Kensington, Chelsea and Westminster | 920 |
| Enfield and Haringey | 480 |
| Redbridge and Waltham Forest | 630 |
| Barking and Havering | 320 |
| Brent and Harrow | 630 |
| Camden and Islington | 1,030 |
| Ealing, Hammersmith and Hounslow | 320 |
| East London and the City | 1,050 |
| North Essex | 510 |
| South Essex | 490 |
| East and North Hertfordshire | 190 |
| West Hertfordshire | 120 |
| *South Thames* | 3,270 |
| Bexley and Greenwich | 320 |
| Bromley | 620 |
| Croydon | 0 |
| East Kent | 250 |
| West Kent | 500 |
| Kingston and Richmond | 150 |
| Lambeth, Southwark and Lewisham | 410 |
| Merton, Sutton and Wandsworth | 350 |
| East Surrey | 130 |
| West Surrey | 400 |
| East Sussex, Brighton and Hove | 500 |
| West Sussex | 120 |

*Estimated live discharges with a primary diagnosis schizophrenia psychoses, by health authority of treatment*

| | Number |
|---|---|
| *South and West* | 4,330 |
| North and Mid Hampshire | 200 |
| Portsmouth and South East Hampshire | 320 |
| Southampton and South West Hampshire | 290 |
| Isle of Wight | 110 |
| Somerset | 350 |
| South and West Devon | 290 |
| Wiltshire | 420 |
| Avon | 610 |
| Cornwall and Isles of Scilly | 520 |
| Dorset | 440 |
| North East Devon | 490 |
| Gloucestershire | 300 |
| *West Midlands* | 3,000 |
| Birmingham | 600 |
| Coventry | 300 |
| Dudley | 230 |
| Herefordshire | 70 |
| Sandwell | 120 |
| Shropshire | 290 |
| Solihull | 80 |
| North Staffordshire | 360 |
| South Staffordshire | 260 |
| Walsall | 150 |
| Warwickshire | 250 |
| Wolverhampton | 140 |
| Worcestershire | 260 |
| *North West* | 5,600 |
| South Lancashire | 160 |
| Liverpool | 380 |
| Manchester | 650 |
| Morecambe Bay | 220 |
| St. Helens and Knowsley | 280 |
| Salford and Trafford | 430 |
| Sefton | 460 |
| Stockport | 180 |
| West Pennine | 320 |
| Bury and Rochdale | 330 |
| North Cheshire | 290 |
| South Cheshire | 280 |
| East Lancashire | 500 |
| North West Lancashire | 350 |
| Wigan and Bolton | 400 |
| Wirral | 390 |
| *Not Known* | 0 |

*Notes:*
1. The data have been rounded
2. Figures for 1997–98 are provisional; no adjustments have yet been made for shortfalls in data (i.e. the data are ungrossed)

*Source:*
Hospital Episode Statistics

## NHS Translators

**Mr. Maclean:** To ask the Secretary of State for Health what is the *(a)* average salary and *(b)* hourly rate for a translator employed by the NHS. [74170]

**Ms Jowell:** The information requested is not available centrally. National Health Service trusts have the power to set terms and conditions for all their staff, including translators.

**Mr. Maclean:** To ask the Secretary of State for Health what was the cost to the NHS in the latest year for which figures are available of providing *(a)* translators and *(b)* translation services for public information. [74169]

**Ms Jowell:** The information requested is not available centrally. The decisions and working arrangements for translators and translation services are made at local level. The responsibility for employing translators, interpreters, linkworkers and advocates lies with health authorities and National Health Service trusts.

## Dentists

**Dr. Harris:** To ask the Secretary of State for Health what percentage of dental contract holders had an NHS list which (i) increased and (ii) decreased between March 1997 and March 1998 in each health authority area and in total in England. [74004]

**Mr. Denham** *[holding answer 3 March 1999]:* The percentage of dental contract holders for each health authority having a National Health Service list which increased or decreased between March 1997 and March 1998 is shown in the table.

*General Dental Service: dental contract holders with an increase and decrease in list size between March 1997 and 1998: by health authority—England*

| *Health authority* | *Percentage with an increase* | *Percentage with a decrease* |
|---|---|---|
| England | 31.4 | 68.3 |
| Avon | 33.4 | 66.3 |
| Barking and Havering | 34.0 | 66.0 |
| Barnet | 33.8 | 64.0 |
| Barnsley | 35.8 | 64.2 |
| Bedfordshire | 35.6 | 61.9 |
| Berkshire | 28.3 | 71.3 |
| Bexley and Greenwich | 38.5 | 61.5 |
| Birmingham | 30.2 | 68.8 |
| Bradford | 26.3 | 73.0 |
| Brent and Harrow | 29.0 | 70.5 |
| Bromley | 30.6 | 68.4 |
| Buckinghamshire | 21.8 | 77.7 |
| Bury and Rochdale | 35.8 | 63.3 |
| Calderdale and Kirlees | 34.5 | 64.3 |
| Cambridge and Huntingdon | 25.5 | 74.5 |
| Camden and Islington | 25.7 | 73.7 |
| Cornwall and Isles of Scilly | 30.8 | 69.2 |
| County Durham | 39.6 | 60.4 |
| Coventry | 26.0 | 74.0 |
| Croydon | 30.8 | 69.2 |
| Doncaster | 43.5 | 56.5 |
| Dorset | 22.6 | 76.9 |
| Dudley | 23.9 | 76.1 |
| Ealing, Hammersmith and Hounslow | 27.4 | 71.9 |
| East Kent | 31.3 | 67.3 |
| East Lancashire | 32.9 | 66.4 |
| East London and The City | 34.8 | 64.6 |
| East Norfolk | 26.2 | 73.8 |
| East Riding | 36.8 | 63.2 |
| East Surrey | 27.3 | 72.0 |
| East Sussex, Brighton and Hove | 31.1 | 68.9 |
| East and North Hertfordshire | 37.6 | 62.4 |
| Enfield and Haringey | 35.4 | 64.1 |
| Gateshead and South Tyneside | 36.8 | 63.2 |
| Gloucestershire | 26.7 | 73.3 |
| Herefordshire | 35.1 | 63.2 |
| Hillingdon | 25.0 | 75.0 |
| Isle of Wight | 40.0 | 60.0 |
| Kensington, Chelsea and Westminster | 29.6 | 69.0 |
| Kingston and Richmond | 24.8 | 75.2 |
| Lambeth, Southwark and Lewisham | 29.6 | 70.0 |
| Leeds | 39.1 | 60.9 |
| Leicestershire | 31.3 | 67.8 |
| Lincolnshire | 35.8 | 64.2 |
| Liverpool | 34.8 | 64.4 |
| Manchester | 28.5 | 70.9 |
| Merton, Sutton and Wandsworth | 27.3 | 72.3 |
| Morecambe Bay | 38.3 | 60.5 |
| Newcastle and North Tyneside | 34.3 | 65.0 |
| North Cheshire | 35.4 | 63.3 |
| North Cumbria | 44.8 | 55.2 |
| North Derbyshire | 34.7 | 65.3 |
| North Essex | 34.1 | 65.0 |
| North Nottinghamshire | 45.5 | 54.5 |
| North Staffordshire | 32.6 | 65.2 |
| North West Anglia | 27.8 | 72.2 |
| North West Lancashire | 35.5 | 64.5 |
| North Yorkshire | 40.3 | 59.2 |
| North and East Devon | 22.0 | 78.0 |
| North and Mid Hampshire | 31.2 | 68.8 |
| Northamptonshire | 35.4 | 64.6 |
| Northumberland | 42.7 | 57.3 |
| Nottingham | 27.3 | 72.7 |
| Oxfordshire | 26.4 | 72.0 |
| Portsmouth and South East Hampshire | 29.2 | 70.8 |
| Redbridge and Waltham Forest | 28.8 | 70.5 |
| Rotherham | 47.9 | 47.9 |
| Salford and Trafford | 29.4 | 70.6 |
| Sandwell | 28.4 | 69.1 |
| Sefton | 31.6 | 68.4 |
| Sheffield | 38.0 | 62.0 |
| Shropshire | 27.3 | 71.9 |
| Solihull | 42.4 | 55.9 |
| Somerset | 24.6 | 75.4 |
| South Cheshire | 31.6 | 67.1 |
| South Derbyshire | 25.9 | 72.8 |
| South Essex | 33.9 | 65.0 |
| South Humber | 30.9 | 67.6 |
| South Lancashire | 36.0 | 62.9 |
| South Staffordshire | 34.0 | 66.0 |
| South and West Devon | 27.3 | 72.7 |
| Southampton and South West Hampshire | 31.4 | 68.6 |
| St. Helens and Knowsley | 34.4 | 65.6 |
| Stockport | 26.0 | 74.0 |
| Suffolk | 27.0 | 73.0 |
| Sunderland | 20.9 | 79.1 |
| Tees | 38.8 | 61.2 |
| Wakefield | 48.9 | 51.1 |
| Walsall | 43.4 | 56.6 |
| Warwickshire | 30.5 | 69.5 |
| West Hertfordshire | 30.4 | 69.1 |
| West Kent | 35.0 | 64.6 |
| West Pennine | 30.8 | 68.4 |
| West Surrey | 34.6 | 65.4 |
| West Sussex | 26.8 | 73.2 |
| Wigan and Bolton | 32.4 | 67.1 |
| Wiltshire | 26.1 | 73.9 |
| Wirral | 31.0 | 68.0 |
| Wolverhampton | 22.0 | 78.0 |
| Worcestershire | 22.8 | 76.5 |

*Notes:*

1. Comparisons between March 1997 and March 1998 are affected by the reduction in the registration period to 15 months.

2. Comparisons are for dentists with contracts at 31 March 1997 and 31 March 1998 and excludes dentists with no registrations on both dates.

3. Dentists with contracts in several HAs are counted in each HA in which they have a contract but only once in the England total.

4. The percentage increases and decreases may not equal a 100 per cent. because some dentists will have an unchanged list size.

**Dr. Harris:** To ask the Secretary of State for Health (1) what was the total revenue raised from patient charges in the salaried dentist scheme in (i) 1995 to 1996, (ii) 1996 to 1997 and (iii) 1997 to 1998; [74002]

(2) what was the total spend on salaried dentists in England by health authority in (i) 1995 to 1996, (ii) 1996 to 1997 and (iii) 1997 to 1998; [74001]

(3) how many (i) adults and (ii) children are registered with salaried dentists in each health authority; and how many salaried dentists there were in each health authority in *(a)* March 1996, *(b)* March 1997 and *(c)* March 1998. [74003]

**Mr. Denham** *[holding answer 3 March 1999]:* The information requested has been placed in the Library.

### Dissolved NHS Trusts

**Mrs. Humble:** To ask the Secretary of State for Health what financial arrangements are being made in respect of the 37 NHS trusts dissolved on 1 April 1998. [75335]

**Mr. Denham:** Pursuant to the dissolution of thirty-seven National Health Service trusts on 1 April 1998, and their reconfiguration through the establishment of eighteen new trusts on that date, we propose to create originating debt for the new trusts equal to the net assets transferred to them and therefore to remit the outstanding debt of the dissolved trusts.

These operations involve no overall loss to the Exchequer. Her Majesty's Treasury has presented a minute to the House, on 2 March 1999, giving the particulars and circumstances of the proposed remission which it has approved in principle.

### Lobbyists

**Mr. Flynn:** To ask the Secretary of State for Health if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74356]

**Ms Jowell:** Any contacts with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contact with Lobbyists".

### National Radiological Protection Board

**Mr. Willis:** To ask the Secretary of State for Health if he will establish the funding made available to the National Radiological Protection Board from *(a)* his Department, *(b)* other Government departments and *(c)* the telecommunications industry in each of the last three years; and if he will make a statement. [74710]

**Ms Jowell:** The information requested is in the table.

*£000*

| | *1997–98* | *1996–97* | *1995–96* |
|---|---|---|---|
| Department of Health (Revenue grant) | 5,783 | 5,893 | 5,859 |
| Department of Health (Capital grant) | 520 | 520 | 1,249 |
| Other Government Departments | 2,070 | 2,060 | 2,140 |
| Telecommunications industry | less than 20 | less than 20 | less than 20 |

## AGRICULTURE, FISHERIES AND FOOD

### Public Bodies

**Dr. Tony Wright:** To ask the Minister of Agriculture, Fisheries and Food which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69889]

**Mr. Morley:** The following executive non-departmental public bodies sponsored by my Department have a statutory basis:

Agricultural Wages Board for England and Wales
Agricultural Wages Committees
Apple and Pear Research Council
British Potato Council
Food from Britain Council
Home Grown Cereals Authority
Horticultural Development Council
Meat and Livestock Commission
Milk Development Council
Regional Flood Defence Committees
Royal Botanic Gardens Kew
Sea Fish Industry Authority.

Agricultural Wages Committees already come within the jurisdiction of the Parliamentary Commissioner. The following are due to be covered shortly by means of an Order in Council:

Apple and Pear Research Council
British Potato Council
Food from Britain Council
Home Grown Cereals Authority
Horticultural Development Council
Meat and Livestock Commission
Milk Development Council
Royal Botanic Gardens Kew
Sea Fish Industry Authority
United Kingdom Register of Organic Food Standards
Wine Standards Board of the Vintners' Company.

Regional Flood Defence Committees come within the jurisdiction of the Local Government Ombudsman.

**Dr. Tony Wright:** To ask the Minister of Agriculture, Fisheries and Food which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69953]

**Mr. Morley:** In answer to *(a)* and *(b)* there is no statutory requirement for any of my Department's Executive non-departmental public bodies to publish minutes, agendas or documents of their meetings. The following make minutes of meetings available on request:

Agricultural Wages Board
Agricultural Wages Committees (if no specific case is mentioned)
Food from Britain
United Kingdom Register of Organic Food Standards

The British Potato Council circulates the minutes of its meetings to interested organisations.

*(c)* In line with the commitment given in "Quangos: Opening the Doors", all of my Department's executive non-departmental bodies either have, or shortly will have, a register of interest in place.

**Dr. Tony Wright:** To ask the Minister of Agriculture, Fisheries and Food which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69981]

**Mr. Morley:** There is no statutory requirement for any of the executive non-departmental public bodies to *(a)* admit members of the public to all board and committee meetings *(b)* hold public meetings or *(d)* operate a form of complaints procedure.

*(a)* The British Potato Council invites the NFU and other bodies to committee meetings.

Some meetings of Regional Flood Defence Committees are open to the public.

The Horticultural Development Council admits the public to its AGM.

*(b)* The following hold public meetings:

British Potato Council

Horticultural Development Council

Meat and Livestock Commission

Milk Development Council

Sea Fish Industry Authority

Regional Flood Defence Committees

Horticulture Research International holds numerous open days and offer numerous events and activities.

*(c)* There is a statutory requirement to have lay or consumer representation on:

Apple and Pear Research Council

British Potato Council

Horticultural Development Council

Meat and Livestock Commission

Milk Development Council

Sea Fish Industry Authority

(d) The following operate a complaints procedure:

Apple and Pear Research Council

Food from Britain Council

Home Grown Cereals Authority

Horticultural Development Council

Meat and Livestock Commission

Milk Development Council

Royal Botanic Gardens, Kew

Sea Fish Industry Authority.

**Dr. Tony Wright:** To ask the Minister of Agriculture, Fisheries and Food which of the advisory non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and whether in each case this is under a statutory requirement. [69840]

**Mr. Morley:** In answer to *(a)* and *(b)* there is no statutory requirement for any of my Department's Advisory non-departmental public bodies to publish minutes, agendas or documents of their meetings. The following make minutes of meetings available on request:

Advisory Committee on Novel Foods and Processes

Farm Animal Welfare Council

Food Advisory Committee

Consumer Panel

Spongiform Encephalopathy Advisory Committee;

publish summaries of their discussions and hold press briefings after committee meetings;

Veterinary Products Committee;

issues a summary of discussions as a press release.

*(c)* In line with the commitment given in "Quangos: Opening the Doors", all of my Department's advisory non-departmental bodies either have, or shortly will have, a register of interests in place.

**Dr. Tony Wright:** To ask the Minister of Agriculture, Fisheries and Food which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement. [69964]

**Mr. Morley:** There is no statutory requirement for any of my Department's advisory non-departmental public bodies to admit members of the public to all board or committee meetings or to hold public meetings. The Advisory Committee on Novel Foods and Processes and the Food Advisory Committee have done both on occasions. The Veterinary Products Committee has held one public meeting. The Consumer Panel and the Farm Animal Welfare Council will both be holding an open meeting in 1999.

The following advisory non-departmental public bodies have lay or consumer representatives on their boards:

Advisory Committee on Novel Foods and Processes

Advisory Committee on Pesticides

Consumer Panel

Consumers Committee for Great Britain

Food Advisory Committee

Spongiform Encephalopathy Advisory Committee

Veterinary Products Committee.

This is not a statutory requirement.

## Agriculture Council

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food if he will list the issues for discussion before the Agriculture Council on 22 and 23 February, indicating the position he proposes to take on each issue. [72747]

**Mr. Nick Brown** *[holding answer 24 February 1999]:* Every six months, at the beginning of an EU Presidency, the Minister of State, Foreign and Commonwealth Office, my right hon. Friend and the Member for Gateshead, East and Washington, West (Ms Quin) outlines to the House meetings expected during the Presidency. Every month, she gives the House details of the items expected at meetings of the Council of Ministers during the month.

After each meeting of the Agriculture Council, I report back to the European Scrutiny Committee on the business conducted at the Agriculture Council meeting. The Government have recently extended arrangements for scrutinising Council business to include the Second and Third Pillars of the Treaty on European Union, as well as the First Pillar. The Government will continue to promote the interests of the United Kingdom at all meetings of the Council of Ministers. However, it has not been the practice of successive Administrations to indicate the position that Ministers propose to take in advance of Council.

### Quarantine

**Mr. Fearn:** To ask the Minister of Agriculture, Fisheries and Food what representations his Department has received from current providers of quarantine facilities in the recent consultation exercise on quarantine reform. [70602]

**Mr. Rooker:** During the consultation exercise representations were received from the following providers of quarantine facilities:

Aquithie Boarding and Quarantine Kennels and Cattery

Dover and Folkestone Quarantine Kennels

Firs International Quarantine

Foredown Kennels and Cattery

Four in Hand Kennels

Galley Hill International Kennels and Cattery

Knightwood Kennels

Moonwinds Quarantine and Boarding Kennels and Cattery

Oakenshaw Grange

Par Air (Livestock) Ltd.

St. Andrews Farm Kennels.

Responses were also received from the Quarantine Association and Quarantine Kennels Owners Association U.K.

The main view expressed in these representations was that the Government should provide compensation to quarantine kennels owners if the present arrangements are changed; some suggested that the quarantine period should be reduced rather than dispensed with altogether.

**Mr. Wood:** To ask the Minister of Agriculture, Fisheries and Food which organisations were contacted during the consultation process on changes to the quarantine regulations. [73470]

**Mr. Rooker:** A list has been placed in the Library of the organisations that were sent a consultation letter which was issued by this Department on 23 September 1998. Separate consultations were held by the Secretary of State for Scotland and the Secretary of State for Wales.

### Bonemeal

**Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food what progress he has made in authorising the production of saleable meat and bonemeal from rendering plants specifically dedicated to the by-product of pig abattoirs. [R] [73794]

**Mr. Rooker:** The commercial market for meat and bone meal (MBM) has traditionally depended on its use in animal feed and in fertiliser. Because of the risk of transmission of BSE, the use of MBM in farm animal feed and agricultural fertiliser is currently prohibited.

The Government will only consider relaxation of the rules prohibiting the inclusion of animal proteins in feedingstuffs and fertilisers, which are intended to prevent the transmission of BSE to cattle either directly or through cross examination, if SEAC advise that it is safe to do so. We would also wish to consult the EU Commission on any proposal to change the rules.

The Meat and Livestock Commission (MLC) is currently producing an industry strategy paper for adding value to animal by-products, which includes restoration of the value of meat and bone meal from the rendering of porcine waste in dedicated plants through the incorporation of this material in poultry feed. Experience has shown that the effective enforcement of such selective controls is extremely difficult, and failure could prejudice the progress made so far in eradicating BSE and in restoring export markets. We are currently discussing with the MLC whether their paper should go to SEAC or whether further work should be done first to address the need for safeguards to avoid contamination of farm animal feed not intended for poultry.

### Farmers' Corporation Tax

**Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with Treasury Ministers about prohibiting putting farmers' corporation tax on the same basis as farmers' income tax in terms of offsetting trading losses against future profit; and what was the outcome of those discussions. [R] [73798]

**Mr. Rooker:** I have had no discussion with Treasury Ministers on this matter. While taxation is a matter for my right hon. Friend the Chancellor of the Exchequer, I understand that trading losses, including trading losses of farmers, can already be carried forward against future profits from that trade for Corporation Tax just as they can be for Income Tax.

### Live Animal Exports

**Mr. Prosser:** To ask the Minister of Agriculture, Fisheries and Food what proportion of the consignments of live sheep that pass through lairages in the Dover region prior to export are inspected by his veterinary officials to ensure that they are being transported in compliance with the Welfare of Animals (Transport) Order 1997; what steps his veterinary officials take to ensure that sheep which pass through lairages in the Dover region prior to export are given the rest periods required by the 1997 Order; what proportion of loadings prior to export of live sheep at lairages in the Dover region are inspected by his veterinary officials; and if he will make a statement. [74321]

**Mr. Morley:** The level of targeted spot checks carried out at the Dover lairages depends on the resources available, but at present the aim is to check one of the four lairages on each sailing day. Additionally, Local Authority enforcement officers carry out random checks

of vehicles en route, and of lairages. This supplements the arrangements under which all animals exported for further fattening or slaughter are checked at Dover port.

### Bovine TB

**Mr. Drew:** To ask the Minister of Agriculture, Fisheries and Food what measures the Government have evaluated to deal with the problem of the spread of bovine TB outside those areas which are subject to the randomised badger cull. [73218]

**Mr. Rooker** *[holding answer 2 March 1999]:* Tuberculosis in cattle is a serious and multi-faceted problem in this country, and we consider that the only way to develop a sustainable control policy in the long term is to implement the wide ranging five point strategy, involving research and control, which I announced last August. That strategy reflects our evaluation of the Krebs Report, and of the ideas contained in several hundred letters commenting on it.

We are willing to consider additional action which could usefully complement existing measures. Among the ideas being considered at present are more rapid responses to TB incidents, more comprehensive local testing, local badger culling outside the trial areas, and better advice to farmers on protecting the health status of cattle herds. We have not yet come to any conclusions. We are keeping an open mind while we discuss matters with interested parties. We will give serious consideration to any proposal which might help towards a solution.

### Transmissible Spongiform Encephalopathy

**Dr. David Clark:** To ask the Minister of Agriculture, Fisheries and Food how many confirmed transmissible spongiform encephalopathy cases there were by species in animals other than cattle in Great Britain at the latest available date. [73410]

**Mr. Rooker:** Scrapie, one of the family of transmissible spongiform encephalopathies, has been present in sheep for over 250 years. This disease has been notifiable since 1 January 1993 in response to the EC Directive governing trade in sheep and goats (91/68/EEC). The numbers of cases of scrapie in sheep and goats confirmed in Great Britain from 1 January 1993 to 1 March 1999 are as follows:

| | *Number of cases* |
|---|---|
| Sheep | 2,281 |
| Goats | 8 |
| Total | 2,289 |

As regards other spongiform encephalopathies, the following table gives the number of cases confirmed in exotic animals and felines in Great Britain since 1986:

| *Species* | *Number of cases* |
|---|---|
| Ankole cow | 2 |
| Bison | 1 |
| Cheetah | 5 |
| Domestic cat | 85 |
| Eland | 6 |
| Gemsbok | 1 |
| Kudu | 6 |
| Nyala | 1 |
| Ocelot | 2 |
| Oryx (Arabian) | 1 |
| Oryx (scimitar horned) | 1 |
| Puma | 3 |
| Tiger | 2 |
| Lion | 1 |

[1] Four litter mates also died in zoos abroad
[2] Plus one inconclusive
*Note:*
Data as at 25 February 1999

## ATTORNEY-GENERAL

### Chief Crown Prosecutor

**Mr. Burnett:** To ask the Attorney-General if he will list the full range of salaries, other payments and benefits to be paid to or provided for Chief Crown Prosecutors. [74123]

**The Attorney-General:** The table lists the areas in which positions of Chief Crown Prosecutor are available together with the salary range into which each position is categorised. In addition, all permanent appointments are pensionable from the outset under the Principal Civil Service Pension Scheme.

| *Area* | *Salary Range* |
|---|---|
| London | £54,230—£90,400 |
| Greater Manchester<br>West Midlands<br>West Yorkshire | £49,130—£80,400 |
| Hampshire<br>Lancashire<br>Merseyside<br>Northumbria<br>South Wales | £44,560—£71,470 |
| Avon & Somerset<br>Cheshire<br>Cleveland<br>Derbyshire<br>Devon & Cornwall<br>Essex<br>Humberside<br>Kent<br>Leicestershire<br>Nottinghamshire<br>South Yorkshire<br>Staffordshire<br>Sussex<br>Thames Valley<br>West Mercia | £40,430—£63,490 |
| Bedfordshire<br>Cambridgeshire<br>Cumbria<br>Dorset<br>Durham<br>Dyfed-Powys<br>Gloucestershire<br>Gwent<br>Hertfordshire<br>Lincolnshire<br>Norfolk<br>Northamptonshire<br>North Wales<br>North Yorkshire<br>Suffolk<br>Surrey<br>Wiltshire<br>Warwickshire | £33,456—£54,323 |

**Mr. Burnett:** To ask the Attorney-General how many applicants there have been for the posts of Chief Crown Prosecutor; and how many such applicants have come from *(a)* the Crown Prosecution Service, *(b)* solicitors in private practice and *(c)* barristers in private practice. [74122]

**The Attorney-General:** The total number of applicants for the posts of Chief Crown Prosecutor was 209, of which:

*(a)* 148 were from the Crown Prosecution Service;

*(b)* 22 applicants were from solicitors in private practice;

*(c)* 13 applicants were from barristers in private practice.

The remaining 26 applicants came from a variety of sources not included in the categories above.

### Lobbyists

**Mr. Flynn:** To ask the Attorney-General if he will make a statement on the role of professional lobbyists in formulating policy in his Department. [74360]

**The Attorney-General:** Any contacts with lobbyists by Ministers and civil servants in this Department are conducted in accordance with the "Ministerial Code" and "Guidance for Civil Servants: Contact with Lobbyists".

### Director of Public Prosecutions

**Mr. Burnett:** To ask the Attorney-General if he will list all salary and other payments and all benefits paid to and provided for the Director of Public Prosecutions in *(a)* 1994–95, *(b)* 1995–96, *(c)* 1996–97, *(d)* 1997–98 and *(e)* estimated for 1998–99. [74125]

**The Attorney-General:** The post of Director of Public Prosecutions attracts a salary which equates to that of a High Court Judge and is reviewed annually following recommendations by the Senior Salaries Review Body (SSRB). The salaries of High Court Judges are published in the SSRB's annual reports.

From 21 April 1992 to 31 October 1998, the post of Director of Public Prosecutions was held by Dame Barbara Mills QC. Her appointment was pensionable from the outset under the Principal Civil Service Pension Scheme (PCSPS). In addition, Dame Barbara was pensionable under a Supplementary Scheme, with benefits accruing at the same rate as under the PCSPS, in respect of that part of her pay exceeding the Inland Revenue earnings cap limits which are applied to the PCSPS.

In departing from the post on 31 October 1998, she received a severance payment under the terms of the Civil Service Compensation Scheme.

Mr. David Calvert-Smith QC was appointed Director of Public Prosecutions on 1 November 1998, with a starting salary, again equating to that of a High Court Judge, of £116,045 which rose to £117,752 on 1 December 1998. His appointment is pensionable under the PCSPS and the Civil Service Supplementary (Earnings Cap) Scheme. Pension and lump sum benefits will be provided through these schemes which have a value corresponding to those available to a High Court Judge under the Judicial Pension Scheme.

In addition to salary and pension benefits, an official car and chauffeur are made available to the Director of Public Prosecutions.

# Written Answers to Questions

*Friday 5 March 1999*

## HOME DEPARTMENT

### Juvenile Secure Accommodation

**Caroline Flint:** To ask the Secretary of State for the Home Department what plans he has for taking forward the reform of juvenile secure accommodation. [75662]

**Mr. Straw:** I will be announcing on Monday how we intend to take forward our programme of reform for juvenile secure accommodation.

### Special Branch

**Mr. Baker:** To ask the Secretary of State for the Home Department if the Special Branch is empowered to disconnect telephone lines connected to organisations for the purpose of preventing possible subversion; whether explicit authorisation is required from him for such action; and if he will make a statement. [74855]

**Mr. Straw:** Special Branches are not empowered to disconnect telephone lines. The remit under which all Special Branches in England and Wales, as well as Scotland, operate is described in the Guidelines on Special Branch Work in Great Britain (published jointly by the Home Office and Scottish Office Home & Health Department, July 1994).

**Mr. Baker:** To ask the Secretary of State for the Home Department if the remit of the Special Branch extends to monitoring pressure groups involved in campaigns against genetically modified food. [74856]

**Mr. Straw:** Pressure groups operating within the law are not the subject of monitoring by Special Branch or by any other law enforcement agencies. Special Branch may undertake inquiries either to meet the local policing needs in their force area or to assist the Security Service in carrying out its statutory duty under the Security Service Act 1989 for the protection of national security.

The remit under which all Special Branches in England and Wales, as well as Scotland, operate is described in the Guidelines on Special Branch Work in Great Britain (published jointly by the Home Office and Scottish Office Home & Health Department, July 1994).

### Stephen Lawrence Inquiry Report

**Sir Norman Fowler:** To ask the Secretary of State for the Home Department what action he has taken to protect witnesses mistakenly identified in the volume of appendices to the Stephen Lawrence Inquiry report which has now been withdrawn; and if he will make a statement. [75001]

**Mr. Straw:** Witness protection in London is the responsibility of the Metropolitan Police. The Metropolitan Police assessed urgently the risks posed to the safety of individuals as a result of the publication of an unredacted version of Appendix 11 in the Stephen Lawrence report. The Metropolitan Police have put in place appropriate protection measures for those concerned. There has been a Home Office liaison officer on duty 24 hours a day since 26 February working with the police in Eltham to ensure that all individuals affected receive the protection that they need.

**Sir Norman Fowler:** To ask the Secretary of State for the Home Department if police assistance will be available to the leak inquiry ordered by his Permanent Secretary into the unauthorised publication of extracts from the Stephen Lawrence Inquiry report; and if he will make a statement. [75000]

**Mr. Straw:** It is for the independent investigator to determine what assistance may be required.

**Sir Norman Fowler:** To ask the Secretary of State for the Home Department what was the cost of withdrawing and reissuing the volume of appendices of the Stephen Lawrence Inquiry report; and if he will make a statement. [74999]

**Mr. Straw:** The figures requested are not yet available. I will write to the right hon. Member in due course.

### Prisoners (Compassionate Leave)

**Mr. Laurence Robertson:** To ask the Secretary of State for the Home Department under what circumstances people who are held in prison without bail and awaiting trial are allowed temporarily to leave the prison on compassionate grounds; whose responsibility it is to grant such leave; and if he will make a statement. [74997]

**Mr. George Howarth:** Under Rule 6 paragraph 8 of the Prison Rules 1964 (as amended), prisoners committed or remanded in custody for trial are not eligible to be considered by prison governors for temporary release.

Prisoners are remanded to prison by the court under the specific provisions of the Bail Act 1976. It is, therefore, for the court to consider any fresh information that may lead to temporary release on compassionate grounds when a new application for bail is submitted.

### Police Manpower (Greater Manchester)

**Mr. Woolas:** To ask the Secretary of State for the Home Department what allowance for extra police officers he made in the Greater Manchester Police Force financial settlement for 1999–2000. [74826]

**Mr. Boateng:** Greater Manchester Police will receive a funding increase of 3.0 per cent. in 1999–2000, which is above the national average. Following the funding settlement announced last month on 3 February 1999, *Official Report*, columns *618–19*, I understand that the Greater Manchester Police Authority have agreed a budget of £382.5 million for 1999–2000, an increase of £11.8 million or 3.2 per cent. over 1998–99. It is for the chief constable to determine the numbers of officers in the force on the basis of the resources available to him.

### Police Scientific Development Branch

**Mr. Matthew Taylor:** To ask the Secretary of State for the Home Department in what form the Police Scientific Development Branch produces an annual report outlining its activities; and if this report is available to members of the public. [74252]

**Mr. Boateng:** The Police Scientific Development Branch no longer produces a separate annual report. However, the Branch's work is described in the Home Office Annual Report, and it also publishes technical reports on a number of its projects.

### Single Currency Referendum

**Mr. Maclean:** To ask the Secretary of State for the Home Department what plans he has to issue information from his Department to help the public make an informed decision when they vote on the single currency. [73590]

**Mr. Straw:** Any plans by the Government to issue information during a referendum campaign on whether or not the United Kingdom should join the single currency would be made in light of the Government's response to the recommendations from the Neill Committee on the conduct of referendums and Parliament's approval thereto. The Government will announce their conclusions on those recommendations when I publish a draft Bill before the summer recess.

## LORD CHANCELLOR'S DEPARTMENT

### Task Force

**Dr. Tony Wright:** To ask the Minister of State, Lord Chancellor's Department if he will publish a list of (1) task forces and (2) policy reviews established by his Department since May 1997 which *(a)* had external members recruited by way of public advertisement, and details of any person so appointed and *(b)* engaged in public consultation exercises, and the form that these took. [74455]

**Mr. Hoon:** Most task forces and reviews are short-term bodies established to give thorough consideration to important and difficult issues. External members are invited to sit on some reviews and task forces because they are able to contribute specific experience and expertise. In such cases, public advertising would be inappropriate and disproportionate. Of the task forces and reviews set up by my Department, none of them recruited external members by way of public advertising.

On 25 March 1998, the Lord Chancellor announced a Review of Enforcement of Civil Court Judgments. The Review involves external members but they were not recruited by way of public advertisement. An initial public consultation paper was issued in June 1998 to a wide range of organisations with an interest in enforcement.

Since 1 October 1998, appointments to those task forces which qualify for classification as advisory non-departmental public bodies have come within the remit of the Commissioner for Public Appointments.

## ATTORNEY-GENERAL

### Task Forces

**Dr. Tony Wright:** To ask the Attorney-General if he will publish a list of (1) task forces and (2) policy reviews established by his Department since May 1997 which *(a)* had external members recruited by way of public advertisement, and details of any person so appointed and *(b)* engaged in public consultation exercises, and the form that these took. [74470]

**The Attorney-General:** On 12 June 1997, I established the review of the Crown Prosecution Service under the chairmanship of the right hon. Sir Iain Glidewell, a retired Lord Justice of Appeal. He was assisted by Sir Geoffrey Dear (a retired HM Inspector of Constabulary) and Mr. Robert McFarland (a retired Chief Executive of a multi-national company). Their Report was published on 1 June 1998.

None of those individuals was recruited by way of public advertisement. The Review Team was a short-term body established to give thorough consideration to an important and difficult issue. Sir Iain Glidewell was invited to chair the Review because of his judicial experience and the two additional members of the team were selected because of their ability to contribute specific experience and expertise. Public advertising would have been inappropriate and disappropriate. It would have also delayed establishment of the Review.

In February 1998, I established a Working Party to review the system of appointing Counsel to act for the Crown in civil cases and to monitor the use of advocates appointed to act. The Working Party was chaired by the then Solicitor-General (Lord Falconer QC) and included representatives from the Bar Council (Laura Cox QC and Lincoln Crawford), the two First Treasury Counsel (Philip Sales and Jonathan Crow) and officials from the Government Legal Service. I announced that I had accepted their recommendations on 30 July 1998.

None of those individuals was recruited by way of public advertisement. The working party was a short-term body established to give thorough consideration to an important issue. The four external members were invited to sit on the working party because they were able to contribute specific experience and expertise. Public advertising would have been appropriate and disproportionate. A draft of the working party's report was sent to organisations with a specific interest in the subject, inviting their comments. The bodies consulted were the Bar Council, the Law Society, the Institute of Barristers' Clerks, the Association of Women Barristers, the Society for Black Lawyers, the Equal Opportunities Commission and the Commission for Racial Equality.

## DEFENCE

### Efficiency Savings

**Mr. Keith Simpson:** To ask the Secretary of State for Defence if he will list the key milestones and their planned date for *(a)* his Department's and *(b)* his private office's 3 per cent. efficiency savings. [74650]

**Mr. George Robertson** *[holding answer 4 March 1999]*: My Department's efficiency target is to achieve annual efficiency improvements of 3 per cent. (as a percentage of its operating costs efficiency baseline) each year from 1999–2000 to 2001–02. This target has not been applied uniformly across the Department, but has been disaggregated according to the scope to achieve efficiency in different budget areas. Progress in achieving this target is monitored by a steering group chaired by my hon. Friend the Minister for the Armed Forces.

Budget holders are required to identify the value and means of achievement of efficiency as part of my Department's annual planning processes. Total efficiency achieved will therefore be the sum of many hundreds of individual measures across the Department. Examples of some of the initiatives that will contribute towards the achievement of the Department's efficiency target were set out in section 4 of the Ministry of Defence's Public Service Agreement, published by HM Treasury in December 1998, a copy of which has been placed in the Library of the House. Draft plans at present indicate the potential to achieve efficiency improvements valued at some £530 million in 1999–2000. The realism of these plans, and the level of cash savings they eventually produce, remains under scrutiny.

### Smart Procurement

**Mr. Keith Simpson:** To ask the Secretary of State for Defence, pursuant to his answer to the Under-Secretary of State for Social Security, the hon. Member for Liverpool, Garston (Maria Eagle), of 22 February 1999, *Official Report*, column *28*, on smart procurement, when the full transition plan will be completed; and if he will place a copy in the Library. [74823]

**Mr. Spellar:** The Smart Procurement Initiative Implementation Team has recently delivered a report on its activities since September 1998 to the Steering Group chaired by myself. This includes a draft plan for the transition year, the very detailed and evolutionary nature of which does not lend itself to open publication. Over the coming weeks, I anticipate being able to announce achievements in the implementation of SDR measures, including the Smart Procurement Initiative. A summary of the Smart Procurement transition plan will be prepared and placed in the Library at that stage.

## HEALTH

### Nurses and Ancillaries (Injuries)

**Mr. Mackinlay:** To ask the Secretary of State for Health (1) what advice is given by his Department to trusts about their liability for injury to nurses and ancillaries arising from them lifting or moving patients; [73708]

(2) what advice is given to nurses and ancillaries in *(a)* hospitals and *(b)* domiciliary situations about the methods and extent to which they are authorised to lift or move patients; and if he will make a statement; [73707]

(3) if all trusts employing nurses and ancillary staff are required to insure them against injury arising from the lifting or moving of patients. [73706]

**Mr. Denham** *[holding answer 26 February 1999]*: The Government are committed to improving the health, safety and welfare of NHS patients and staff.

Insurance arrangements are a matter for National Health Service employers to determine locally. Staff who are injured in the course of their duties are entitled to payments from the National Health Service (Injury Benefits) Scheme for loss of earnings. They may also be entitled to compensation payments as a result of local insurance arrangements.

National Health Service employers, like all employers, are required to comply with the Health and Safety at Work, etc. Act 1974, the Manual Handling Operations Regulations 1992 and other statutory health and safety requirements.

The National Health Service Executive issued guidance on 18 May 1998 on "The Management of Health, Safety and Welfare Issues for NHS Staff". This guidance explains the obligations of NHS employers as well as giving advice on manual handling and other health and safety matters.

The National Health Service Executive sponsored a series of seminars around the country last year on health and safety issues.

### Correspondence

**Mr. Brady:** To ask the Secretary of State for Health when he will reply to the letter of 29 January from the hon. Member for Altrincham and Sale, West on appointments to health authorities and NHS trusts in the North West. [74834]

**Ms Jowell:** I replied to the hon. Member on 4 March.

### Health Authority Funding

**Mr. Jenkins:** To ask the Secretary of State for Health if he will list for each health authority in the West Midlands (i) the total funding allocation and (ii) the funding per capita for health services for each year between 1987 and 1999, indicating for each year the (1) planned and (2) actual funding allocation by his Department; and if he will make a statement. [74857]

**Mr. Denham:** Figures have been given for 1996–97 onwards as health authorities in their present form did not exist prior to that year.

The following tables give, for each health authority in the West Midlands:

1. actual allocation for crude and weighted head of population;

2. target allocation for crude and weighted head of population.

The target is the health authority's fair share of resources as calculated by the weighted capitation formula which is then used to inform the allocation. Health authorities are moved closer to their target over time through the differential distribution of growth.

Crude populations are based on figures supplied by the Office for National Statistics. Weighted populations are crude populations modified for age, need and unavoidable geographical costs as determined by the weighted capitation formula.

*1999–2000 recurrent unified allocation and target per capita*

| Health authority | Recurrent allocation[1] £000 | Allocation per crude head £ | Allocation per weighted head £ | Target £000 | Target per crude head £ | Target per weighted head £ |
|---|---|---|---|---|---|---|
| Birmingham | 681,946 | 658 | 632 | 679,290 | 656 | 629 |
| Coventry | 200,882 | 625 | 607 | 208,064 | 648 | 628 |
| Dudley | 183,018 | 593 | 622 | 184,858 | 599 | 628 |
| Herefordshire | 98,713 | 591 | 628 | 98,652 | 590 | 628 |
| North Staffordshire | 303,653 | 644 | 612 | 311,809 | 661 | 628 |
| Sandwell | 205,153 | 670 | 620 | 207,949 | 679 | 629 |
| Shropshire | 247,650 | 584 | 626 | 248,555 | 586 | 628 |
| Solihull | 122,698 | 584 | 636 | 121,100 | 577 | 628 |
| South Staffordshire | 322,868 | 566 | 633 | 320,147 | 561 | 628 |
| Walsall | 163,243 | 648 | 620 | 165,336 | 656 | 628 |
| Warwickshire | 293,422 | 590 | 645 | 285,805 | 575 | 628 |
| Wolverhampton | 160,226 | 660 | 619 | 162,577 | 670 | 629 |
| Worcestershire | 303,405 | 572 | 639 | 298,177 | 562 | 628 |

[1] Does not include non-recurrent money given to health authorities containing health action zones.

*Note:*

Targets and allocations for 1999–2000 are not comparable with those for earlier years which only covered hospital community health services (HCHS). This is because from 1999–2000 allocations were unified to cover the three funding streams of HCHS, prescribing and general practice infrastructure.

*1998–99 HCHS allocation and target per capita*

| Health authority | Allocation £000 | Allocation per crude head £ | Allocation per weighted head £ | Target £000 | Target per crude head £ | Target per weighted head £ |
|---|---|---|---|---|---|---|
| Birmingham | 506,138 | 498 | 464 | 506,303 | 498 | 464 |
| Coventry | [illegible] | 473 | 448 | 147,679 | 490 | 464 |
| Dudley | [illegible] | 429 | 459 | 136,066 | 434 | 464 |
| Herefordshire | [illegible] | 430 | 466 | 71,703 | 428 | 464 |
| North Staffordshire | 221,771 | 470 | 451 | 227,928 | 483 | 464 |
| Sandwell | 146,261 | 502 | 460 | 147,546 | 506 | 464 |
| Shropshire | 178,325 | 419 | 458 | 180,470 | 424 | 464 |
| Solihull | 83,831 | 413 | 472 | 82,278 | 405 | 464 |
| South Staffordshire | 239,424 | 407 | 466 | 238,062 | 405 | 464 |
| Walsall | 120,285 | 460 | 446 | 125,128 | 478 | 464 |
| Warwickshire | 218,459 | 432 | 481 | 210,540 | 417 | 464 |
| Wolverhampton | 118,036 | 493 | 456 | 120,131 | 502 | 464 |
| Worcestershire | 222,806 | 413 | 475 | 217,677 | 403 | 464 |

*1997–98 HCHS allocation and target per capita*

| Health authority | Allocation £000 | Allocation per crude head £ | Allocation per weighted head £ | Target £000 | Target per crude head £ | Target per weighted head £ |
|---|---|---|---|---|---|---|
| Birmingham | 481,774 | 474 | 450 | 473,478 | 466 | 443 |
| Coventry | 135,236 | 449 | 437 | 136,849 | 454 | 442 |
| Dudley | 128,245 | 408 | 437 | 129,707 | 413 | 442 |
| Herefordshire | 68,590 | 412 | 451 | 67,300 | 404 | 442 |
| North Staffordshire | 210,721 | 443 | 439 | 212,605 | 447 | 443 |
| Sandwell | 139,353 | 475 | 444 | 138,735 | 473 | 442 |
| Shropshire | 169,555 | 397 | 438 | 171,405 | 402 | 442 |
| Solihull | 80,401 | 395 | 451 | 78,867 | 388 | 442 |
| South Staffordshire | 228,820 | 389 | 450 | 224,972 | 383 | 442 |
| Walsall | 114,231 | 435 | 433 | 116,823 | 445 | 442 |
| Warwickshire | 209,327 | 417 | 464 | 199,503 | 397 | 442 |
| Wolverhampton | 112,409 | 463 | 440 | 112,985 | 466 | 442 |
| Worcestershire | 213,455 | 397 | 454 | 208,229 | 388 | 442 |

*1996–97 HCHS allocation and target per capita*

| Health authority | Allocation £000 | Allocation per crude head £ | Allocation per weighted head £ | Target £000 | Target per crude head £ | Target per weighted head £ |
|---|---|---|---|---|---|---|
| Birmingham | 464,917 | 461 | 443 | 446,725 | 443 | 426 |
| Coventry | 129,930 | 433 | 425 | 129,922 | 433 | 425 |
| Dudley | 122,509 | 390 | 419 | 124,286 | 396 | 425 |
| Herefordshire | 66,317 | 399 | 435 | 64,911 | 391 | 425 |

*1996–97 HCHS allocation and target per capita*

| Health authority | Allocation £000 | Allocation per crude head £ | Allocation per weighted head £ | Target £000 | Target per crude head £ | Target per weighted head £ |
|---|---|---|---|---|---|---|
| North Staffordshire | 202,568 | 425 | 418 | 206,082 | 433 | 426 |
| Sandwell | 133,355 | 455 | 431 | 131,620 | 449 | 425 |
| Shropshire | 162,708 | 384 | 418 | 165,445 | 391 | 425 |
| Solihull | 77,198 | 384 | 433 | 75,796 | 377 | 425 |
| South Staffordshire | 220,542 | 376 | 433 | 216,788 | 369 | 425 |
| Walsall | 109,494 | 414 | 417 | 111,831 | 423 | 425 |
| Warwickshire | 201,336 | 404 | 443 | 193,131 | 387 | 425 |
| Wolverhampton | 107,274 | 440 | 422 | 108,214 | 444 | 425 |
| Worcestershire | 204,651 | 378 | 428 | 203,412 | 376 | 426 |

## SOCIAL SECURITY

### Disability Living Allowance

**Mr. Field:** To ask the Secretary of State for Social Security what was the total number claiming each component of the disability living allowance, and the numbers within those groups *(a)* working and *(b)* not working, in each year since 1992. [75071]

**Mr. Bayley:** Information is not available in the format requested. Such information as is available is in the table.

Disability Living Allowance is intended to provide help with the extra costs of care and mobility needs arising from disability. Since entitlement can continue irrespective of whether the recipient is in or out of work, statistics are not routinely kept on the numbers working. The table gives numbers of recipients and some broad estimates of the proportion in work, based on available data in the Family Resources Survey.

*Number of Disability Living Allowance recipients [1] and estimated percentage in work [2]*

| | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 |
|---|---|---|---|---|---|---|---|
| *Care component* | | | | | | | |
| Recipients (000) | 475 | 684 | 825 | 995 | 1,172 | 1,317 | 1,401 |
| Percentage working | — | — | 8 | 8 | 9 | — | — |
| *Mobility component* | | | | | | | |
| Recipients (000) | 858 | 1,078 | 1,224 | 1,398 | 1,556 | 1,690 | 1,757 |
| Percentage working | — | — | 7 | 7 | 8 | — | — |
| *Total* [3] | | | | | | | |
| Recipients (000) | 1,019 | 1,248 | 1,400 | 1,589 | 1,768 | 1,926 | 2,014 |
| Percentage working | — | — | 7 | 8 | 8 | — | — |

[1] Numbers from administrative statistics taken at August of each year, rounded to the nearest thousand.
[2] Based on Family Resources Survey, which refers to financial years and excludes people in hospital and residential care. Information for earlier years is not available.
[3] Some recipients receive both components so numbers are less than the sum of the care and mobility recipients.

### Incapacity Benefit

**Mr. Rendel:** To ask the Secretary of State for Social Security what estimate he has made of *(a)* the number of bereaved people who will no longer be able to claim incapacity benefit on the basis of their spouses' contribution record under the proposals in the Welfare Reform and Pensions Bill and *(b)* the consequent savings. [75002]

**Mr. Bayley:** It is estimated that currently there may be up to 2,000 successful claims a year to Incapacity Benefit on the basis of a late spouse's contributions and that the proposals in the Welfare Reform and Pensions Bill may affect 1,500 people and save £1 million in 2001–02. No one already widowed at the point of change will be affected.

*Note:*

Savings are rounded to nearest £1 million and the number of cases to 500.

### Lone Parents

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security how many lone parents are currently claiming income support; and how many lone parents were claiming income support in September 1998. [75150]

**Angela Eagle:** The latest information available is that there were 955,000 lone parents claiming Income Support as at August 1998.

*Notes:*

1. The figure is rounded to the nearest thousand.

2. Figures are based on a 5 per cent. sample of Income Support claimants.

3. Lone parents are defined as single claimants with dependants who are not in receipt of a disability or pensioner premium.

*Source:*

Income Support Statistics Quarterly Inquiry: August 1998.

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security how many lone parents there are in each decile of income distribution. [75149]

**Angela Eagle:** The information is in the table.

The table shows the numbers of lone parents by decile or quintile of the income distribution. Their position in the income distribution is determined by the equivalised income of the household.

*Number of lone parents by equivalised income decile or quintile, excluding the self-employed: 1996–97*

*Thousand*

| | *Before housing costs* | *After housing costs* |
|---|---|---|
| *Income deciles* | | |
| Bottom decile | 220 | 280 |
| Second decile | 400 | 550 |
| Third decile | 360 | 270 |
| Fourth decile | 240 | 200 |
| *Income quintiles* | | |
| Third quintile | 260 | 200 |
| Fourth quintile | 120 | 110 |
| Top quintile | 60 | 50 |
| Total | 1,660 | 1,660 |

*Notes:*

1. All figures are estimates and are taken from the Households Below Average Income (HBAI) data set based on the Family Resources Survey (FRS). The FRS does not include Northern Ireland. 1996–97 is the latest year for which information is available.

2. The income measure used is weekly net (disposable) equivalised income. The definition of income used follows that in the published HBAI series for FRS based results. In HBAI, an individual's income is estimated by assuming each person in a household shares a common income level determined by the household's size and composition and its total disposable income. The adjustment to reflect the composition of the household is called 'equivalisation'. The figures may be sensitive to the choice of equivalence scale used. The figures are given for income both before and after housing costs in line with usual HBAI practice.

3. Results are presented excluding the self-employed because the income measures for the self-employed are inherently uncertain. Including the self-employed makes very little difference to these estimates.

4. Numbers are given to the nearest 10,000 but because they come from a sample survey they are not accurate to this degree. All results are subject to variable response rates and to sampling error. Due to the small sample sizes, the data for the top six deciles have been presented in quintiles.

### Child Support Agency

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security if he will list all the representations received in response to the Green Paper on the Child Support Agency. [75151]

**Angela Eagle:** We have received 1,564 written responses to the Green Paper. The Under-Secretary my noble Friend the Baroness Hollis of Heigham, has also held meetings with more than 40 organisations, academics and other groups with an interest in child support.

Further details about responses to the consultation exercise will be made available when we bring forward our final proposals for reform.

### Income Support

**Mr. Webb:** To ask the Secretary of State for Social Security, pursuant to his answer of 26 January 1999, *Official Report*, column 49, on income support, when he expects to publish estimates of non take-up of income-related benefits in 1996–97. [75070]

**Angela Eagle:** At present, work continues towards a revised set of figures for take-up in 1996–97. Publication is likely in May.

### Habitual Residence Test

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what is the annual estimated saving arising from the operation of the habitual residence test from its introduction to date. [74748]

**Angela Eagle** *[holding answer 4 March 1999]:* The best estimate of savings arising from the operation of the habitual residence test in the financial year 1997–98 is approximately £18 million. (This is an approximation since, by definition, we do not know the benefit entitlement of a person who fails the test).

*Notes:*

1. Savings for Income Support (IS), Housing Benefit (HB), Council Tax Benefit (CTB) and income-based Jobseeker's Allowance (JSA(IB)).

2. Based on 18,197 cases failing the habitual residence test over the period April 1997–March 1998. Source: Management Information Statistics.

3. Assumes that failing applicants are single with no dependants, and therefore entitled to the basic personal allowance in IS/JSA(IB) for someone aged 25 or over.

4. Assumes that in the absence of the test cases would be eligible for 13 weeks benefit.

5. Assumes average HB and CTB for a single person in receipt of IS, living in the deregulated private sector.

6. Assumes that 44 per cent. of those denied IS/JSA(IB) under the test would also have received HB, and 40 per cent. CTB.

### NIRS2

**Mr. Duncan Smith:** To ask the Secretary of State for Social Security what the total expenditure on the NIRS2 computer system has been to date; what the estimated total expenditure on completion of the NIRS2 computer system is; and what the original bid by Andersen Consulting for setting up the NIRS2 computer system was. [75182]

**Mr. Timms:** Payments for the NIRS2 service commenced from 13 July 1998. Expenditure to date has been £2.85 million. Andersen Consulting (AC) are contracted to provide the NIRS2 service until 5 April 2004. Due to the delayed go-live of the NIRS2 system, it is currently estimated that £39 million will be paid to AC for NIRS2 in that time. The bid submitted by AC for designing, developing, implementing and maintaining the NIRS2 service to 5 April 2004 was £44.8 million.

### Pensioner Incomes

**Mr. Field:** To ask the Secretary of State for Social Security how many pensioners are currently receiving income from a personal pension; and of those how many are also claiming means-tested benefits. [75068]

**Mr. Timms:** The information is not available.

We would expect that there are relatively few people who are receiving pension benefits from their personal pension plans at present. The data available do not distinguish income from personal pensions from income from other types of pension.

## NORTHERN IRELAND

### Punishment Beatings

**Mr. Moss:** To ask the Secretary of State for Northern Ireland how many punishment beatings took place in each year since 1994; and how many have taken place since the Good Friday Agreement. [70108]

**Mr. Ingram:** The following table illustrates the number of casualties as a result of paramilitary style attacks in Northern Ireland since 1994:

| *Year* | *Shootings* | *Assaults* | *Total* |
|---|---|---|---|
| 1994 | 122 | 70 | 192 |
| 1995 | 3 | 217 | 220 |
| 1996 | 24 | 302 | 326 |
| 1997 | 72 | 156 | 228 |
| 1998 | 72 | 144 | 216 |
| 10 April 1998 to 28 February 1999 | 65 | 150 | 215 |

### Pensioners (Concessionary Travel)

**Mr. Beggs:** To ask the Secretary of State for Northern Ireland what is the estimated annual cost of providing free travel on public transport for pensioners in Northern Ireland. [73984]

**Mr. Paul Murphy:** The Concessionary Fares Scheme in Northern Ireland is administered by the Department of the Environment for Northern Ireland.

It provides for unlimited travel at half-fare, at all times, on all scheduled services by road and rail throughout Northern Ireland for persons aged 65 and over, as well as children up to age 16 and war disabled pensioners. Registered blind people are entitled to free travel.

Unfortunately, the Department of the Environment for Northern Ireland does not hold a breakdown by 'group' of the current expenditure on the existing concessionary fares scheme. The total expenditure for 1997–98 was £9,078,768.

### Schizophrenia

**Sir Alastair Goodlad:** To ask the Secretary of State for Northern Ireland how many patients with a primary diagnosis of schizophrenia psychoses were discharged from mental illness hospitals in Northern Ireland in the last year; and how many were admitted for a hospital stay more than once during the year. [74387]

**Mr. McFall:** I refer the right hon. Member to the answer I gave him on 4 March 1999, *Official Report*, columns *821–22*.

## TRADE AND INDUSTRY

### Television and CDs (Copying)

**Mr. Peter Ainsworth:** To ask the Secretary of State for Trade and Industry what representations he has received regarding the introduction of a levy on the copying onto tape of television programmes and music CDs; and if he will make a statement. [72218]

**Dr. Howells** *[holding answer 22 February 1999]:* We are aware from a number of sources of the concerns of consumers and others that a draft EC Directive on copyright in the information society may require levies to be imposed on blank tapes. These concerns stem from proposed amendments to the Directive recently adopted by the European Parliament, which would require right owners to be compensated where exceptions to their rights permitting private copying are provided in national law. However, the outcome on the Directive is not yet clear since negotiations in the Council of Ministers are still at a relatively early stage, and it cannot be adopted until both the Council and the Parliament agree. In the UK, there is an exception allowing home recording of broadcasts to enable viewing or listening at a more convenient time, and we do not consider that a levy would be justified for this. The position on private copying of music CDs is different since in general there is no exception in the UK permitting this, and we envisage that it would remain subject to authorisation by right owners.

### Electronic Commerce

**Mr. Coaker:** To ask the Secretary of State for Trade and Industry what progress he has made in preparing legislation to promote electronic commerce. [75548]

**Mr. Byers:** The way we do business in the future is set to change dramatically. It is essential that Britain is at the forefront of these changes and building trust is crucial. The Government have set the ambitious goal of developing the UK as the world's best environment for electronic trading by 2002. I will shortly be appointing an e-envoy to push forward our strategy for achieving this. An important part of our strategy is the proposed legislation on Electronic Commerce, which I intend to present to Parliament later this session. I am publishing a consultation paper on the Bill today, and have placed copies in the Vote Office. I am determined to get this legislation right by developing it in consultation with industry and other interested parties, to provide a clear, consistent and predictable legal environment for business.

Developing trust on-line, building public confidence in "electronic signatures" and clarifying their legal status are essential if we are to promote electronic commerce. Our proposed legislation will do this. It will start removing the legal barriers to using electronic means, instead of pen and paper, in everyday dealings—for example between people and Government; between businesses and customers, or between companies and their shareholders. It will also enhance confidence in the technologies which people can use to ensure that others cannot read their credit card data when they shop on line and businesses can use to ensure that sensitive information is not being read by competitors. Encryption is vital to this as a way of supporting electronic signatures as well as protecting the confidentiality of documents.

However encryption poses a serious threat to the effectiveness of the agencies tasked with combating crime and threats to national security, who rely on legal access to both stored and communicated data. As, increasingly, such data become encrypted, they need access to the keys to unlock any material they lawfully obtain. We therefore intend to give those agencies legal powers to obtain encryption keys, under properly authorised procedures and on a case by case basis, wherever they are held. The

powers will apply only to material which itself has been, or is being, obtained under lawful authority and will not extend the range of material to which agencies are allowed access. The procedures will contain strong safeguards.

Much of what the Government have proposed has been broadly welcomed. However, there has been much debate about key escrow and third party key recovery—essentially ways of storing confidentiality keys or of recovering encrypted data. They allow critical data to be recovered both for business and other users of encryption for themselves or in response to authorised requests from law enforcement agencies. However, industry has argued that making this a requirement under the licensing scheme could hinder the development of electronic commerce in the UK.

The Government have therefore decided to consult on the basis that this will not be a requirement for licensing. But law enforcement faces a serious problem. Government and industry have a common interest in fighting crime. The Prime Minister is therefore establishing a partnership with industry to identify ways of meeting law enforcement requirements while promoting the growth of electronic commerce. The Government are seeking ideas on how these dual objectives might be promoted via the licensing scheme or otherwise.

Topics on which we are seeking views also include: legal recognition of electronic communications, exactly how the voluntary licensing scheme run by OFTEL for providers of cryptographic services licensing will work, the liability of service providers towards their customers and others, other possible changes to legislation to promote electronic commerce and the way the law enforcement provisions will affect licensed providers, unlicensed providers and other people.

Taken together, the proposals in this paper, which will form the basis of our Electronic Commerce Bill, will give the UK the most attractive legal framework in the world for doing electronic business. The paper is available at:

http://www.dti.gov.uk/CII/elec/elec—cont.html

### Staffordshire (Inward Investment)

**Mr. Jenkins:** To ask the Secretary of State for Trade and Industry if he will list the inward investment projects in Staffordshire which his Department has announced *(a)* since May 1997 and *(b)* between 1992 and 1997, giving in each case the (i) location, (ii) cash investment and (iii) number of jobs created; and if he will make a statement. [74547]

**Mr. Wills:** There is no obligation for foreign-owned—or indigenous—businesses to inform Government of the details of Inward Investment for reasons of commercial confidentiality. However, information collected by the West Midlands Development Agency, the regional development organisation, shows 59 cases of investment by foreign-owned companies in Staffordshire in the period from May 1992 to September 1998, of which 16 were since May 1997. Cumulative investment, where announced, totalled £644 million. Some 2,489 jobs were created and 7,985 safeguarded. Their records show that 21 of these investments were in the Tamworth area; 9 in Lichfield; 8 in Cannock; 7 in Burton-on-Trent and 6 in Stoke-on-Trent.

Through the Department's Invest in Britain Bureau, the regional development organisations and their regional partners, Government continue to seek to attract inward investment and to ensure that existing inward investors both maintain their investments and undertake future expansions in this country.

### EU Patent Directorate

**Joan Ruddock:** To ask the Secretary of State for Trade and Industry if he will make a statement on the EU Commission's position on the Dutch and Italian Governments' challenge to the EU Patent Directorate COM (95) 661. [74493]

**Mr. Battle** *[holding answer 3 March 1999]:* The European Commission, as a Community institution, is entitled to intervene in any case before the European Court of Justice. I am not aware that the Commission has made any such intervention in the Netherlands' action before the European Court of Justice, which action seeks to annul Directive 98/44/EC on the legal protection of biotechnological inventions. In addition, I am not aware that the European Commission has made any public statement on their position with respect to this case.

The Netherlands have applied to the European Court of Justice seeking to annul the recently adopted Directive 98/44/EC on the legal protection of biotechnological inventions.

As this Community legislation was adopted by the Council and European Parliament, it is these institutions, rather than the Commission who are parties to the action.

### Genetic Resource Patents

**Joan Ruddock:** To ask the Secretary of State for Trade and Industry what is the current practice of the UK Patent Office in awarding patents on *(a)* transgenic plants and *(b)* genes and genetic sequences derived from plants; and how many of each have been given in the last 12 months. [74474]

**Mr. Battle** *[holding answer 3 March 1999]:* The United Kingdom Patents Act (1977) sets down the requirements which must be met to obtain patent rights and the United Kingdom Patent Office assesses patent applications to investigate whether they comply with these requirements. So, for example, according to the Act, patents may be obtained for all inventions which are new, not obvious and have industrial applicability. These criteria must be met by inventions from all fields of technology, including biotechnology. The Act also excludes certain matter from patent rights. This includes plant varieties as such, and discoveries, such as the mere discovery that a gene exists in nature with no accompanying technical step. Thus, patents may be granted for inventions involving the genetic manipulation of plants. Any decision by the Patent Office can be challenged in the Courts.

Between the beginning of March 1998 and the end of February 1999, the Patents and Designs Journal have recorded the grant of two patents by the United Kingdom Patent Office.

### Newspaper Deliveries

**Mr. Swayne:** To ask the Secretary of State for Trade and Industry if he will make a statement about progress in negotiations between his Department and the National Federation of Retail Newsagents regarding regulations affecting newspaper delivery. [74626]

**Mr. Ian McCartney:** My Department has not been in negotiations with the National Federation of Retail Newsagents. I have previously stated that newspaper delivery boys and girls are not entitled to paid annual leave under the Working Time Regulations if they are below minimum school leaving age; anyone aged 16 or over who delivers newspapers is, like any other part-time worker, entitled to paid annual leave but only pro rata according to the hours they normally work.

### University Researchers (Employment Protection)

**Mr. Willis:** To ask the Secretary of State for Trade and Industry what plans he has to introduce employment protection for university scientific and medical researchers on short-term contracts. [74700]

**Mr. Ian McCartney:** The Employment Relations Bill now before Parliament will provide all employees with decent minimum standards in the workplace. It includes a proposal to abolish contractual clauses which allow those working under fixed term contracts lasting a year or more to waive the right to claim unfair dismissal at the end of the term.

### Oil Exploration (St. Kilda)

**Mr. Green:** To ask the Secretary of State for Trade and Industry what plans he has to allow oil exploration and development off St. Kilda; and if he will make a statement. [74282]

**Mr. Battle:** I refer the hon. Member to the answer given to the hon. Member for New Forest, West (Mr. Swayne) on 2 March 1999, *Official Report*, columns *693–95*.

## CABINET OFFICE

### Women's Issues

**Mr. Maclean:** To ask the Minister for the Cabinet Office if he will list the organisations which Ministers have met since 1 August 1998 in connection with the Government's policies on women's issues. [73958]

**Ms Jowell:** I have been asked to reply.

My noble Friend the Leader of the House of Lords and Minister for Women and I are responsible for delivering the Government's commitments towards women.

Since 1 August 1998, we have met representatives from the following organisations in connection with women's issues:

United Nations Commission on Status of Women
Equal Opportunities Commission
Women's Aid Federation for England
Birmingham Heartlands Hospital
Shevolution
Trades Union Congress
Age Concern
Nursing Standards Nursing Awards
National Council for Women
Women's Nationwide Cancer Control Campaign
United Kingdom Asian Women's Conference
YWCA
Women's National Commission
National Association of Women's Clubs
British Federation of Women Graduates
The Mothers Union
Fawcett Society
National Childbirth Trust
Women's Institute
Townswomen's Guild
Women Acting in Today's Society
Opportunity 2000
Camelot
Gingerbread
Shelter
Comic Relief
Telephone Helplines Association
EPOCH
Rape Crisis
National Family Mediation
Women's Royal Voluntary

In addition, a nationwide programme of Listening to Women roadshows was launched in Manchester and Glasgow last month. The programme continues with events in London on 8 March; Norwich on 10 March; Birmingham on 26 March; Bristol on 16 April; Newcastle on 19 April; Reading on 21 May; Leeds on 26 May; and Nottingham on 11 June. A large number of women's organisation are attending these events, representing a wide cross-section of interests and views, including, inter alia, organisations representing ethnic minority women, trades unions, and women from a wide range of community organisations. A Minister is attending each event to hear women's views first hand.

## SCOTLAND

### Departmental Expenditure

**Mr. Don Foster:** To ask the Secretary of State for Scotland if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of websites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each website (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each website for each of the next three years. [70966]

**Mr. Dewar** *[holding answer 15 February 1999]:* My Department's website provides information on a wide range of topics, including copies of all Departmental publications.

The information sought for my Department and its agencies is set out in the tables. Table 1 lists websites the costs of which are met directly by The Scottish Office. Running cost figures include internal staff costs borne by the bodies concerned. Table 2 lists websites maintained by executive agencies of The Scottish Office. Table 3 lists the addresses for each website. It would not be practically possible to list exhaustively the wide range of topics dealt with by each. Information relating to non-departmental public bodies in Scotland is not held centrally and could be obtained only at disproportionate cost.

From 1 July 1999 this will a matter for the Scottish Parliament.

*Table 1: The Scottish Office*

| *Department* | *Set-up costs (£)* | *Annual operation costs (£)* | *Over budget* | *Average number of hits per month* | *Year* | *Estimated expenditure over the next three years (£)* |
|---|---|---|---|---|---|---|
| Scottish Office | 38,000 | 98,000 | No | 229,000 | 1999–2000 | 95,000 |
| | | | | | 2000–2001 | 95,000 |
| | | | | | 2001–2002 | 95,000 |
| Scottish Office—HMI Educational Research Unit | 900 | 300 | No | 36,000 | 1999–2000 | 300 |
| | | | | | 2000–2001 | 300 |
| | | | | | 2001–2002 | 300 |
| Scottish Office—Scottish Devolution | 14,000 | 24,000 | No | 45,000 | 1999–2001 | 5,000 |
| Scottish Office—Scottish Health | 80,200 | 90,400 | No | 600,000 | 1999–2000 | 256,000 |
| | | | | | 2000–2001 | 350,000 |
| | | | | | 2001–2002 | 350,000 |
| Scottish Office—Sustainable Scotland | 7,000 | — | No | 4,000 | 1999–2000 | 5,000 |
| | | | | | 2000–2001 | 5,000 |
| | | | | | 2001–2002 | 5,000 |
| Scottish Parliament | 60,000 | — | — | — | — | — |

*Notes:*
The information given in Table 1 should be qualified as follows:
[1] As electronic publishing and the web is a fast changing environment the estimated expenditure on each of the websites over the next 3 years should be treated with caution.
Some of the operation costs for HMI Educational Research Unit are included within Scottish Office annual operation costs.
The Scottish Devolution website will be wound up in May 1999 to coincide with the Scottish Parliament elections and launch of the Parliament's own website.
The £7,000 set up cost for the Sustainable Scotland website includes year 1 operation costs.
The estimated set-up cost for design and development of the Scottish Parliament website is £60,000. Information on operation costs and average hits per month are not available, as the website is not yet up and running.

*Table 2: The Scottish Office Agencies*

| *Agencies* | *Set-up costs (£)* | *Annual operation costs (£)* | *Over budget* | *Average number of hits per month* | *Year* | *Estimated expenditure over the next three years (£)* |
|---|---|---|---|---|---|---|
| Fisheries Research Services | 1,400 | 2,000 | No | 1,000 | 1999–2000 | 2,000 |
| | | | | | 2000–2001 | 2,000 |
| | | | | | 2001–2002 | 2,000 |
| Historic Scotland | 80,000 | 12,900 | No | 48,000 | 1999–2000 | 13,000 |
| | | | | | 2000–2001 | 13,000 |
| | | | | | 2001–2002 | 13,000 |
| Registers of Scotland Executive Agency | 1,000 | 2,000 | No | 1,000 | 1999–2000 | 40,000 |
| | | | | | 2000–2001 | 10,000 |
| | | | | | 2001–2002 | 10,000 |
| Scottish Agricultural Science Agency | 5,000 | 600 | No | 30 | 1999–2000 | 2,000 |
| | | | | | 2000–2001 | 2,000 |
| | | | | | 2001–2002 | 3,000 |
| Student Awards Agency for Scotland | 2,000 | 500 | No | 2,000 | 1999–2000 | 1,000 |
| | | | | | 2000–2001 | 1,000 |
| | | | | | 2001–2002 | 1,000 |

*Table 3: Website addresses*

| *Scottish Office and Agencies* | *Address* |
|---|---|
| Fisheries Research Services | www.marlab.ac.uk |
| Historic Scotland | www.historic-scotland.gov.uk |
| Registers of Scotland Executive Agency (currently use the CCTA website) | www.open.gov.uk/roshome.htm |
| Scottish Agricultural Science Agency | www.sasa.gov.uk |
| Scottish Office | www.scotland.gov.uk |
| Scottish Office—HMI Educational Research Unit | www.hmis.scotoff.gov.uk/riu |
| Scottish Office—Scottish Devolution | www.scottish-devolution.org.uk |
| Scottish Office—Scottish Health | www.show.scot.nhs.uk |
| Scottish Office—Sustainable Scotland | www.sustainable.scotland.gov.uk |
| Student Awards Agency for Scotland | www.student-support-saas.gov.uk |

## Scottish Enterprise

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland if he will give a breakdown of planned expenditure by category for Scottish Enterprise in 2001–02; and if he will make a statement. [74242]

**Mr. Dewar** *[holding answer 3 March 1999]:* The gross planning figures for Scottish Enterprise in 2001–02 are as follows:

*Gross plans: £ million*

| | *2001–02* |
|---|---|
| Business Development | 140.6 |
| Infrastructure | 266.2 |
| Administration | 61.3 |

This breakdown will be aligned in due course with the new Scottish Enterprise strategic goals. These are supporting innovative and far sighted companies; stimulating positive attitudes to enterprise and learning, promoting inclusion and ensuring that Scotland is a competitive place in relation to its working and living environment.

From 1 July, this will be a matter for the Scottish Parliament.

## Parliamentary Questions

**Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland for what reasons he has not yet replied to the questions from the hon. Member for Gordon, tabled on 1 February for answer on 4 and 8 February (refs. 69242, 69254, 69251, 69235, 69267, 69203, 69197, 69198, 69199, 69201, 69200); and if he will make a statement. [75060]

**Mr. Dewar:** Question 69254 has been answered. The information requested in the remaining questions is currently being collated and will be provided to the hon. Member as soon as possible.

## Wick Sheriff Court

**Mr. Maclennan:** To ask the Secretary of State for Scotland what representations he has received from Sheriff Principal Risk about the exclusion of the Wick Sheriff Court from the list of outlying sheriff courts at which an enhanced fixed payment for summary criminal legal aid cases will be paid; and if he will make a statement. [75065]

**Mr. McLeish:** Sheriff Principal Risk wrote to The Scottish Office suggesting that Wick and Fort William should be included in the list of courts which attract an additional distant courts payment. A letter was sent to the Sheriff Principal explaining the basis on which the list of distant courts was drawn up.

The operation of the fixed payments regime will be closely monitored by the Tripartite Group, comprising The Scottish Office, the Law Society of Scotland and the Scottish Legal Aid Board. Monitoring will include the effect on rural courts. From 1 July 1999, legal aid in Scotland will be a matter for the Scottish Parliament.

## Nurses' Pay

**Mr. Moore:** To ask the Secretary of State for Scotland if he will estimate the average pay for Grade D nurses in the last 10 years; and if he will list the five NHS trusts that have the lowest pay awards for Grade D nurses for 1999–2000. [74995]

**Mr. Galbraith:** The information on average earnings available centrally is shown in the table. Data for earlier years are not available.

From 1 April 1999 all Grade D nurses in NHS Trusts in Scotland on national contracts will receive the rates of pay recommended by the Review Body for 1999 2000.

*Average Gross Pay [1] for Grade D nurses [2] employed in the NHS in Scotland—Financial years ending 31 March 1996 to 31 March 1998*

£

| *Year* | *Average gross pay* |
|---|---|
| 1996 | 14,997 |
| 1997 | 15,477 |
| 1998 [3] | 15,847 |

[1] Gross Pay consists of employees basic pay, overtime, enhancements and any other allowances they receive. It excludes employers charges.

[2] The averages are based on the nurses who work on a whole time basis only, because of the difficulty in calculating a whole time equivalent denominator for part time nurses.

[3] Data for Dumfries and Galloway Community NHS trust and 11 trusts and health boards in the West of Scotland are missing for 1998.

## Hospital Beds

**Mr. Moore:** To ask the Secretary of State for Scotland how many *(a)* acute, *(b)* geriatric, *(c)* mental illness, *(d)* learning disability and *(e)* maternity beds there were in each health board area in each year since 1994–95. [74989]

**Mr. Galbraith:** Information on the number of acute, geriatric, psychiatric, learning disability and obstetric beds in each Health Board for each year since 1994–95 is shown in the table.

From 1 July 1999, this will be a matter for the Scottish Parliament.

*NHS in Scotland—Average available staffed beds*
*Years ending 31 March 1995—31 March 1998 and 9 months ending 31 December 1998*[1]

| *Year ending* | *Acute* | *Geriatric*[2] | *Psychiatric*[3] | *Learning Disabilities* | *Obstetrics* |
|---|---|---|---|---|---|
| *31 March 1995* | | | | | |
| Argyll & Clyde | 1,198 | 949 | 1,092 | 234 | 137 |
| Ayrshire & Arran | 1,075 | 600 | 658 | 134 | 109 |
| Borders | 339 | 210 | 239 | 6 | 28 |
| Dumfries & Galloway | 405 | 314 | 382 | 81 | 44 |
| Fife | 774 | 615 | 684 | 303 | 79 |
| Forth Valley | 592 | 669 | 622 | 526 | 95 |
| Grampian | 1,843 | 1,048 | 1,053 | 297 | 202 |
| Greater Glasgow | 3,721 | 2,387 | 2,144 | 665 | 295 |
| Highland | 738 | 370 | 391 | 106 | 82 |
| Lanarkshire | 1,600 | 960 | 988 | 440 | 124 |
| Lothian | 2,437 | 1,744 | 1,663 | 488 | 200 |
| Orkney | 91 | 51 | — | — | 8 |
| Shetland | 46 | 81 | — | — | 10 |
| Tayside | 1,589 | 879 | 1,069 | 189 | 131 |
| Western Isles | 100 | 97 | 51 | — | 18 |
| Scotland | 16,549 | 10,974 | 11,034 | 3,468 | 1,563 |
| *31 March 1996* | | | | | |
| Argyll & Clyde | 1,147 | 943 | 1,076 | 226 | 138 |
| Ayrshire & Arran | 971 | 594 | 607 | 132 | 105 |
| Borders | 340 | 206 | 227 | 5 | 28 |
| Dumfries & Galloway | 416 | 269 | 367 | 86 | 44 |
| Fife | 754 | 541 | 657 | 303 | 68 |
| Forth Valley | 573 | 637 | 570 | 489 | 80 |
| Grampian | 1,804 | 1,033 | 988 | 286 | 194 |
| Greater Glasgow | 3,651 | 2,313 | 1,878 | 643 | 275 |
| Highland | 806 | 287 | 362 | 89 | 80 |
| Lanarkshire | 1,581 | 927 | 923 | 440 | 123 |
| Lothian | 2,317 | 1,643 | 1,631 | 467 | 195 |
| Orkney | 85 | 53 | 4 | — | 8 |
| Shetland | 46 | 80 | — | — | 10 |
| Tayside | 1,540 | 842 | 1,055 | 159 | 125 |
| Western Isles | 95 | 93 | 48 | — | 14 |
| Scotland | 16,126 | 10,459 | 10,392 | 3,325 | 1,487 |
| *31 March 1997* | | | | | |
| Argyll & Clyde | 1,115 | 943 | 1,059 | 226 | 135 |
| Ayrshire & Arran | 908 | 604 | 527 | 130 | 89 |
| Borders | 350 | 196 | 201 | 6 | 28 |
| Dumfries & Galloway | 389 | 250 | 335 | 86 | 44 |
| Fife | 741 | 506 | 621 | 293 | 68 |
| Forth Valley | 556 | 637 | 530 | 454 | 83 |
| Grampian | 1,791 | 1,004 | 898 | 265 | 176 |
| Greater Glasgow | 3,588 | 2,125 | 1,655 | 617 | 172 |
| Highland | 812 | 244 | 284 | 76 | 80 |
| Lanarkshire | 1,551 | 893 | 898 | 433 | 107 |
| Lothian | 2,265 | 1,413 | 1,488 | 386 | 165 |
| Orkney | 89 | 46 | 10 | — | 8 |
| Shetland | 50 | 67 | — | — | 10 |
| Tayside | 1,459 | 782 | 1,027 | 169 | 120 |
| Western Isles | 106 | 66 | 45 | — | 14 |
| Scotland | 15,770 | 9,776 | 9,580 | 3,141 | 1,400 |
| *31 March 1998* | | | | | |
| Argyll & Clyde | 1,108 | 988 | 1,080 | 226 | 132 |
| Ayrshire & Arran | 900 | 640 | 481 | 123 | 90 |
| Borders | 340 | 192 | 188 | 6 | 28 |
| Dumfries & Galloway | 395 | 221 | 331 | 86 | 43 |
| Fife | 713 | 485 | 581 | 250 | 68 |
| Forth Valley | 560 | 524 | 495 | 445 | 82 |
| Grampian | 1,788 | 883 | 801 | 247 | 172 |
| Greater Glasgow | 3,454 | 2,142 | 1,632 | 584 | 248 |

*NHS in Scotland—Average available staffed beds*
*Years ending 31 March 1995—31 March 1998 and 9 months ending 31 December 1998*[1]

| *Year ending* | *Acute*[2] | *Geriatric*[3] | *Psychiatric*[4] | *Learning Disabilities* | *Obstetrics* |
|---|---|---|---|---|---|
| Highland | 817 | 255 | 265 | 76 | 80 |
| Lanarkshire | 1,513 | 832 | 881 | 394 | 106 |
| Lothian | 2,049 | 1,247 | 1,363 | 301 | 157 |
| Orkney | 139 | — | — | — | 8 |
| Shetland | 54 | 52 | — | — | 10 |
| Tayside | 1,443 | 730 | 932 | 150 | 118 |
| Western Isles | 117 | 99 | 45 | — | 13 |
| Scotland | 15,390 | 9,290 | 9,076 | 2,888 | 1,354 |
| *1 April to 31 December 1998*[1] | | | | | |
| Argyll & Clyde | 1,086 | 935 | 1,007 | 205 | 127 |
| Ayrshire & Arran | 909 | 597 | 448 | 127 | 90 |
| Borders | 329 | 187 | 186 | 7 | 28 |
| Dumfries & Galloway | 386 | 242 | 506 | 220 | 43 |
| Fife | 701 | 473 | 582 | 210 | 68 |
| Forth Valley | 548 | 525 | 455 | 417 | 83 |
| Grampian | 1,770 | 781 | 772 | 228 | 167 |
| Greater Glasgow | 3,302 | 1,850 | 1,550 | 467 | 217 |
| Highland | 775 | 246 | 263 | 76 | 74 |
| Lanarkshire | 1,488 | 827 | 851 | 394 | 106 |
| Lothian | 1,932 | 1,190 | 1,289 | 246 | 135 |
| Orkney | 124 | — | — | — | 8 |
| Shetland | 54 | 40 | — | — | 6 |
| Tayside | 1,409 | 642 | 895 | 101 | 101 |
| Western Isles | 134 | 71 | 48 | — | 10 |
| Scotland | 14,947 | 8,606 | 8,852 | 2,699 | 1,261 |

[1] Provisional
[2] Acute specialty group comprises—all specialties not included in the following specialty groups: Geriatric, Psychiatric, Learning Disabilities and Obstetrics.
[3] Geriatric specialty group comprises—Geriatric Assessment, Geriatric Long-Stay and Younger Physically Disabled.
[4] Psychiatric specialty group comprises—Mental Illness, Psychogeriatrics, Child Psychiatry and Adolescent Psychiatry.
*Source:*
ISD Scotland

### NHS Trusts (Chief Executives' Pay)

**Mr. Moore:** To ask the Secretary of State for Scotland if he will estimate the average pay for chief executives for NHS trusts for the last 10 years; and if he will list the pay of the five highest paid chief executives of NHS trusts in 1998–99. [74994]

**Mr. Galbraith:** The first NHS Trust was established in Scotland in 1992. The current 47 Trusts were not in being until 1995. The information requested is only fully available from 1995–96 and is set out in the table.

£

| *Year* | *Average pay for chief executives* |
|---|---|
| 1995–96 | 63,490 |
| 1996–97 | 57,820 |
| 1997–98 | 68,680 |

*Pay of the 5 highest paid chief executives*

£

| *1995–96* | *1996–97* | *1997–98* |
|---|---|---|
| 89,000 | 91,000 | 93,000 |
| 85,000 | 90,000 | 89,000 |
| 85,000 | 85,000 | 85,000 |
| 83,000 | 83,000 | 84,000 |
| 80,000 | 83,000 | 83,000 |

From 1 July 1999, this will be a matter for the Scottish Parliament.

## FOREIGN AND COMMONWEALTH AFFAIRS

### European Union (Reform)

**Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list his priorities for the reform of European Union institutions. [73571]

**Ms Quin:** Our overriding priority is to ensure that the enlarged Union has institutions which are effective, accountable and transparent. We also attach particular importance to making the Commission's resource and personnel management practices more effective and transparent.

### General Affairs Council

**Mr. Jim Marshall:** To ask the Secretary of State for Foreign and Commonwealth Affairs what the outcome was of the General Affairs Council held in Brussels on 22 and 23 February; and if he will make a statement. [73485]

**Ms Quin:**

1. The General Affairs Council in Luxembourg on 22 February 1999 adopted the A points listed in document 6078/99 and noted the resolutions, decisions and opinions adopted by the European Parliament in its sessions of 11–15 January and 27–28 January listed in documents 5117/99 and 5120/99.

Copies of the documents listing the A points and resolutions will be placed in the House Libraries as soon as they become available. My right hon. Friend the Foreign Secretary and I represented the UK.

*Agenda 2000*

2. Foreign Ministers met on Sunday 21 February in advance of the General Affairs Council. Discussion focused on the 2000–2006 financial perspective, particularly on stabilising CAP and Structural Fund spending. Ministers agreed that further work at technical level on Community Initiatives and transitional arrangements was needed. Foreign Ministers agreed that the President of the GAC would report on the state of negotiations to the Informal meeting of Heads of State and Government in Petersberg on 26 February.

*Implementation of the Amsterdam Treaty*

3. The Presidency presented a paper on work in progress to prepare for entry into force of the Amsterdam Treaty. There was some discussion, in particular on the Schengen Acquis. Detailed consideration of the paper was remitted to the Committee of Permanent Representatives.

*Enlargement (Malta)*

4. The Commission presented its Opinion on Malta's renewed application to join the EU. The Opinion recommends that screening of Malta's legislation to assess its compatibility with EU obligations should begin as soon as possible, with a view to starting negotiations at the end of the year. I welcomed this on behalf of the UK. The Council asked the Committee of Permanent Representatives to examine the Opinion in greater detail and report back to the GAC.

*EU/South Africa*

5. The Council discussed the package finalised between the Commission and South Africa to conclude the Trade & Cooperation Agreement. Despite strong support from a majority of member states, including the UK, no overall agreement was possible. The Council asked the Commission to continue contacts with South Africa, with a view to reaching agreement by the end-March deadline set at the Vienna European Council.

*Special assistance to the new Independent States*

6. The Council welcomed the Commission's plans to transfer 20 million euro from the Russia TACIS programme to European Community Humanitarian Office to provide humanitarian aid for those Former Soviet Union countries worst hit by the Russian economic crisis.

*EU–Japan: Regulation on market access programmes*

7. Ministers agreed the Regulation which gives a legal base to implementation by the Commission of export promotion activities in Japan. The Regulation will not affect Member States' national export promotion activities.

*Kosovo*

8. Ministers discussed the then continuing negotiations on Kosovo at Rambouillet, and expressed their support for the efforts of the Contact Group. The Council urged the parties to the conflict to come to a comprehensive agreement, including on the security aspects; and reaffirmed the EU's readiness to play a key role in the implementation of an eventual agreement, including through reconstruction assistance. It also noted that, were a definitive agreement reached, Kosovo-related sanctions against the Federal Republic of Yugoslavia would be gradually suspended, linked to certain conditions.

*Ocalan*

9. The Council issued a declaration which reiterated its condemnation of all forms of terrorism; deplored the violent acts which followed the arrest of Abdullan Ocalan; noted the Turkish Government's assurance that Ocalan would receive a fair trial; underlined its opposition to the death penalty; called on Turkey to resolve its problems by political means; and noted the EU's readiness to promote conciliation.

*Middle East Peace Process*

10. Ministers discussed the recent visit of the Presidency to the region and tasked the relevant EU bodies to examine how the EU can continue to support the peace process. Ministers also asked the relevant EU bodies to examine possibilities for further Community support to Jordan.

*Indonesia*

11. The Council emphasised the importance of free, fair and credible elections in Indonesia. It agreed a UK initiative for additional Commission funding for the elections (7 million euro).

*External Representation of Euro*

12. The Council encouraged the Presidency to pursue its efforts, in accordance to the conclusions of the Vienna European Council, on Community representation in discussions by G7 Finance Ministers and Central Bank Governors on issues of particular relevance to EMU.

*Association Councils*

13. Following the GAC, there were successful meetings of the Association Councils with Latvia, Lithuania and Slovenia. They took stock of their preparations for EU membership, and considered the operation of the Europe Agreements. Over dinner, the participants discussed Kosovo, Russia and relations with neighbouring states.

## Task Forces

**Dr. Tony Wright:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish a list of (1) task forces and (2) policy reviews established by his Department since May 1997 which *(a)* had external members recruited by way of public advertisement, and details of any person so appointed and *(b)* engaged in public consultation exercises, and the form that these took. [74465]

**Mr. Fatchett:** None.

## Council of Europe Conventions

**Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the conventions of the Council of Europe which the United Kingdom has not ratified. [74636]

**Mr. Tony Lloyd:** The Council of Europe conventions which the United Kingdom has yet to ratify are as set out.

*Treaties signed but not ratified by United Kingdom*

| *ETS* | *Date of signature* | *Title* |
|---|---|---|
| 046 | 16 September 1963 | Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those included in the Convention and in Protocol No. 1. |
| 072 | 28 May 1970 | Convention relating to Stops on Bearer Securities in International Circulation. |
| 077 | 16 May 1972 | Convention on the Establishment of a Scheme of Registration of Wills. |
| 101 | 28 June 1978 | European Convention on the Control of the Acquisition and Possession of Firearms by Individuals. |
| 102 | 10 May 1979 | European Convention for the Protection of Animals for Slaughter. |

*Treaties signed but not ratified by United Kingdom*

| *ETS* | *Date of signature* | *Title* |
|---|---|---|
| 114 | 27 January 1999 | Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty. |
| 123 | 18 March 1986 | European Convention for the Protection of Vertebrate Animals used for Experimental and Other Scientific Purposes. |
| 142 | 21 October 1991 | Protocol amending the European Social Charter. |
| 143 | 16 January 1992 | European Convention on the Protection of the Archaeological Heritage (Revised). |
| 144 | 5 February 1992 | Convention on the Participation of Foreigners in Public Life at Local Level. |
| 153 | 2 October 1996 | European Convention relating to questions on Copyright Law and Neighbouring Rights in the Framework of Transfrontier Broadcasting by Satellite. |
| 156 | 31 January 1995 | Agreement on Illicit Traffic by Sea, Implementing Article 17 of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. |
| 163 | 7 November 1997 | European Social Charter (Revised). |
| 165 | 7 November 1997 | Convention on the Recognition of Qualifications concerning Higher Education in the European Region. |
| 170 | 8 September 1998 | Protocol of Amendment to the European Convention for the Protection of Vertebrate Animals used for Experimental and Other Scientific Purposes. |
| 173 | 27 January 1999 | Criminal Law Convention on Corruption. Total: 16 |

*Treaties neither signed nor ratified*

| *ETS* | *Title* |
|---|---|
| ETS 117 | Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms. |
| ETS 161 | European Agreement relating to persons participating in proceedings of the European Court of Human Rights. |
| ETS 162 | Sixth Protocol to the General Agreement on Privileges and Immunities of the Council of Europe. |
| ETS 86 | Additional Protocol to the European Convention on Extradition. |
| ETS 73 | European Convention on the Transfer of Proceedings in Criminal Matters. |
| ETS 106 | European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities [and its Additional Protocols (ETS No. 159 and 169)]. |
| ETS 127 | Convention on Mutual Administrative Assistance in Tax Matters. |
| ETS 138 | European Convention on the General Equivalence of Periods of University Study. |
| ETS 148 | European Charter for Regional or Minority Languages. |
| ETS 160 | European Convention on the Exercise of Children's Rights. |
| ETS 164 | Convention for the Protection of Human Rights and Dignity of the Human Being with Regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine (and its additional Protocol [ETS No. 168] on the Prohibition of Cloning Human Beings). |
| ETS 166 | European Convention on Nationality. |
| ETS 167 | Additional Protocol to the Convention on the Transfer of Sentenced Persons. |
| ETS 172 | Convention on the Protection of the Environment through Criminal Law. |

### Political Offences

**Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries to which he made representations in 1998 about imprisonment of elected members of parliament where such members are held in prison for alleged political offences; and if he will make a statement. [74622]

**Mr. Tony Lloyd:** We condemn the detention of any individual on the basis of his or her political beliefs. Detention of an elected representative is a particularly blatant abuse in that it demonstrates a total disregard, not just for that individual's rights, but for the whole democratic process.

We regularly raise cases of political detainees with the authorities concerned. We do so both bilaterally and with EU partners, at official and Ministerial level. However, we do not keep a central list of all such approaches.

More generally, we are working through dialogue, practical assistance and, where necessary, criticism to promote the full enjoyment of political freedoms by all.

If the hon. Gentleman has a particular case in mind, I should be happy to give a more detailed response.

### Strategic Export Controls

**Mr. Chope:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to publish the Annual report on Strategic Export Controls. [74761]

**Mr. Tony Lloyd:** The report will be published as soon as possible.

### Human Rights

**Mrs. Curtis-Thomas:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to publicise the Universal Declaration of Human Rights to UK citizens. [74954]

**Mr. Tony Lloyd:** Throughout 1998, we supported a wide range of events in the UK—and abroad—to mark the 50th Anniversary of the Universal Declaration of Human Rights.

Specific initiatives to increase public awareness of the rights enshrined in the Declaration include a Foreign Office funded schools information pack, the joint FCO/DfID Annual Report on Human Rights, and the human rights page on the FCO's website.

Related activities included the participation of the Prime Minister and the Foreign Secretary in Amnesty's "Get Up, Sign Up!" campaign; a series of Ministerial keynote speeches on human rights, and FCO funded human rights seminars.

We will continue to publicise the Declaration and other international human rights standards.

### Democratic Republic of Congo

**Ms Bridget Prentice:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the visit by the Minister of State, Foreign and Commonwealth Office, the hon. Member for Manchester, Central (Mr. Lloyd), as the Prime Minister's Special Envoy to the countries directly or indirectly involved in the conflict in the Democratic Republic of Congo. [75694]

**Mr. Tony Lloyd:** I visited the Democratic Republic of Congo and other countries directly or indirectly involved in the conflict there from 22–26 February as the Prime Minister's Special Envoy. The objective was to assess progress in the African mediation efforts and explore what more Britain and the international community may be able to do to support these. I met the Presidents of the countries most directly involved—the Democratic Republic of the Congo, Zimbabwe, Uganda and Rwanda—senior government representatives in South Africa, Angola and Namibia, and the Secretary-General of the Organisation of African Unity.

I conveyed the same message to all those directly involved in the conflict: the war was one no-one could win; it was damaging their own interests and causing untold suffering for the people of the region; resolving the conflict required an African solution—Britain was ready to do all it could to support this; Britain was working with its partners in the European Union and in the Security Council to help African mediation efforts. I urged them all to show the political will to end the conflict. All sides acknowledged the need for an early negotiated settlement, but none was prepared to withdraw its forces. We are considering what more we can do now to underpin African efforts and to bring about a just, peaceful and lasting settlement.

### Labour Market Reform

**Mr. Maclean:** To ask the Secretary of State for Foreign and Commonwealth Affairs which European Community working groups are undertaking work concerning *(a)* unfunded pensions liabilities and *(b)* trade union rights within the context of labour market reform. [74447]

**Mr. Ian McCartney:** I have been asked to reply.

I am responding to part *(b)* of the right hon. Gentleman's question as it is the responsibility of my Department; part *(a)* is the responsibility of the Department for Social Security.

There are no European Community working groups undertaking work at present concerning trade union rights within the context of labour market reform.

## AGRICULTURE, FISHERIES AND FOOD

### Meat Production Costs

**Mr. Gray:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to assist farmers to meet meat production costs arising from compliance with regulations. [74697]

**Mr. Rooker:** In his statement to the House on 16 November 1998, *Official Report*, columns 624–40, my right hon. Friend the Minister announced an aid package for livestock farmers worth some £120 million this year. The Government have no plans, and indeed see no case, for further assistance.

### Single Currency

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to issue information from his Department to help the public make an informed decision when they vote on the single currency. [73581]

**Mr. Rooker:** Any plans by the Government to issue information during a referendum campaign on whether or not the UK should join the single currency would be made in light of the Government's response to the recommendations from the Neill Committee on the conduct of referendums. The Government will announce their conclusions on those recommendations when my right hon. Friend the Home Secretary publishes a White Paper and draft Bill before the summer recess.

**Mr. Maclean:** To ask the Minister of Agriculture, Fisheries and Food if he will list the subject areas within his Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73676]

**Mr. Rooker:** I understand that HM Treasury, which has overall responsibility for the information campaign, will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any campaign would cover key concerns that the public and business in the whole range of sectors have. Chapter eight of the Treasury's Outline National Changeover Plan provides further information. Copies of the Plan are available in the House Library.

MAFF would support Treasury efforts in relation to the industries which the Department sponsors.

### Quarantine

**Mr. Chope:** To ask the Minister of Agriculture, Fisheries and Food when he expects to announce the Government's response to their consultation on quarantine for animals. [74271]

**Mr. Rooker:** The Government are considering the outcome of the consultation on the review of quarantine rules undertaken by the Advisory Group on Quarantine. We will announce a specific way forward as soon as we can.

**Sir George Young:** To ask the Minister of Agriculture, Fisheries and Food if he will authorise the release from quarantine of clinically healthy dogs and cats which show valid serological evidence of immunity to rabies. [72943]

**Mr. Rooker:** I refer the right hon. Member to the reply given to the hon. Member for Woking (Mr. Malins) on 2 March 1999, *Official Report*, column *721*.

### Live Animal Exports

**Mr. Prosser:** To ask the Minister of Agriculture, Fisheries and Food if there has been any significant change in UK live lamb and sheep prices since Farmers' Ferry Ltd. began operating a vessel carrying livestock from Dover to the continent in August 1998; and if he will make a statement. [74323]

**Mr. Rooker:** There has been a significant decline in the market price of UK lamb and sheep since August 1998. A number of factors, including the volume of exports, influence these prices. Whilst the Government wish to encourage the export of sheep as meat rather then as live animals, it is likely that UK market prices would have been further depressed in the absence of competition from the live export trade.

**Mr. Prosser:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to persuade farmers and exporters to replace the export of live animals with the export of meat and carcases; and if he will make a statement. [74319]

**Mr. Rooker:** The Government would strongly prefer to see meat exported rather than live animals. However, two European Court judgments have made clear this is a legal trade. Our approach therefore is to ensure scrupulous application of the EU rules protecting animals in transit, and encourage other member states to do the same.

### Sheep Exports

**Mr. Prosser:** To ask the Minister of Agriculture, Fisheries and Food what proportion by value of the UK's sheep exports are in the form of meat and carcases; and if he will make a statement. [74320]

**Mr. Rooker:** It is estimated that in the year ending 30 September 1998, UK exports of sheep carcase meat represented 74 per cent. of total sheep exports by value. This figure, however, is distorted by the inclusion of exports of live sheep from Northern Ireland to the Republic of Ireland. The comparable figure for all other destinations is estimated to be 90 per cent.

### Exchange Rates

**Mr. Mitchell:** To ask the Minister of Agriculture, Fisheries and Food further to his answer of 22 February 1999, *Official Report*, column *188*, on exchange rates, what form compensation will take for market support payments adversely affected by a decline in the euro; and what will be the source of such compensation. [74317]

**Mr. Rooker:** The new agri-monetary regulations for market support payments are of two kinds.

The first is a one-off arrangement to deal with the effects of the ending of the green rates on 1 January 1999. Compensation is payable only if the rate on 1 January 1999 was less favourable than the rates applying over the two previous years. This was not the case in the UK, so no compensation is payable.

The second deals with appreciable revaluations in the Pre-Ins currencies occurring after 1 January 1999 and before January 2002. Compensation would apply to the amount of the revaluation exceeding 2.6 per cent. The Member State and the European Union would each pay 50 per cent. of this compensation. It is too soon to say whether the UK would be eligible for such compensation.

Even if the possibility of compensation exists, payment remains optional for Member States; the EU contribution would be made only if the Member State paid its half. Decisions on paying compensation will need to take account of circumstances prevailing at the time, including the effects on the national contribution of the UK budget abatement.

### Food Standards Agency

**Mr. Moss:** To ask the Minister of Agriculture, Fisheries and Food how many businesses in North-East Cambridgeshire were assessed by the Government to be exceptionally vulnerable to the effects of the proposed levy to fund the Food Standards Agency. [73932]

**Mr. Rooker:** The purpose of the current public consultation exercise is to elicit views on, among other things, the implications of the proposed levy for food businesses. My officials are also holding direct discussions with small business representatives on the proposals. We will consider carefully the likely effects of the levy on businesses in the light of the responses we receive.

**Mr. Moss:** To ask the Minister of Agriculture, Fisheries and Food how many businesses in North-East Cambridgeshire will be liable for the proposed Food Standards Agency levy, broken down by businesses employing *(a)* under 10 people, *(b)* 11 to 50 people, *(c)* 51 to 100 people and *(d)* over 101 people. [73930]

**Mr. Rooker:** This information is not available for the categories and area requested. The proposed levy applies to food retail and catering premises that are required to register with the local authority under the Food Premises (Registration) Regulations 1991, except for those on which the only food sales are wrapped confectionery, soft drinks, crisps and similar wrapped products. Each local authority is required to maintain a register of food premises in their area, covering the name, address and nature of the business, but excluding details of the number of employees. The registers are open to inspection by the public.

**Mr. Moss:** To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the percentage of the money collected in North-East Cambridgeshire from the proposed levy to fund the Food Standards Agency will come from small businesses. [73931]

**Mr. Rooker:** This information is not available. The answer would in any case depend upon how one defined small businesses.

**Mr. Moss:** To ask the Minister of Agriculture, Fisheries and Food if he will estimate the number of businesses in North-East Cambridgeshire which will come under regulatory control of the proposed Food

Standards Agency, broken down into those which employ *(a)* under 10, *(b)* 11 to 50, *(c)* 51 to 100 and *(d)* over 101 people. [73945]

**Mr. Rooker:** Data on businesses are not collected for the categories and area requested. Regulatory control over most food businesses at the local level, will generally remain the responsibility of local enforcement authorities.

**Mr. Moss:** To ask the Minister of Agriculture, Fisheries and Food if the proposed levy to fund the Food Standards Agency will apply to food vendors at local markets. [73933]

**Mr. Rooker:** It is proposed that the levy will apply to food retail and catering premises that are required to be registered with the local authority under the terms of the Food Premises (Registration) Regulations 1991 (except for premises on which the only food sales are wrapped confectionery, soft drinks, crisps and similar wrapped products). This will include some food vendors at local markets.

## CULTURE, MEDIA AND SPORT

### Millennium Experience

**Mr. Marshall-Andrews:** To ask the Secretary of State for Culture, Media and Sport (1) what further budget review for the Millennium Experience he has received since October 1998; and if he will place a copy in the Library; [74904]

(2) if he will make a statement on the matters raised in paragraph 6 of the Comptroller and Auditor General's report on the accounts of the Millennium Commission for 1997–98; Financial Control of Expenditure, relating to the Millennium Experience (HC 1128); [74905]

(3) what plans he has to advance further public finance, whether from Government or the Millennium Commission, to the Millennium Experience *(a)* as predicted in section six of the Comptroller and Auditor General's report on the Account of the Millennium Commission for 1997–98: Financial Control of Expenditure relating to the Millennium Experience (HC 1128) and *(b)* otherwise; [74986]

(4) what steps have been taken by himself or his Department in response to paragraph 6 of the Comptroller and Auditor General's report on the Accounts of the Millennium Commission for 1997–98: Financial Control of Expenditure relating to the Millennium Experience (HC 1128) to identify the potential source of supplementary finance. [74985]

**Janet Anderson:** The decision to proceed with the Millennium Experience was made on the basis of five key commitments, one of which was that it must not result in any extra burden on the public purse. That remains the Government's position.

The Millennium Commission's accounts cover the period to 31 March 1998. Since then, the New Millennium Experience Company (NMEC) costs have remained within budget and the Company has announced that £142 million of sponsorship has been achieved—nearly 95 per cent. of its target and the largest amount of sponsorship ever raised for any single event. The Comptroller and Auditor General's Report did not suggest that the New Millennium Experience Company (NMEC) would not raise the money needed and did not qualify the Accounts in any way.

As a matter of normal business practice and commercial prudence, the NMEC itself undertakes regular, planned reviews of its budget. Under the terms of the Millennium Commission's grant, the NMEC consults the Commission on the outcome of these reviews. The Commission has endorsed the NMEC's budget and the NMEC's approach to its reviews. The NMEC and the Millennium Commission's budget documents and business plans are commercially confidential.

The NMEC is required to meet all the normal requirements that are placed on a Non-Departmental Public Body (NDPB) including the publication of its Annual Report and audited Accounts. The NMEC Accounts for 12 February 1997 to 31 March 1998 were laid before Parliament in July 1998 and the Company will be publishing its next Report and Accounts this summer.

### Single Currency Referendum

**Mr. Maclean:** To ask the Secretary of State for Culture, Media and Sport if he will list the subject areas within his Department's responsibilities which will be covered by the information campaign on Britain's membership of a single currency. [73670]

**Janet Anderson:** The Treasury will continue its dialogue with key external bodies to determine what information the public and business would need at each stage of the changeover process. Any information campaign would cover key concerns that the public and business may have. Chapter eight of the Treasury's "Outline National Changeover Plan" provides further information. Copies of the plan are available in the House Library.

**Mr. Maclean:** To ask the Secretary of State for Culture, Media and Sport what plans he has to issue information from his Department to help the public make an informed decision when they vote on the single currency. [73586]

**Janet Anderson:** Any plans by the Government to issue information during a referendum campaign on whether or not the UK should join the single currency would be made in light of the Government's response to the recommendations from the Neill Committee on the conduct of referendums. The Government will announce their conclusions on those recommendations when my right hon. Friend the Home Secretary publishes a White Paper and draft Bill before the summer recess.

### English Sports Council

**Mr. Spring:** To ask the Secretary of State for Culture, Media and Sport what percentage of the English Sports Council's grant-in-aid was spent on *(a)* staff costs, excluding national centres, *(b)* administrative expenses, *(c)* publicity/promotions/communications, *(d)* grants to national governing bodies, *(e)* grants to the National

Coaching Foundation, *(f)* sports science, *(g)* sports medicine, *(h)* national centres, *(i)* grants to other national sports bodies, excluding NGBs and *(j)* regional support in (i) 1997–98, (ii) 1998–99 and (iii) what are the provisional spending plans for 1999–2000 to 2001–02. [71745]

**Mr. Banks** *[holding answer 22 February 1999] [pursuant to his reply, 26 February 1999, c. 476–78]:* The information provided on the English Sports Council's grant-in-aid expenditure was inaccurate.

The correct information is in the following table.

*Percentage*

| *English Sports Council* | *Actual 1997–98* | *Est. 1998–99* | *Prov. 1999–2000* | *Prov. 2000–01* | *Prov. 2001–02* |
|---|---|---|---|---|---|
| Regional Development and Field Staff | 12 | 13 | 13 | 13 | 13 |
| National Development and Field Staff | 4 | 4 | 5 | 5 | 5 |
| Public Information/Communication/Research | 2 | 2 | 2 | 2 | 2 |
| Corporate services (Finance/IT/Audit/Human Resources/Office Services) | 5 | 6 | 6 | 6 | 6 |
| Total Staff Costs | 24 | 25 | 26 | 26 | 26 |
| Administrative Expenses | 6 | 11 | 9 | 9 | 9 |
| Rent/Rates/Running Costs | | | | | |
| Publicity/Promotion/Communications | 4 | 4 | 3 | 3 | 3 |
| Communications Programme | | | | | |
| Grants to National Governing Bodies | 19 | 17 | 19 | 19 | 19 |
| Complementing Grant In Aid provided by UKSC | | | | | |
| Grants to National Coaching Foundation | 5 | 5 | 4 | 1 | 4 |
| Complementing Grant In Aid provided by UKSC | | | | | |
| Sports Science/Sports Medicine | 2 | 1 | 2 | 2 | 2 |
| Complementing Grant In Aid provided by UKSC | | | | | |
| Sports Medicine | | | | | |
| National Centres | 8 | 10 | 10 | 10 | 9 |
| Total Net Costs | | | | | |
| Grants to Other National Sports Bodies excluding NGBs | 5 | 5 | 5 | 5 | 5 |
| Includes the following: | | | | | |
| Central Council for Physical Recreation | | | | | |
| Sports Aid Foundation | | | | | |
| Commonwealth Games Council for England | | | | | |
| Community Sports Leadership Award Scheme | | | | | |
| Youth Sport Trust | | | | | |
| English Federation of Disability Sports | | | | | |
| National Youth Games | | | | | |
| Panathlon Foundation | | | | | |
| Regional Support | 27 | 23 | 23 | 23 | 23 |
| Includes the following: | | | | | |
| Regional Grants | | | | | |
| Facility Planning and Development | | | | | |
| Equity (including Disability Grants) | | | | | |
| Volunteer and Community Development Work | | | | | |
| Total | 100 | 100 | 100 | 100 | 100 |

## EDUCATION AND EMPLOYMENT

### Rainsford School, Chelmsford

**Mr. Burns:** To ask the Secretary of State for Education and Employment (1) when he expects to reach a decision on the appeal by Rainsford School, Chelmsford, against the direction made by Essex County Council to admit a pupil, whose name has been sent to him, at the school; [74821]

(2) when he received an appeal from Rainsford School, Chelmsford, against the direction made by Essex County Council to admit a pupil, whose name has been sent to him, to that school. [74822]

**Mr. Charles Clarke:** My right hon. Friend the Secretary of State must consider any referral from a school directed to accept a pupil under section 431 of the Education Act 1996. We received Rainsford School's referral of a notice of direction about this pupil on 27 January. My right hon. Friend the Secretary of State will be making a determination as soon as further consultation with Essex local education authority and local schools has been completed.

### Teachers

**Mr. Syms:** To ask the Secretary of State for Education and Employment if he will estimate the average weekly earnings of teachers in 1999–2000 using April 1998 prices. [74022]

**Ms Estelle Morris:** The average weekly earnings of teachers (including heads and deputies) in the maintained nursery, primary, secondary and special sector in 1999–2000 at April 1998 prices is expected to be approximately £470.

**Mr. Syms:** To ask the Secretary of State for Education and Employment (1) what the average pay increase in real terms per annum has been for teachers from 1979 to 1997; [74025]

(2) if he will list, in real terms, the pay increases awarded to teachers each year from 1979 to date, taking into consideration the staging of pay awards. [74028]

**Ms Estelle Morris:** The following table shows the average annual pay increases in the maintained nursery, primary and secondary sector from 1979, in real terms using 1997 prices.

| *Increase from/to* | *Value of increase in real terms (1997 prices) (£)* | *Percentage increase in real terms (1997 prices)* |
|---|---|---|
| 1979 to 1980 | 504 | 3.3 |
| 1980 to 1981 | 969 | 6.1 |
| 1981 to 1982 | −118 | −0.7 |
| 1982 to 1983 | 22 | 0.1 |
| 1983 to 1984 | 178 | 1.1 |
| 1984 to 1985 | 92 | 0.5 |
| 1985 to 1986 | 632 | 3.7 |
| 1986 to 1987 | 1,935 | 11.0 |
| 1987 to 1988 | 530 | 2.7 |
| 1988 to 1989 | 35 | 0.2 |
| 1989 to 1990 | 145 | 0.7 |
| 1990 to 1991 | 486 | 2.4 |
| 1991 to 1992 | 1,177 | 5.7 |
| 1992 to 1993 | 974 | 4.4 |
| 1993 to 1994 | −359 | −1.6 |
| 1994 to 1995 | 272 | 1.2 |
| 1995 to 1996 | −92 | −0.4 |
| 1996 to 1997 | 124 | 0.5 |
| *Projections based on announced pay awards* | | |
| 1997 to 1998 | 179 | 0.8 |
| 1998 to 1999 | 235 | 1.0 |

### Medical School Courses

**Dr. Iddon:** To ask the Secretary of State for Education and Employment how many medical school courses currently offer *(a)* community-based vocational training with other healthcare professionals, *(b)* distance learning and *(c)* qualification within four years. [74193]

**Mr. Mudie:** Information on the number of medical school courses currently offering community-based vocational training with other healthcare professionals is not held centrally. Nor do we hold central information on the number of medical school courses offering distance learning but, in 1997–98, there were 480 student enrolments on postgraduate level distance learning courses in clinical medicine at the University of Bath. No other HE institution in the UK has any students recorded as studying pre-clinical or clinical medicine by distance learning. There were also 22 higher education institutions involved in distance learning courses in subjects allied to medicine in the same year with 4,599 students taking a range of subjects at sub-degree, first degree and postgraduate levels. There is no course currently in operation offering an undergraduate qualification in medicine within four years, but Leicester is shortly starting a course in 1999.

**Mr. Mitchell:** To ask the Secretary of State for Education and Employment how many medical school courses offer cross-disciplinary training for primary health care staff. [73754]

**Mr. Mudie:** This information is not kept centrally. A survey by the Committee of Vice-Chancellors and Principals in 1997 showed that 60 UK institutions offered courses involving shared teaching and learning across the professions: 32 at both undergraduate and postgraduate level; 14 at undergraduate level only; and 14 at postgraduate level only.

### Study Support Centres (Football Clubs)

**Mr. Maclean:** To ask the Secretary of State for Education and Employment how many football clubs are currently participating in the provision of study support centres; and how many such centres there are. [74779]

**Ms Estelle Morris:** Thirty six clubs have agreed to take part in Playing for Success. Twenty clubs have already opened study support centres at their grounds. The remainder plan to open their centres during 1999 or early in 2000.

### Selective Education

**Mr. Brady:** To ask the Secretary of State for Education and Employment what restrictions apply under the School Standards and Framework Act 1998 to teachers who are also parents eligible to vote in a ballot on the future of selective education. [74824]

**Ms Estelle Morris:** The same restrictions apply to teachers as to anyone else involved in ballots on the future admission arrangements of grammar schools. All parties involved should have regard to the Ballot Information Code set out in the Regulations. Staff in schools and LEAs should also bear in mind the provisions of Section 107 of the School Standards and Framework Act 1998. This prohibits the use of public funds for campaign purposes.

## WALES

### Opinion Polls

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales what is his estimate of expenditure by his Department, its agencies and related public bodies on all forms of opinion polling and focus groups for each of the years from 1994–95 to 1999–2000; and if he will make a statement. [74894]

**Mr. Michael:** Information on expenditure on opinion polling and focus groups by public bodies is not held centrally.

I will write to the hon. Member as soon as possible with information on expenditure by my Department and place a copy of my reply in the Library of the House.

### Departmental Expenditure

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales what is his estimate of expenditure by his Department, its agencies and related public bodies on newspapers and magazines for each of the years from 1994–95 to 1999–2000; and if he will make a statement. [74896]

**Mr. Michael:** Estimated expenditure by my Department for each of the years in question is as follows:

£

| Year | Newspapers | Magazines[1] |
|---|---|---|
| 1994–95 | 29,310 | 70,520 |
| 1995–96 | 24,170 | 61,100 |
| 1996–97 | 24,190 | 68,400 |
| 1997–98 | 24,500 | 79,400 |
| 1998–99[2] | 22,900 | 78,700 |
| 1999–2000[3] | 24,500 | 80,000 |

[1] 'Magazines' includes purchase costs relating to periodicals, academic journals and Hansard etc.
[2] Based on forecast outturn
[3] Based on provisional budget

These arrangements and future requirements are being reviewed in the light of the transfer of responsibilities to the Welsh Assembly. Figures for agencies and public bodies are not held centrally.

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales what is his estimate of expenditure by his Department, its agencies and related public bodies on all forms of hospitality and entertainment for each of the years from 1994–95 to 1999–2000; and if he will make a statement. [74893]

**Mr. Michael:** The information requested is as follows:

£

| | Welsh Office | Agency (CADW) |
|---|---|---|
| 1994–95 | 29,000 | 1,734 |
| 1995–96 | 22,000 | 417 |
| 1996–97 | 21,000 | 478 |
| 1997–98 | 15,000 | 211 |
| 1998–99 | [1]11,500 | [1]1,517 |
| 1999–2000 | [2]— | [2]— |

[1] Forecast
[2] Not yet determined

CADW, Welsh Historic Monuments, is the only Agency for which my Department has sole responsibility.

Expenditure on hospitality and entertainment by related public bodies sponsored by my Department is a matter for the management of these bodies; details are not held centrally.

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales what is his estimate of expenditure by his Department, its agencies and related public bodies on all forms of *(a)* external consultancy and *(b)* internal consultancy for each of the years from 1994–95 to 1999–2000; and if he will make a statement. [74891]

**Mr. Michael:** The figures for my Department on external consultancies are as follows:

£

| | |
|---|---|
| 1994–95 | 843,000 |
| 1995–96 | 1,212,000 |
| 1996–97 | 600,000 |
| 1997–98 | 700,000 |
| 1998–99 | [1]800,000 |
| 1999–2000 | [2]— |

[1] Forecast
[2] Not yet determined

CADW, Welsh Historic Monuments, the only Agency for which my Department has sole responsibility, has not incurred any expenditure from 1994–95 to 1997–98. In 1998–99 the forecast spend is £1,900, with 1999–2000 yet to be determined.

My Department does not employ internal consultants. Details of expenditure on consultants by related public bodies sponsored by my Department is a matter for the management of these bodies; details are not held centrally.

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales what is his estimate of expenditure by his Department and agencies on industry, training and enterprise for each of the years from 1994–95 to 1998–99; what are the planned figures for each of the years from 1999–2000 to 2001–02. [74900]

**Mr. Hain:** The information is as follows:

£ million

| | |
|---|---|
| 1994–95[1] | 260 |
| 1995–96[1] | 229 |
| 1996–97[1] | 255 |
| 1997–98[1] | 316 |
| 1998–99[2] | 337 |
| 1999–2000[3] | 345 |
| 2000–01[3] | 360 |
| 2001–02[3] | 381 |

[1] Outturn
[2] Estimated outturn
[3] Plans

Following the transfer of functions, this issue will be a matter for the National Assembly.

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales what is his estimate of expenditure by his Department, its agencies and related public bodies on all forms of *(a)* publicity, *(b)* advertising and *(c)* press expenditure for each of the years from 1994–95 to 1999–2000; and if he will make a statement. [74892]

**Mr. Michael:** The information requested is as follows:

*(i) Welsh Office*

£000

| Year | (a) Publicity | (b) Advertising | (c) Press | Total |
|---|---|---|---|---|
| 1994–95 | 1,470 | 8 | 247 | 1,725 |
| 1995–96 | 1,431 | 38 | 460 | 1,929 |
| 1996–97 | 1,431 | 24 | 340 | 1,795 |
| 1997–98[1] | 1,915 | 175 | 571 | 2,661 |
| 1998-to date | 1,413 | 167 | 1,105 | 2,685 |
| 1998–99[2] | — | — | — | 4,000 |
| 1999–2000[3,4] | — | — | — | 3,500 |

[1] Expenditure figures for the years 1997 to 1999 include the £2 million planned spend on the information campaign for the National Assembly elections.
[2] Estimated final outturn
[3] Planned expenditure
[4] In 1999–2000, we plan to spend some £3.5 million on publicity. The way we spend this money (ie the most suitable form of publicity media) will be decided during the year as campaigns break.

*(ii) CADW*

*£000*

| | *(a) Publicity* | *(c) Press advertising* | *Total* |
|---|---|---|---|
| 1994–95 | 247 | 43 | 290 |
| 1995–96 | 247 | 43 | 290 |
| 1996–97 | 255 | 44 | 299 |
| 1997–98 | 255 | 44 | 299 |
| 1998–99 to date | 255 | 45 | 300 |
| 1999–2000 planned exp. | 255 | 45 | 300 |

*Note:*
CADW have no advertising other than Press

NDPB expenditure cannot be broken down into the categories requested. The total expenditure on all forms of publicity, advertising and press expenditure by NDPBs for each of the years from 1994–95 is as follows:

*(iii) NDPBs*

*£000*

| *Year* | *(a) Publicity* |
|---|---|
| 1994–95 | 17,197 |
| 1995–96 | 17,800 |
| 1996–97 | 18,255 |
| 1997–98 | 17,998 |
| 1998–99 | 14,033 |
| 1999–2000 | n/k |

Following the transfer of functions, this issue will be a matter for the National Assembly.

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales what is his estimate of expenditure by his Department, its agencies and related public bodies on all *(a)* internal and *(b)* external conferences for each of the years from 1994–95 to 1999–2000; and if he will make a statement. [74897]

**Mr. Michael:** Information on such expenditure by related public bodies is not held centrally. Full information on internal and external conferences held by the Welsh Office and its agency since 1994–95 could be obtained only at disproportionate cost. I will write to the hon. Member as soon as possible with the information which is available and place a copy in the Library of the House.

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales what is his estimate of expenditure by his Department, its agencies and related public bodies on special advisers for each of the years from 1994–95 to 1999–2000; and if he will make a statement. [74895]

**Mr. Michael:** The figure for special advisers for my Department for 1997–98 was £90,000 and the forecast for 1998–99 is £109,000. Prior to this these figures were not separately identified.

Cadw, Welsh Historic Monuments, the only Agency for which my Department has sole responsibility, has not incurred any expenditure for special advisers.

I am not aware of expenditure by related public bodies sponsored by my Department for special advisers. I will ask Chief Executives to write to the hon. Member and place a copy of their replies in the Library of the House.

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales what is his estimate of expenditure by his Department, its agencies and related public bodies on all forms of administrative expenditure for each of the years from 1994–95 to 1999–2000; and if he will make a statement. [74890]

**Mr. Michael:** The information requested is as follows:

*£ million*

| *Year* | *Welsh Office* | *Agency (CADW)* |
|---|---|---|
| 1994–95 | 66.3 | 4.9 |
| 1995–96 | 66.1 | 4.8 |
| 1996–97 | 65.7 | 4.3 |
| 1997–98 | 66.4 | 3.9 |
| 1998–99 | [1]92.4 | [1]4.2 |
| 1999–2000 | not yet determined | not yet determined |

[1] Forecast

Cadw, Welsh Historic Monuments, is the only Agency for which my Department has sole responsibility.

Expenditure by related public bodies sponsored by my Department is a matter for the management of these bodies; details are not held centrally.

## Class Sizes

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales what is his estimate of the cost of reducing all primary school class sizes to 30 or fewer pupils, over and above planned provision for smaller class sizes in certain primary school classes; and if he will make a statement. [74903]

**Mr. Hain:** The cost of reducing all primary school classes to 30 or fewer pupils has not been estimated.

The Government have pledged to reduce the size of all infant classes to 30 pupils or fewer by 2001. In 1998–99, local education authorities (LEAs) in Wales received a total of £3.7m to assist with measures to reduce infant class sizes.

LEA bids for 1999–2000 for grant funding for revenue and capital measures to assist with infant class size reduction total £16.06m against available resources of £11.3m. Allocations will be announced shortly. A total of £23.5m in grant funding is included in forward plans for 2000–01 and 2001–02. Decisions on funding in those years will be a matter for the National Assembly.

LEAs and schools may employ a range of measures to achieve infant classes of 30 or fewer. Measures include employment of additional teachers; capital works; and changes in admissions arrangements, admissions numbers and class organisation within schools.

Following the transfer of functions, this issue will be a matter for the National Assembly.

### Departmental Properties

**Mr. Malcolm Bruce:** To ask the Secretary of State for Wales if he will list the properties of his Department, its agencies and public bodies which are at present vacant; and what is the estimated value of such properties and annual cost of maintaining the properties in a vacant state. [74898]

**Mr. Michael:** I will write to the hon. Member as soon as possible and place a copy of my reply in the Library of the House.

### Elections

**Mr. Alan Williams:** To ask the Secretary of State for Wales who has the power to set the time at which votes will be counted in each constituency for the *(a)* Welsh Assembly elections and *(b)* council elections. [74564]

**Mr. Michael:** The constituency returning officer will be responsible for making arrangements as soon as practicable after the close of the polls for counting the votes cast in his constituency at the Assembly constituency election and at the Assembly regional election. There has been considerable detailed discussion on the practicalities between my officials and representatives of returning officers in Wales to make sure that counting takes place in a way which enables the highest standards to be maintained in what is a new style of voting.

With Assembly elections being held on the same day as local government elections, in most parts of Wales there will be three sets of ballot papers to count. The verification and sorting stage is likely to take very much longer than usual. Constituency returning officers expect to complete this stage no earlier than 3 am on Friday 7 May. They will then stop the proceedings, store the ballot papers in secure conditions and reconvene from 9 or 9.30 am that same morning to count the votes. With verification having been completed the night before, the counting of the votes themselves should not take too long. We expect the results of all the constituency and regional elections to be declared by lunch-time on Friday (unless there is a re-count in a constituency).

Paragraph 49(4) gives the Secretary of State a discretionary power to direct that the counting of votes at an ordinary Assembly election should start between 9am and noon on the day following polling day. I do not propose to use that power on this occasion; I understand that the constituency returning officers are having discussions to agree a co-ordinated start throughout Wales for the count of the Assembly votes on Friday morning.

The counting of votes at a local government election is entirely a matter for the local government returning officer. My understanding is that nearly all returning officers for the local government elections have made arrangements for those ballot papers to be counted on the afternoon of Friday 7 May after the Assembly votes have been counted. A very few are still exploring the logistics of counting the votes on the Thursday night. The counts on Friday afternoon should be completed fairly quickly, since verification of the local government ballot papers will have been completed the night before.

## ENVIRONMENT, TRANSPORT AND THE REGIONS

### Minister for Science

**Mr. Redwood:** To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions when he has met the Minister for Science genetically modified foods or crops have been discussed. [73027]

**Mr. Prescott** *[holding answer 25 February 1999]:* I have never discussed genetically modified foods or crops with the Minister for Science.

### Genetically Modified Organisms

**Mr. Redwood:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the commercial licences which have been granted since 1 May 1997 for the growing of genetically modified seeds; which companies and products were covered by those licences; when growing is expected to begin; and if he will make a statement. [73028]

**Mr. Meacher** *[holding answer 25 February 1999]:* The table shows the consents which have been issued under Part C of Directive 90/220/EEC since 1 May 1997 for the commercial growing of GM plants. No consents for growing have been issued by the UK since 1 May 1997, but, once a consent is issued to another member state, it applies to all EU countries. Commercial planting of approved seeds in the UK could begin once the UK's internal regulatory processes are complete. This includes placing the varieties on the National Seed List.

| *Date submitted* | *Competent authority* | *Notifying company* | *Description of GMO* | *Scope of application* | *Consent granted* |
|---|---|---|---|---|---|
| 3 June 1996 | France | AgrEvo France | Maize modified for tolerance to glufosinate ammonium herbicide | Agricultural use leading to animal and human consumption | 3 August 1998 |
| 12 June 1996 | France | Monsanto Europe | Maize modified for insect resistance | Production of maize in the EC and import, storage and processing for use in feed, food and industrial products | 3 August 1998 |
| 25 September 1996 | Netherlands | Florigene Europe BV | Carnation with modified flower colour | Cut flowers for purchase by consumers | 1 December 1997 |
| 14 August 1998 | Netherlands | Florigene Europe BV | Carnations modified for increased vaselife | For production of cut flowers and horticulture | 20 October 1998 |
| 14 August 1998 | Netherlands | Florigene Europe BV | Carnations modified for altered flower colour | For production of cut flowers and horticulture | 20 October 1998 |

**Mr. Drew:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the field trials for GMOs that are currently taking place indicating in each case the *(a)* location, *(b)* crop being grown and *(c)* date by which the trial will be concluded. [73264]

**Mr. Meacher** *[holding answer 2 March 1999]:* Details on all field trials, including the information the hon. Member requests, is held on the statutory register maintained by DETR. This is available for public inspection.

### Trunk Road Junctions

**Dr. Gibson:** To ask the Secretary of State for the Environment, Transport and the Regions when was the last occasion on which a junction was built within two kilometres of another on a trunk road. [73748]

**Ms Glenda Jackson:** The last junction to be built within two kilometres of another was an access road from the westbound speed-limited slip road of the A406 North Circular Road. This allows access from local roads via a trunk road slip road to a sports facility close to the A406/B550 Colney Hatch junction, in the London Borough of Barnet. This junction became operational at the end of February 1999.

### Energy Efficiency

**Mrs. Brinton:** To ask the Secretary of State for the Environment, Transport and the Regions what was the outcome of his Department's informal consultation on future energy efficiency standards of performance. [74285]

**Mr. Meale:** The Department's discussion note sought views from the energy industry and other organisations on the advantages and disadvantages of Government making provision for future use of energy efficiency standards of performance, and on the possible ways in which EESOPs, if provided for, could work in the liberalised domestic energy market. 36 companies and organisations responded. One respondee expressed the view that environmental issues should rest with the Government as representative of individuals as citizens, rather than involving energy consumers. The others felt that there should be provision for EESOPs in future utility legislation, or expressed no view on the matter. Respondees felt that EESOPs could work effectively in the new liberalised market, and commented extensively and in detail on the operational practicalities.

Ministers are now considering the information from the discussion.

### Local Government Finance (Essex)

**Mr. Whittingdale:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the total provisional standard spending assessments for 1999–2000 for *(a)* Essex County Council, *(b)* Maldon District Council, *(c)* Chelmsford Borough Council and *(d)* the Essex Police, indicating (i) the amounts for each major service block within each authority and (ii) the amounts of the standard spending assessments as they would have been if calculated by the same formula as in 1998–99. [74015]

**Ms Armstrong:** The information requested is shown in the table:

*£ million*

| | *Essex County Council* | *Maldon District Council* | *Chelmsford Borough Council* | *Essex Police* |
|---|---|---|---|---|
| *Provisional* | | | | |
| Education | 524.217 | — | — | — |
| Personal Social Services | 185.579 | — | — | — |
| Police | — | — | — | 79.361 |
| Fire | 31.499 | — | — | — |
| Highway Maintenance | 53.388 | — | — | — |
| Environmental, Protective and Cultural Services | 63.853 | 4.885 | 12.667 | — |
| Capital Financing | 25.103 | –0.082 | 0.044 | 0.785 |
| Total | 883.639 | 4.803 | 12.711 | 80.146 |
| *Standard spending* | | | | |
| Education | 524.217 | — | — | — |
| Personal Social Services | 183.027 | — | — | — |
| Police | — | — | — | 79.202 |
| Fire | 31.499 | — | — | — |
| Highway Maintenance | 53.388 | — | — | — |
| Environmental, Protective and Cultural Services | 64.400 | 4.883 | 12.678 | — |
| Capital Financing | 24.494 | –0.032 | 0.522 | 0.753 |
| Total | 881.025 | 4.852 | 13.201 | 79.955 |

### Traffic Commissioner for Wales

**Mr. Wigley:** To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the Traffic Commissioner for Wales will henceforward be administered from outside Wales. [74303]

**Ms Glenda Jackson:** The South Wales Traffic Area has been administered from Birmingham since 1997. The administration of operator licensing for North Wales is currently carried out from Leeds. The proposals to be put before the House shortly will create a new traffic area for Wales by combining the South Wales Traffic Area with

North Wales. To minimise disruption to operators and cost, the new Traffic Area will be administered from Birmingham. The Traffic Commissioner will continue to hold his Public Inquiries in Wales as appropriate. Plans are in hand to modernise the information systems within Traffic Area Offices which will allow us to consider the case for providing facilities in Wales in due course.

### Speed Limits (Enforcement)

**Mr. Casale:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to improve enforcement mechanisms for 20 mile per hour speed limits on residential roads in London. [73821]

**Ms Glenda Jackson** *[holding answer 2 March 1999]:* Enforcement of speed limits is ultimately a matter for the police. However, the consent of the Secretary of State must be obtained before the making of a 20 mph speed limit, and such consent is given only if it is likely the limit will be self-enforcing, normally by a system of traffic calming. The requirement to obtain consent will shortly be removed, subject to Parliamentary approval, but the advice to ensure the self enforcing nature of 20 mph speed limits will remain.

### Maritime Industry

**Mr. Sayeed:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on investment in the United Kingdom maritime industry. [74490]

**Ms Glenda Jackson:** Investment in shipping and ports is a matter for private industry and their assessment of future demand, revenues and costs. The Government are concerned that investment should take place which enhances the competitiveness of the maritime industries, efficiently services UK industry and contributes to its aims of sustainable development. Recent publications such as the White Paper "The Future of Transport, British Shipping: Charting a New Course and Sustainable Distribution: A Strategy" set out the Government views on what they can do to improve the climate of investment in the maritime industries. Also relevant is the consultation paper "Review of Trust Ports and Ports Policy Paper: Draft Outline."

*Deliveries of new vessels to UK private sector shipowners*
*Total cost, numbers and tonnage*

| *Year* | *Cost (£ million)* | *Number* | *Gt. million tonnes* |
|---|---|---|---|
| 1987 | 295 | 11 | 0.244 |
| 1988 | 15 | 6 | 0.021 |
| 1989 | 209 | 24 | 0.201 |
| 1990 | 159 | 22 | 0.334 |
| 1991 | 368 | 30 | 0.296 |
| 1992 | 253 | 23 | 0.161 |
| 1993 | 378 | 24 | 0.356 |
| 1994 | 283 | 16 | 0.262 |
| 1995 | 472 | 13 | 0.326 |
| 1996 | 79 | 14 | 0.025 |

*Investment in ports by port authorities* [1]

| | *£ million* |
|---|---|
| 1986 | 70 |
| 1987 | 65 |
| 1988 | 84 |
| 1989 | 114 |
| 1990 | 130 |
| 1991 | 115 |
| 1992 | 107 |
| 1993 | 123 |
| 1994 | 120 |
| 1995 | 165 |
| 1996 | 150 |

[1] The figures are for port authorities only and do not include investment by other companies operating in ports.

### Merchant Ships

**Mr. Prosser:** To ask the Secretary of State for the Environment, Transport and the Regions how many merchant navy officer cadets began training in each year since 1990. [74966]

**Ms Glenda Jackson:** The number of merchant navy officer cadets who began training in each year since 1990 are as follows:

| | *Number of cadets* |
|---|---|
| 1990–91 | 413 |
| 1991–92 | 500 |
| 1992–93 | 460 |
| 1993–94 | 343 |
| 1994–95 | 372 |
| 1995–96 | 398 |
| 1996–97 | 460 |
| 1997–98 | 465 |
| 1998–99 | 584 |

### Foleshill Gasworks

**Mrs. Shephard:** To ask the Secretary of State for the Environment, Transport and the Regions (1) if the Foleshill Gasworks application is one which may conflict with national policy on important matters; [74708]

(2) if the Foleshill Gasworks planning application has wide effects beyond its immediate locality; [74706]

(3) if the Foleshill Gasworks application raises issues of more than local importance; [74707]

(4) if the Foleshill Gasworks planning application gives rise to substantial regional or national controversy. [74705]

**Mr. Caborn** *[holding answer 4 March 1999]:* I refer to the answer given to the right hon. Lady on 26 February 1999, *Official Report*, column *484*.

The factors referred to in the questions are examples of criteria which are taken into account in deciding whether to call in a planning application. Each case however must be considered on its own merits. Having carefully considered our call-in criteria and planning policy

guidance, the Secretary of State did not consider that it was appropriate to call in the application for Foleshill Gasworks.

### Shipping

**Mr. Sayeed:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure that the Government's maritime policy will encourage the shipping industry to register more ships in Britain. [74819]

**Ms Glenda Jackson:** One of the stated aims of the Government's shipping policy is to encourage UK ship registration, to increase ship owners' identification with the UK, to improve our regulatory control of shipping using UK ports and waters and to help maintain the availability of assets and personnel that may be needed in time of war. The Government's shipping policy paper "British Shipping: Charting a new course" sets out a number of actions designed to develop a shipping environment in which shipping companies will be encouraged to register in the UK.

### Council Estates (Manchester)

**Mr. Brady:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received about the proposed transfer of Manchester City Council estates in Sale West to other landlords. [74825]

**Mr. Raynsford:** We have received representations from the three tenants' associations on the Manchester City Council estates in Sale, Magnolia Court Tenants Association, Sale West Tenants and Residents Association, and Manor Avenue Tenants and Residents Association, about the proposed transfer of those estates to a Registered Social Landlord. Those representations will be taken into account as part of the assessment of Manchester's application for a place on the 1999–2000 housing transfer programme.

### Road Traffic Accidents

**Mr. Key:** To ask the Secretary of State for the Environment, Transport and the Regions what was the rate of all road traffic accidents expressed as accidents per hundred thousand vehicle miles in the latest year for which figures are available. [74998]

**Ms Glenda Jackson:** The accident rate for all road traffic accidents is not available as the Department collects data only from those traffic accidents involving personal injury. The accident rate for all road traffic injury accidents is 0.085 per 100,000 vehicle miles

### Countryside Agency

**Mr. Gordon Prentice:** To ask the Secretary of State for the Environment, Transport and the Regions how many persons have *(a)* applied for and *(b)* been invited to apply for membership of the Board of the Countryside Agency; how many have been interviewed; and when he will announce the appointments. [74870]

**Mr. Meacher:** Two hundred and fifty three applications were considered. Applications resulted from Press advertisements, other publicity, and nominations by organisations notified of the vacancies. Unsuccessful applicants from previous appointment rounds were also considered.

Seventeen candidates have been interviewed. We expect to announce appointments shortly.

## TREASURY

### Financial Services and Markets Bill

**Ms Lawrence:** To ask the Chancellor of the Exchequer if he will make a statement regarding consultation on the draft Financial Services and Markets Bill. [75663]

**Mr. Milburn:** A consultation document on the draft Bill was published in July 1998. I have today published a Progress Report with the main issues raised on the consultation, and the Government's reaction. I am placing copies in the Vote Office and the Libraries of the House. A Joint Committee on Financial Services and Markets has been appointed to report on the Government's proposals.

### Written Answers

**Mr. Malcolm Bruce:** To ask the Chancellor of the Exchequer for what reasons he has yet to reply substantively to the question from the hon. Member for Gordon due for answer 25 February (reference 72814). [74988]

**Ms Hewitt:** I answered the hon. Gentleman's question on 2 March 1999, *Official Report*, column *642*.

**Mr. Malcolm Bruce:** To ask the Chancellor of the Exchequer for what reasons he has not yet replied substantively to the questions from the hon. Member for Gordon, due for answer on 4 February (references 69244 and 69185); and if he will make a statement. [74987]

**Ms Hewitt:** The Chief Secretary and the Paymaster General have replied substantively to the hon. Gentleman's questions.

### Income Tax (Scotland)

**Mr. Malcolm Bruce:** To ask the Chancellor of the Exchequer what is his latest estimate of the number of *(a)* adults, *(b)* income taxpayers and *(c)* income taxpayers at the basic and higher rates in Scotland; and if he will make a statement. [69185]

**Dawn Primarolo** *[holding answer 4 February 1999]*: Latest mid-year population estimates are that there were some 3,970,000 people aged 18 and over in Scotland in 1997. The latest Survey of Personal Incomes indicates that there were about 2,330,000 income taxpayers in Scotland in 1996–97. Of these, 1,540,000 people were liable to pay income tax at basic rate while 152,000 were liable to pay at higher rate.

### Contingency Reserves

**Mr. Malcolm Bruce:** To ask the Chancellor of the Exchequer if he will make a statement on the level of

the contingency reserves for *(a)* 1998–99, *(b)* 1999–2000, *(c)* 2000–01 and *(d)* 2001–02; what allocations to or from the reserves have been made since the November 1998 pre-Budget report; and if he will make a statement. [69244]

**Mr. Milburn** *[holding answer 4 February 1999]:* The Economic and Fiscal Strategy Report of June 1998 set the Reserve in 1998–99 at £3.8 billion.

The 1998–99 Winter and Supplementary Estimates and associated changes to non-Voted provision, which have been presented to the House, allocated £3.4 billion of the 1998–99 Reserve to departments. This includes the extra £250 million for the NHS in 1998–99, announced in the pre-Budget Report.

The Departmental Expenditure Limit Reserve for 1999–2000, 2000–01 and 2001–02 was set out in the Comprehensive Spending Review White Paper (Cm 4011).

# INDEX TO THE

# PARLIAMENTARY DEBATES

## OFFICIAL REPORT

**SIXTH SERIES** **VOLUME 326**

SESSION 1998–99

*22nd February—5th March 1999*

## SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index to the daily parts and weekly Hansard is derived from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes, and cannot, therefore, be used in conjunction with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

### *Scope and arrangement of the Index*

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There will, however, be headings 'Northern Ireland', 'Scotland', and 'Wales' under which one will find not only Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc., under subject headings and under the names of those taking part.

Contributions by Speaker and deputies are brought together under the heading 'Speaker and deputies'. Significant rulings and statements are indicated by the sub-heading 'Rulings and statements'.

Opposition Day Debates and Estimates Day Debates are listed under those respective headings and under subject headings too.

The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

### *Abbreviations*

*Bills* 1R = first reading, 2R = second reading, Com = Committee stage, Rep = Report stage, 3R = third reading, res = resolution, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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